**Helpful Links**

*Key Information Sources:*

* **Virginia DOE Links to Federal & State Laws/Regulations Pertaining to IEPs & 504s:** <https://www.doe.virginia.gov/special_ed/regulations/index.shtml>
* **Virginia DOE Regulations Pertaining to Special Education** (we recommend downloading this to your computer, & pulling it up to type in search terms, as well as reading key sections in full)**:** <https://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf>
* **Wrightslaw Website:** <https://www.wrightslaw.com/>
* **JLARC Report Published Dec. 2019 on Special Education in VA:** <http://jlarc.virginia.gov/landing-2020-special-education.asp>
* **Guidelines** **on Implementation of Therapeutic Day Treatment:** <https://dbhds.virginia.gov/library/licensing/OL-TDT%20MOU%20Assistance.pdf>
* **Article Referencing Recent US DOE Report Criticizing VA DOE**: <https://richmond.com/news/virginia/u-s-department-of-education-criticizes-virginia-for-lack-of-special-education-oversight/article_7530e4ad-3088-513e-b988-fc77c852075a.html>
* **Crip Camp: Documentary Showing the Activism of the Disabled Community to Bring About the ADA & Section 504 Legislation** <https://www.youtube.com/watch?v=OFS8SpwioZ4&t=3276s&ab_channel=Netflix>

*Sources to Follow in Your Facebook Feed:*

* **FACES Educational Consultant** (Roanoke-based educational advocacy company, that publishes daily scripting of how to handle situations you may run into with a school) <https://www.facebook.com/GiversRUs>
* **Advocating 4 Kids, Inc** (Eastern-shore based educational advocacy company, that is doing amazing Facebook Live series throughout February focusing on advocacy challenges specific to Black students & families) <https://www.facebook.com/advocating4kids>
* **Special Education IEP & 504 Plan Support Group** (you’ll have to search for the group on Facebook & request to join. Many parents in this group, but the group is run by a former educator-turned-advocate, with lots of advocates who post & share info & events here. Excellent source of daily tips on tons of topics!)

*Useful Resources:*

* **Recommendations to Support Student Success During Virtual Learning:** <https://www.parinc.com/Portals/0/Webuploads/samplerpts/PAR%20WHITE%20PAPER-Remote_School_Recommendations_v3_100920.pdf>
* **Link to VDOE Eligibility Worksheets of Criteria for Specific Eligibility Categories** (note: on this page, click on the 2nd line under “Resources,” titled “Guidance on Evaluation & Eligibility for the Special Education Process—Appendix A (Sample Evaluation & Eligibility Forms). This will open a Word document—you will need to scroll pretty far into the Word document to find the eligibility worksheets, with a separate page for each possible eligibility category. Print these out and bring them with you to eligibility meetings, for each category you think your child \*could\* fit into. <https://www.doe.virginia.gov/special_ed/disabilities/>
* **Article With Suggestions for Possible Tests to Request in a Comprehensive Evaluation** <https://www.wrightslaw.com/howey/tests.state.law.htm>

*Information Around Disciplinary Exclusion & Best Practices:*

* **VA DOE Guidance Around Discipline of Students with Disabilities:** <https://www.doe.virginia.gov/support/student_conduct/discipline_children_disabilities.pdf>
* **Legal Aid’s 3 Years of Reporting Trends on Suspension in VA’s Schools:** <https://www.justice4all.org/suspension/>
* **CASA of Central VA Blog Post on Trends in Local Suspension Data:** <https://www.cvcasa.org/blog/centralvasuspensions>
* **CASA of Central VA Blog Post on How Suspensions Hurt Kids:**

<https://www.cvcasa.org/blog/5-ways-suspensions-hurt-casa-kids>

* **CASA of Central VA Blog Post on Things to try Instead of Suspension:** <https://www.cvcasa.org/blog/2018/9/15/10-things-to-try-instead-of-suspension>

**Chat**

17:55:04 From Hunter Epperson to Everyone : Hunter Epperson (CASA of Central VA)

17:55:23 From Paula Geake to Everyone : Paula Geake CASA

17:55:30 From Sonia Heidinger to Everyone : Sonia Heidinger PT

17:55:31 From Maryanne to Everyone : Maryanne MacVicar - Fairfax CASA

17:55:38 From Renee Myers to Everyone : Renee Myers, CASA

17:55:44 From Kandel Berry to Cristy Horsley(Direct Message) : Hi I'm Kandel Berry CASA Advocate Manager

