COMMONWEALTH of VIRGINIA

Office of the Governor

Aimee Rogstad Guidera
Secretary of Education

November 1, 2022

The Honorable Barry D. Knight
Chair
House Appropriations Committee
Pocahontas Building
13th Floor
900 East Main Street
Richmond, VA 23219

The Honorable Janet D. Howell
Chair
Senate Finance Committee
Pocahontas Building
14th Floor
900 East Main Street
Richmond, VA 23219

Dear Delegate Knight and Senator Howell:

Pursuant to SB1313 and HB2117, 2021 Special Session I, we write to update you on the development of a detailed plan to consider the administration and use of Children's Services Act (CSA) funding for private special education day schools and residential facilities.

We are grateful for the time and expertise dedicated by all stakeholders in this effort, especially those who served on the work group, presented to the work group, and provided public comment to the work group. These stakeholders include parents, private day providers, local school division leadership including special education directors, local CSA coordinators, local governments including departments of family services and human services, associations representing individuals and students with disabilities, and state officials. We also appreciated the opportunity to continue our learning through conversations and site visits between work group meetings. We know that we are all motivated by our foremost, shared goal—best serving individuals and students with disabilities.

The work group convened for 12 meetings over 25 hours beginning in June 2021 and concluding October 14, 2022. The work group's final report with votes recorded on each recommendation is attached here. Significant deliberation and discussion spanned the entire period of the work group and work group members identified multiple topics in need of additional exploration. While all recommendations received more yes votes than no votes, there were ten members of the work group who were not present, including the critical voices of

multiple parents and special education directors, as well as six consistent vote abstentions. This context is important in evaluating potential action upon the work group's recommendations.

> ***Recommendation 1.1:*** *Transfer funds to the Virginia Department of Education (VDOE) effective July 1, 2024.*
> ***Vote Totals:*** *Yes (9), No (4), Abstain (9), Not present (10)*
>
> ***Recommendation 1.2:*** *Language should direct VDOE to administer funding in a manner that:*
> 1. *Funds services for students with highest support needs who are at risk of or in an out-of-public-school placement*
> 2. *Ensures that funds are equally accessible to all school divisions*
> 3. *Minimizes the fiscal impact of the new funding structure on localities*
> 4. *Accounts for how the state and local governments and local educational authorities (LEA) will ensure funding sufficient for services to meet all federal and state requirements under the Individuals with Disabilities Education Act (IDEA).*
>
> ***Vote Totals:*** *Yes (16), No (0), Abstain (6), Not present (10)*
>
> ***Recommendation 1.3:*** *The amount transferred, that shall be sum sufficient, should be determined by the General Assembly and the Governor, in consultation with the Department of Planning and Budget (with consideration of historical expenditure patterns).*
> ***Vote Totals:*** *Yes (16), No (0), Abstain (6), Not present (10)*
>
> ***Recommendation 1.4:*** *The language should ensure that existing Special Education Wraparound funds for services delivered in the home and community are retained within the CSA.*
> ***Vote Totals:*** *Yes (16), No (0), Abstain (6), Not present (10)*

Regarding Recommendations 1.1, 1.2 1-4, 1.3, and 1.4, members of the work group shared concerns that the Office of Children's Services' (OCS) administration of CSA is designed to be narrowly focused on fiscal management and its mission does not include responsibility for the quality of the services provided to students, as OCS and the local Community Policy Management Teams have limited ability to provide programmatic technical assistance and oversight. Other members discussed the programmatic technical assistance and oversight currently provided by VDOE and expressed concerns regarding scope, implementation, and impact of the proposed differences in oversight, accountability and data collection.

The Administration is committed to improving coordination between OCS's fiscal management and VDOE's programmatic technical assistance and oversight, including through providing regular reports and connecting financial inputs with student outcomes utilizing both agencies' data. Given the lack of a strong consensus that a transfer to VDOE would improve

administration or outcomes or reduce costs, the Administration does not recommend a transfer to VDOE at this time.

As part of this collaborative effort, we commit to building the capacity to make improvements to fiscal and programmatic oversight coordination administratively, providing greater transparency around the fiscal and quality measures by program, and leveraging the forthcoming implementation of the new rate setting beginning July 1, 2023 as directed by the General Assembly. This will provide a clearer picture of who is getting served, in what setting, at what cost, and with what outcomes.