17:55:50 From lisa boman to Everyone : Lisa Boman Lynchburg CASA

17:56:06 From iPhone to Everyone : Mary Nelson Culpeper CASA volunteer

17:56:15 From Allison Stronza to Everyone : Allison Stronza, CASA of Central Virginia staff

17:56:22 From pam flippin to Everyone : Pam Flippin Hanover CASA volunteer

17:57:05 From Kandel Berry to Everyone : Kandel Berry Advocate Manager Central Virginia CASA

17:59:13 From Christina to Everyone : Christina Gower

Previous CASA volunteer with Sunflower CASA of Manhattan KS. Moved back to Central VA last year. Also a school psychologist

17:59:34 From Cristy Horsley to Everyone : <https://www.doe.virginia.gov/special_ed/regulations/index.shtml>

18:00:08 From Cristy Horsley to Everyone : <https://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf>

18:00:42 From Cristy Horsley to Everyone : <https://www.wrightslaw.com/>

18:21:34 From Cristy Horsley to Everyone : OH NO!!! Thank for helping to advocate for those kids who really need help getting back on track for success, Melissa!

18:22:28 From Cristy Horsley to Everyone : Prior to these cases/laws, the expectation was that disabled individuals would essentially live apart from/out of sight from the general public. There's a book called "The Ugly Laws: Disability in Public," but you can also google "the ugly laws" for information about it. The Americans with Disabilities Act/Section 504 really fundamentally changed that expectation, & instead flipped the expectation to being that YES, those with disabilities absolutely should be able to access & participate in public life!

18:23:53 From Kathleen Long to Everyone : my background is 20 years in juvenile probation. what annoyed me always was kids who could not write or read at their age level and were just passed along. I know these kids need special ed

18:24:38 From Cristy Horsley to Everyone : Check out the documentary Crip Camp on YouTube for the footage of the activism enacted by disabled activists! <https://www.youtube.com/watch?v=OFS8SpwioZ4&t=3276s&ab_channel=Netflix>

18:27:17 From Kathleen Long to Everyone : Ya think??

18:27:44 From Cristy Horsley to Everyone : Haha--Kathleen, which part were you responding to just now?

18:28:14 From Kathleen Long to Everyone : About the schools being reticent

18:29:01 From Cristy Horsley to Everyone : Gotcha

18:29:38 From Cristy Horsley to Everyone : Melissa was the only attorney in our area who specialized in SpEd law

18:30:11 From Cristy Horsley to Everyone : But in a recent conference I was in, when I was complaining about lack of SpEd attorneys in our area, other participants said some states have only 1 SpEd attorney for their whole \*state\*!

18:30:27 From Kandel Berry to Everyone : Wow, this field is extremely legally underserved

18:30:33 From mullinsrl to Everyone : that's not right, wow

18:30:45 From Kathleen Long to Everyone : What I think is so unfair is that schools in Fairfax have lots and lots of money, but kids in the small northern neck county where I live, not so much.

18:31:11 From Cristy Horsley to Everyone : Kandel, YES, absolutely correct! Which is part of why we want to equip the broader community!! Parents really end up being the advocates for their children.

18:37:07 From mullinsrl to Everyone : will we have access to these slides later? I can

18:37:10 From Kathleen Long to Everyone : multidisciplinary team, FAPT?

18:37:14 From mullinsrl to Everyone : \*can't write fast enough

18:37:33 From Cristy Horsley to Everyone : Rachel, YES--I will e-mail out, & also post on CASA website. Also, let me put them in the chat

18:37:45 From mullinsrl to Everyone : thanks

18:39:08 From Paula Geake to Everyone : Although schools are required to locate these children, it seems schools are reluctant to test for IEP and or 504

18:39:53 From Cristy Horsley to Everyone : UM, YES

18:40:02 From Cristy Horsley to Everyone : IT'S NOT JUST NORTHERN VA, MELISSA

18:40:24 From Kathleen Long to Everyone : One of my CASA kids has an IEP - OHI. She is not a motivated student to begin with, and the pandemic has really hurt her. What is the school's responsibility during a time like this?

18:40:39 From Cristy Horsley to Everyone : Paula, remember no (school) testing needed to secure a 504, only an IEP.

18:40:58 From Paula Geake to Everyone : true

18:41:44 From Cristy Horsley to Everyone : WHEW, Kathleen--great question! Everyone is asking that at this time. We can definitely ask that later, if time allows. In the meantime, I'll try to find some resources that address that question.