Recommendation 2.1: *CSA funds should not be used to pay for services delivered to students with disabilities in public school settings, except for transitional services as defined in § 2.2-5211 of the Code of Virginia.*
Vote Totals: *Yes (13), No (2), Abstain (7), Not present (10)*

Regarding Recommendation 2.1, there appeared to be consensus support among members of the work group for the use of CSA funds for transitional services for students with disabilities in public school settings, as defined in § 2.2-5211 of the Code of Virginia. Some members desired CSA funds to be further expanded to support services in public school settings, as discussed in Recommendation 4.1.

The Administration encourages and supports partnership between local school divisions and private day schools to the maximum extent possible to best serve students with disabilities in the least restrictive environment. Services that result in successful transitions to public school settings when that setting is determined to be the least restrictive environment by a student with a disability's Individualized Education Program (IEP) team are critical.

Recommendation 2.2: *Create a defined pool of funds within VDOE reserved for students with the highest support needs in public schools to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment as specified in their IEP. This pool would allow all school divisions to apply for funding to offset high costs of supporting students with intensive support needs.*
Vote Total: *Yes (14), No (1), Abstain (7), Not present (10)*

Regarding Recommendation 2.2, as the Individuals with Disabilities Education Act (IDEA) federal law and state law and regulation states, students with disabilities must be served in the least restrictive environment (8VAC20-81-10) as determined by the student's Individualized Education Program (IEP) team. At this time, there is insufficient information on this recommendation, including the need, scope, use, and cost of a potential new defined pool of funds. Additionally, there has been insufficient exploration of all potential solutions, including solutions pursued in other states.

Recommendation 3.1: *Continue data collection and analysis to determine if current transition funding and services parameters are appropriate or need modifications.*
Vote Total: *Yes (16), No (0), Abstain (6), Not present (10)*

Regarding Recommendation 3.1, CSA was first expanded to support transitional services delivered to students with disabilities in public school settings as defined in § 2.2-5211 of the Code of Virginia effective July 1, 2021. The Administration's efforts to provide regular reports connecting inputs with student outcomes utilizing OCS and VDOE data includes transitional services. Like members of the work group, the Administration looks forward to learning more about the utilization of this new flexibility after its second school year of implementation.

Recommendation 4.1: *CSA funds should not be used to pay for services delivered to students in public school, except for transitional services as defined in § 2.2-5211 of the Code of Virginia. Services and supports for students with high support needs should be determined by the student's IEP team and be in compliance with § 2.2-5211.*
Vote Total: *Yes (14), No (1), Abstain (7), Not present (10)*

Regarding Recommendation 4.1, the Administration recommends that, should the General Assembly provide additional state funds to support services in public school settings beyond transition services, it should not be accomplished through CSA, as it appears inconsistent with CSA's statutory purpose.

The Administration again expresses its gratitude for the commitment and service of all work group members, presenters, and public commenters. As discussed in the final meeting of the work group on October 14, 2022, we do not view the conclusion of this work group and the submission of the work group's report as the end of our work together. We look forward to continuing to engage all stakeholders and to working with the General Assembly to further improve the oversight and quality of special education services and supports provided to students with disabilities in all educational settings.

Sincerely,

John E. Littel
Secretary of Health and Human Resources

Aimee G. Rogstad Guidera
Secretary of Education

cc: Senator Monty Mason
Delegate Schuyler VanValkenburg
Anne Oman, Staff Director, House Appropriations Committee
April Kees, Staff Director, Senator Finance Committee

Children's Services Act Work Group

Final Recommendations

EXECUTIVE SUMMARY

At the direction of the Virginia General Assembly, the Secretaries of Education and Health and Human Resources convened a work group to develop a detailed plan to consider the administration and use of **Children's Services Act (CSA)** funding for private special education day schools and residential facilities. The **Virginia Department of Education (VDOE)** and the **Office of Children's Services (OCS)** co-hosted 12 work group meetings between June 25, 2021 and October 14, 2022 to develop this plan for consideration by the General Assembly. A draft report was prepared in October 2021.

The **Performance Management Group (PMG)** within the VCU L. Douglas Wilder School of Government and Public Affairs facilitated these meetings to support the CSA Work Group members in developing this plan. This plan is a result of the Work Group reviewing relevant special education information as well as engaging with representatives from specialty regional schools, private schools, and public schools.

This final report outlines the Work Group's recommendations on the following topics:

1) A plan that may result in the transfer of CSA funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to the VDOE;
2) The use of CSA funds to pay for services delivered directly to students with disabilities in a public school to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment;
3) The most effective use of CSA funds to transition students from out-of-public-school placements to public school, the transitional services that are appropriate direct services to be covered, the criteria for students to qualify for such funding, the necessity to modify the definition or criteria, and whether CSA funding should be expanded to include ongoing support for students with disabilities following the 12-month transition period; and
4) The types of direct services and supports that should be provided to students in the public school setting using CSA funds.

Recommendations Summary

Charge	Recommendation	Justification
#1: Potential transfer of CSA funds	**1.1**: Transfer funds to the VDOE effective July 1, 2024.	Recommended by JLARC
	1.2: Language should direct VDOE to administer funding in a manner that: 1) Funds services for students with highest support needs who are at risk of or in an out-of-public-school placement 2) Ensures that funds are equally accessible to all school divisions 3) Minimizes the fiscal impact of the new funding structure on localities 4) Accounts for how the state and local governments and local educational authorities (LEA) will ensure funding sufficient for services to meet all federal and state requirements under the Individuals with Disabilities Education Act (IDEA).	Required by House Bill 2117 and Senate Bill 1313
	1.3: The amount transferred, that shall be sum sufficient, should be determined by the General Assembly and the Governor, in consultation with the Department of Planning and Budget (with consideration of historical expenditure patterns).	Standard procedure
	1.4: The language should ensure that existing Special Education Wraparound funds for services delivered in the home and community are retained within the CSA.	Special Education Wraparound funds are a distinct category of CSA funds for children with educational disabilities which provide support outside the school setting

Charge	Recommendation	Justification
#2: Using CSA Funds in Public Schools	**2.1**: CSA funds should not be used to pay for services delivered to students with disabilities in public school settings, except for transitional services as defined in § 2.2-5211 of the Code of Virginia.	Eligibility to receive CSA funding is outlined in the Code of Virginia, §§2.2-5211- 2.2-5212. Services to students with disabilities in public school settings is the responsibility of the local educational authority.
	2.2: Create a defined pool of funds within VDOE reserved for students with the highest support needs in public schools to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment as specified in their IEP. This pool would allow all school divisions to apply for funding to offset high costs of supporting students with intensive support needs.	Provides funding for students in public school without using funds from CSA.
#3: Use of CSA Funds for Transitions to Public School	**3.1**: Continue data collection and analysis to determine if current transition funding and services parameters are appropriate or need modifications.	Only one year of data exists for transition funding to public school
#4: Types of direct services and supports for students with severe disabilities	**4.1**: CSA funds should not be used to pay for services delivered to students in public school, except for transitional services as defined in § 2.2-5211 of the Code of Virginia. Services and supports for students with high support needs should be determined by the student's IEP team and be in compliance with § 2.2-5211.	Eligibility to receive CSA funding is outlined in the Code of Virginia, §§2.2-5211- 2.2-5212. The types of direct services and supports provided to students with disabilities should be determined by IEP teams, who are best qualified to make these determinations.

Results of the Votes on the Recommendations by Work Group Members

October 14, 2022

Name	1.1	1.2	1.3	1.4	2.1	2.2	3.1	4.1
Senator Montgomery Mason	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Dr. Samantha Hollins	Abstained from voting							
Hank Millward	Not present							
Tracie Coleman	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Christina Owens	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Scott Reiner	Abstained from voting							
Kristy Wharton	Not present							
Brandon Timmons	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Robyn Puryear	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Matthew Kreydatus	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Erica Regensburg	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Richard Dirmeyer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kenya Ratliff	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Michael Becketts	Not present							
Glenda Pittman	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Leslie Beauregard	Not present							
Dr. Kitti Robinson	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Christy Evanko	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tonya Milling	Yes	Yes	Yes	Yes	No	No	Yes	No
Ann Flippin	Abstain	Yes	Yes	Yes	Abstain	Abstain	Yes	Abstain
Teri Morgan	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Mike Tweedy	Abstained from voting							
Zach Robbins	Abstained from voting							
Tyler Williams	Abstained from voting							
Troy Bryant	Not present							
Mychael Willon	Not present							
William Elwood	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Megan de Nobriga	Not present							
Natasha Bailey	Not present							
Hayley Mullins	Not present							
Susan Massart	Abstained from voting							
Travis Turner	Not present							
Totals	Yes – 9 No – 3 Abstain - 9	Yes – 16 No – 0 Abstain - 6	Yes – 16 No – 0 Abstain - 6	Yes – 16 No – 0 Abstain - 6	Yes – 13 No – 2 Abstain - 7	Yes – 14 No – 1 Abstain - 7	Yes – 16 No – 0 Abstain - 6	Yes – 14 No – 1 Abstain - 7