18:42:18 From Paula Geake to Everyone : Knowledge is power

18:42:36 From Kathleen Long to Everyone : Indeed Paula

18:42:39 From Connie Dineen to Everyone : Maybe I have been lucky, but I never worked in a school that "just said no" to the request for an evaluation.

18:45:26 From Renee Myers to Everyone : If school grants the IEE are they agreeing to pay for the assessment or just to consider the results?

18:46:19 From Christina to Everyone : Here you can see **sample eligibility process forms** (the information being considered and documented) and **disability worksheets** (what it takes to be found eligible in the various eligibility categories)

18:46:29 From Christina to Everyone : can also be found on VDOE website

18:46:57 From Cristy Horsley to Everyone : Renee, my understanding is that if a school "allows" an IEE--that means the school is paying for it (as the law requires school to pay for an IEE if parents do not agree with the school's assessment results.

18:47:38 From Cristy Horsley to Everyone : Parents can always pursue outside evals, & bring them to the IEP team to be considered in decision-making, but it's only officially an "IEE" if the school approves it being paid for

18:48:40 From Cristy Horsley to Everyone : Christina, great point--that is a tip I was given. When going into an IEP eligibility meeting, make sure you print out (or have in front of you) the eligibility worksheets for the categories you think the child \*could\* qualify in.

18:52:08 From Kathleen Long to Everyone : That is such crap

18:52:18 From Cristy Horsley to Everyone : @Connie, what I see a lot of times is in \*conversation,\* people (parents, CASA, social workers, etc.) are discouraged from moving forward with formally requesting (in writing!) a full evaluation, by expressing they don't believe the child will be found eligible, by encouraging the person with the concern to wait until \_\_\_\_\_\_\_\_\_\_\_\_ to assess (wait till we've tried x strategy, wait till we have more information, wait till next quarter, etc.)

18:53:29 From Cristy Horsley to Everyone : The short answer is that anyone with a concern that the child may have a disability, or may need an IEP, should express that concern IN WRITING to the school, because that triggers the clock of how long the school has to respond, by law

18:53:34 From Kathleen Long to Everyone : I saw social promotion way too often, that is so damaging

19:00:19 From Kathleen Long to Everyone : I like that schools are mandated to provide in writing why they have denied services.

19:01:01 From Kandel Berry to Everyone : Any services for parents of children with emotional/behavioral problems that have chosen an all virtual learning? I have one parent that is really struggling having to sit with her child all day every day to get her child to complete assignments.

19:02:28 From Cristy Horsley to Everyone : Kandel, such a great question. I think we are going to have multiple pandemic-related questions, as this is very relevant right now! By the way, does the child you're thinking of have an IEP already, or no?

19:02:58 From Cristy Horsley to Everyone : But tell your parent to make sure they are documenting, documenting, documenting, the time/involvement/direct help the parent is providing to help the child be successful!

19:03:50 From Kandel Berry to Everyone : Not yet

19:03:53 From Kathleen Long to Everyone : Kandel, I hear you!! That's my concern with one of my CASA kids, except she doesn't have an adult to push her.

19:04:52 From Cristy Horsley to Everyone : Guys, check out this report with recommendations for supports/accommodations during virtual learning for students! Take a gander, see what might work for your kids! <https://www.parinc.com/Portals/0/Webuploads/samplerpts/PAR%20WHITE%20PAPER-Remote_School_Recommendations_v3_100920.pdf>

19:06:13 From Kathleen Long to Everyone : Cristy if I click on this link now, will I sign out of this Zoom?

19:06:33 From Cristy Horsley to Everyone : Nope!

19:06:39 From Cristy Horsley to Everyone : It should just open a tab in your Internet browser

19:07:05 From Cristy Horsley to Everyone : WHEW Melissa--you say that it's not a majority decision, but that is not how it feels when you are in a meeting!

19:07:09 From mullinsrl to Everyone : I've seen the employment ads for a job coach/shadow person in Lynchburg, so there must be an organization here

19:09:01 From Cristy Horsley to Everyone : Often, when there is disagreement with the plan from some members of the team, I do not usually see those concerns/alternate viewpoints documented in the meeting notes (the "Prior Written Notice"), even when I review the notes before leaving the meeting & ask that they be documented. The remedy with this is to write up your own documentation of what happened/what was discussed in the meeting, and send that to the school in writing, asking that it be kept with the notes from the meeting.

19:10:25 From Cristy Horsley to Everyone : Very true, Melissa--that has been my experience too, that the school focuses only on the child's eligibility category, & whether the behavior fits in that category.