Summary of Recommended Changes

	Private special education day school, residential facility, and transitional services	Services enabling those at risk of out-of-public-school placements to remain in the LRE	Community-based Wrap Around Services	SISNA
Currently administered by	CSA	?	CSA	VDOE
Recommended to be administered by	VDOE	VDOE	CSA	VDOE
Current Match Rate	CSA	N/A	CSA	LCI
Recommended Match Rate	?	LCI	CSA	LCI
Currently Sum Sufficient	Yes	?	Yes	No
Proposal for Sum Sufficiency	Yes	?	Yes	No

Implementation Plan Summary

Before funds currently reserved for children requiring an educational placement in a private special education day school or residential facility are transferred to the Department of Education, the agency will implement the following plan.

1 — Confirm New Funding Model
- Reserved for students with the highest support needs
- Equally accessible to all school divisions
- Sum sufficiency guaranteed
- Fiscal impact on localities minimized

2 — Staffing Plan
Hire 2 new positions to support implementation
- Policy and procedure development
- Fund management

3 — Procedures and Data Collection
Develop guidance and procedures to implement:
- Student record collection
- December 1 Child Count
- Data collection for tuition costs

Collection of student data will be in line with current allowability and function

4 — Monitoring and Accountability
- Licensing and monitoring of licensed private schools will continue
- Monitoring activities may increase in frequency

5 — Defined Funding Pool
Explore a defined funding pool within VDOE reserved for enabling students who are at risk of out-of-public-school placements to remain in the least restrictive environment

6 — CSA Funds for Transition to Public School
Continue to collect data and information to consider needs and utilization

7 — Services and Supports for Students with Severe Disabilities

8 — Implement transfer July 1, 2024

INTRODUCTION

During the 2021 session, the Virginia General Assembly, as stipulated by language in House Bill 2117 and Senate Bill 1313, called for a work group to make appropriation and statutory recommendations for the administration and use of funds supporting private special education day school and residential facility placements. This language is provided in Appendix A. The call for this study is in response to the 2020 *Review of the Children's Services Act and Private Special Ed Day School Costs* report developed by the Joint Legislative Audit and Review Commission (JLARC).

The specific responsibilities of the Work Group include:

1) Developing a plan that may result in the transfer of Children's Services Act (CSA) funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to the Department of Education (VDOE) for consideration by the General Assembly.
2) Providing recommendations on the use of CSA funds to pay for services delivered directly to students with disabilities in a public school to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment.
3) Providing recommendations on the most effective use of CSA funds to transition students from out-of-public-school placements to public school, including whether:
    a. The transitional services are appropriate direct services to be covered;
    b. The criteria for students to qualify for such funding are appropriate;
    c. It is necessary to modify the definition or criteria; and if
    d. CSA funding should be expanded to include ongoing support for students with disabilities following the 12-month transition period.
4) Providing recommendations for the types of direct services and supports that should be provided to students in the public school setting using CSA funds.

These final recommendations include the following specifications:

1) Funding is prioritized for the students with the highest support needs who are in an out-of-public-school placement;
2) Funding is made equally accessible to all school divisions; and
3) The fiscal impact of the new funding policy on localities is minimized.

The list of Work Group Members, subgroups and their respective members, meeting dates, and school presentations are listed in Appendix B. Proposed amendments to CSA Statutes are provided in Appendix C. Proposed statutory language to be added to the Department of Education sections of the Code of Virginia is found in Appendix D.

WORK GROUP RECOMMENDATIONS

Charge #1: Develop a plan that may result in the transfer of CSA funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to the Department of Education for consideration by the General Assembly.

Recommendations

1.1: Include language in the Appropriation Act, and amending the Code of Virginia as appropriate, that transfers from the Children's Services Act the responsibility and funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to the Department of Education effective July 1, 2024. This funding is understood to include transitional funds.

> **Justification:** This transfer was recommended by JLARC in their 2020 report. The Department of Education selected July 1, 2024 to allow enough time to implement the necessary revisions to the Appropriation Act to support the transfer of Children Services Act funds from OCS to VDOE.

1.2: Direct VDOE to implement a detailed plan to administer this funding that:

1) Funds services for students with the highest support needs who are in an out-of-public-school placement in accordance with their IEP;
2) Ensures that funds are equally accessible to all school divisions;
3) Minimizes the fiscal impact of the new funding structure on localities; and
4) Accounts for how the state and local governments and local educational authorities ensure funding sufficient to provide services to meet all federal and state requirements under the Individuals with Disabilities Education Act (IDEA).