19:10:47 From Kathleen Long to Everyone : sometimes I think the MDR is swayed too much in the school's favor.

19:11:02 From Cristy Horsley to Everyone : And remember guys, students with disabilities are suspended at a higher rate in VA than students without disabilities.

19:11:30 From Cristy Horsley to Everyone : <https://www.cvcasa.org/blog/centralvasuspensions>

19:11:39 From Kassie Gada to Everyone : Do ‘In school suspensions’ count toward total?

19:11:51 From Cristy Horsley to Everyone : <https://www.cvcasa.org/blog/5-ways-suspensions-hurt-casa-kids>

19:12:03 From Cristy Horsley to Everyone : <https://www.cvcasa.org/blog/2018/9/15/10-things-to-try-instead-of-suspension>

19:12:08 From Christina to Everyone : If your concerns are not being documented, you can always audio record the meeting as long as you notify the school that you will be doing so

19:12:17 From Cristy Horsley to Everyone : Good question, Kassie--will add that to my list to ask Melissa! Can't remember the answer to that

19:12:53 From Phoebe Winter to Everyone : What constitutes participating in the general curriculum?

19:14:04 From Cristy Horsley to Everyone : Ahhhhh, good question, Phoebe! That's kind of up to the IEP team to decide, I guess, but it also relates to whether the child is learning/progressing through general education content (ideally grade-level)

19:17:44 From Connie Dineen to Everyone : Is there a time limit on "stay put" placements? I had a "stay put" for almost 2 years because the parent & school could not come to any agreement.

19:19:03 From Kathleen Long to Everyone : Why are schools allowed to ignore an order of the Court, when an individual could be found in contempt for ignoring an order of the Court??

19:20:25 From Cristy Horsley to Everyone : Our (DSS) attorney also pointed out that the judge can't order someone to do something, when they're not at the hearing to be aware of the order

19:21:28 From Kathleen Long to Everyone : Did anyone hear the press conference by the mayor of Chicago directed at the Chicago Teacher's Union? She was great!!

19:24:21 From Christina to Everyone : 8VAC20-81-170. Procedural safeguards.J. Audio and video recording.1. The local educational agency shall permit the use of audio recording devices at meetings convened to determine a child's eligibility under 8VAC20-81-80; to develop, review, or revise the child's IEP under 8VAC20-81-110 F; and to review discipline matters under 8VAC20-81-160 D. The parent(s) shall inform the local educational agency before the meeting in writing, unless the parents cannot write in English, that they will be audio recording the meeting. If the parent(s) does not inform the local educational agency, the parent(s) shall provide the local educational agency with a copy of the audio recording. The parent(s) shall provide their own audio equipment and materials for audio recording. If the local educational agency audio records meetings or receives a copy of an audio recording from the parent(s), the audio recording becomes a part of the child's educational record.

19:30:20 From Kathleen Long to Everyone : So, remember, if it's not written down it was not discussed or didn't happen!

19:31:57 From Kathleen Long to Everyone : comprehensive evaluation? This includes what?

19:32:58 From Trish Swetonic to Everyone : Is PTSD or depression an example of a disability?

19:33:20 From Cristy Horsley to Everyone : Really?? I will be interested to hear about this eval process for 504 plans!!

19:33:28 From Kathleen Long to Everyone : Trish, geez, I would certainly hope so!!

19:33:30 From Cristy Horsley to Everyone : @Trish, YES, they can be!

19:34:11 From Cristy Horsley to Everyone : Any kind of "diagnosis"--e.g. lots of our kids have mental health/emotional diagnoses--those absolutely can be or signal presence of a disability

19:34:26 From Cristy Horsley to Everyone : And Trish, it really comes back to whether the disability is having an "adverse impact" on their education

19:34:36 From Trish Swetonic to Everyone : thx

19:36:15 From Cristy Horsley to Everyone : Ahhhhhhh--this actually might be a strong reason why a lot of our kids have 504 plans when they come into care, but not IEPs--often IEPs or evals for them may not have occurred if they can't get parent signature or follow-up

19:36:42 From Kathleen Long to Everyone : There are SO many kids who have suffered trauma, that is simply ignored. An adult who has suffered trauma is aware that she/he has suffered trauma, kids have no idea, they just think it's normal, this is their life

19:38:19 From Cristy Horsley to Everyone : @Trish, many of our kids with mental health diagnoses may qualify under the "Emotional Disability" category

19:38:40 From Trish Swetonic to Everyone : yes!

19:38:54 From Cristy Horsley to Everyone : And @Kathleen, also we know even apart from an explicit "PTSD" diagnosis, trauma has so many concrete cognitive, relational, speech, social impacts, etc!!

19:39:53 From Kathleen Long to Everyone : Traumatized kids' amygdala is always on alert, "fight or flight"

19:40:08 From Cristy Horsley to Everyone : @Kassie, to your question of whether in-school suspensions count towards the 10-day cap for students with an IEP, the answer seems to be "it depends," (on what education/services the child is getting during ISS)--but definitely possibly it can! <https://www.doe.virginia.gov/support/student_conduct/discipline_children_disabilities.pdf>

19:40:50 From Kassie Gada to Everyone : OK, thanks. Seems like ISS is used A LOT in some schools

19:42:17 From Cristy Horsley to Everyone : Wow, super interesting, Melissa! I had no idea funding was available towards those things via 504!!

19:43:52 From Kathleen Long to Everyone : Good luck with any school responding appropriately to bullying. With social media its so awful for some kids

19:47:34 From Cristy Horsley to Everyone : That's a super high standard!

19:48:28 From Cristy Horsley to Everyone : Ooooooooh, this is a good one!

19:50:02 From Kathleen Long to Everyone : So, if a kid is well medicated for ADHD, the school cannot say the child ineligible?

19:54:05 From Cristy Horsley to Everyone : Right, I believe that's what she's saying.

19:54:32 From Kathleen Long to Everyone : thank you

19:56:47 From toriwitcher to Everyone : Any way we could get a copy of the powerpoint with all of this information in it? I

19:58:05 From Cristy Horsley to Everyone : Yep! I'll send that through the chat too (and include it in e-mail to you all afterwards)

19:58:19 From toriwitcher to Everyone : Thank you

20:00:22 From Kassie Gada to Everyone : Cristy would you mind including these references/links from chat in email to us?

20:00:39 From Cristy Horsley to Everyone : @Kassie, you got it!

20:00:41 From Kassie Gada to Everyone : Meaning from the chat

20:00:45 From Kassie Gada to Everyone : Thank you!

20:01:06 From Allison Stronza to Cristy Horsley(Direct Message) : Are you ok with me sending out certificates now?

20:01:35 From Cristy Horsley to Everyone : Whoops, guys, I overlooked a question previously about what should be included on a comprehensive assessment (to eval eligibility for an IEP). Try this article: <https://www.wrightslaw.com/howey/tests.state.law.htm>

20:01:36 From mullinsrl to Everyone : Yes, please send to me, too, Cristy. I have to leave now. Thank you!

20:03:34 From Kathleen Long to Everyone : Have learned so much, thank you Melissa. I am going, I can't sit in my chair any longer. Thanks.

20:03:58 From Cristy Horsley to Everyone : https://www.wrightslaw.com/

20:06:02 From Christina to Everyone : Go Tribe!

20:06:50 From Cristy Horsley to Everyone : YES--I just did the William & Mary ISEA conference this year--very intensive!!

20:07:11 From Phoebe Winter to Everyone : Thank you!

20:07:12 From Hunter Epperson to Everyone : Thanks you!!

20:07:13 From Lorna Rexrode to Everyone : Thank you so much, Melissa! Great information!

20:07:25 From Cristy Horsley to Everyone : <https://docs.google.com/forms/d/e/1FAIpQLSeZOQA8nVj66yUli7cZCVtai1PsOljH_cYL_Kge_CHb8zak7w/viewform?usp=sf_link>

20:07:38 From Melissa Barnes to Everyone : Thank you, Melissa! Excellent presentation.

20:08:39 From Brenda Kahan to Everyone : Melissa, very informative and great slides. Thank you

20:08:41 From Melissa Waugh to Everyone : Thank you!!

20:11:34 From Caterina to Everyone : Thank you, Melissa--so informative!

20:11:44 From toriwitcher to Everyone : Very informative, thank you!

20:13:32 From Sonia Heidinger to Everyone : Excellent Speaker

20:15:07 From Connie Dineen to Everyone : Thank you!

20:24:57 From Cristy Horsley to Everyone : What else? What other questions do people have? I will hush now!

20:26:00 From Cristy Horsley to Everyone : JLARC reports can definitely help move the ball forward!

20:26:11 From Cristy Horsley to Everyone : US DOE negative report

20:27:43 From Debbie Bowman to Everyone : Thank you so much!

20:39:07 From Christina to Everyone : Just listening