> **Justification:** Elements 1-4 are required by House Bill 2117 and Senate Bill 1313 to be included in this plan, which begins on page 10 of this document.

1.3: The amount transferred, that shall be sum sufficient, should be determined by the General Assembly and Governor, in consultation with the Department of Planning and Budget (with consideration of historical expenditure patterns).

> **Justification:** This determination reflects the authority of the General Assembly to establish state appropriations.

1.4: The language should ensure current Special Education Wraparound funds within the CSA for services to students with educational disabilities delivered in the home and

community in accordance with the established appropriation from the General Assembly are retained within the CSA.

Justification: Special Education Wraparound services are provided outside of the school setting to students with educational disabilities to prevent potential placement in more restrictive environments. These services include a wide range of non-educational services including (but not limited to) applied behavior analysis, psychological counseling/therapy, parental skill development, and mentoring. Currently, funds are capped at an annual state general fund allocation of $2.2 million. These funds are separated from the CSA funds for children requiring an educational placement in a private special education day school or residential facility and as such are not included in the Work Group's charge.

Charge #2: Provide recommendations on the use of CSA funds to pay for services delivered directly to students with disabilities in a public school to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment.

Recommendations

2.1: Neither existing nor future CSA funds should be used to pay for services delivered directly to students with disabilities in a public school, except for transitional services as defined in § 2.2-5211 of the Code of Virginia (unless those transitional funds are transferred, as recommended, to VDOE as part of the larger effort).

Justification: Eligibility to receive CSA funding is outlined in the Code of Virginia, §§2.2-5211- 2.2-5212. Using CSA funds in the public schools would represent a significant expansion of the scope and cost of the CSA. Services in the public schools are the statutory and financial responsibility of the VDOE.

2.2: Create a defined pool of funds within VDOE reserved for students with highest support needs in public schools to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment (LRE)[1]. This pool would allow all school divisions to apply for funding to offset high costs of supporting students with intensive support needs. This pool would be a separate pool from the Students with Intensive Support Needs Application (SISNA) pool.

Justification: A new pool would provide funding for students in public schools without expanding CSA. SISNA is outside of the scope of this work group, which prevented this group from considering expanding SISNA.

Charge #3: Provide recommendations on the most effective use of CSA funds to transition students from out-of-school placements to public school, including whether:

1) The transitional services are appropriate direct services to be covered;
2) The criteria for students to qualify for such funding are appropriate;
3) It is necessary to modify the definition or criteria; and if
4) CSA funding should be expanded to include ongoing support for students with disabilities following the 12-month transition period.

Recommendations

3.1: Continue data collection and analysis to determine if current transition funding and services parameters are appropriate or need modifications.

Justification: Only one year of data exists for transition funding to public school.

Charge #4: Provide recommendations for the types of direct services and supports that should be provided to students with severe disabilities using CSA funds post-transfer.

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[1] The Individuals with Disabilities Education Act (IDEA) requires public agencies to ensure that—
(i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
(ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (Sec. 300.114 LRE requirements)

Recommendations

4.1: The types of direct transitional services and supports that should be provided to students with severe disabilities using CSA funds post-transfer are the services as determined by the student's IEP team. The use of CSA funds to support these services is limited to 12 months per § 2.2-5211 of the Code of Virginia. These services can include, but are not limited to:

1) Counseling
2) Behavioral aides
3) Occupational therapy, physical therapy, and speech/language services
4) Applied behavior analysis

Justification: The types of direct services and supports provided to students with disabilities should be determined by IEP teams, who are best qualified to make these determinations.

VDOE PRELIMINARY PLAN

After the decision is reached to transfer funds currently administered by CSA for children requiring an educational placement in a private special education day school or residential facility to the Department of Education, the agency will implement the following preliminary plan. This plan will be implemented starting July 1, 2024 to allow the Department sufficient time to prepare after the 2023 General Assembly session.

Charge #1: Transferring Funds to the Department of Education

1) **New Funding Model** to support new proposed functions to VDOE:
    a. Funds will be used for services for students with the highest support needs who are in an out-of-public-school placement. Funding for transitional services will be included in this model.
    b. Funds will be equally accessible to all school divisions.
    c. Sum sufficiency to address requirements of student's IEPs (by a combination of state and local government and the local education authority) will be guaranteed.

d. The local match rate will be determined by the General Assembly, be explained, and will minimize the fiscal impact on localities.

e. Transfer from CSA to VDOE an amount to be determined by the General Assembly and the Governor, with input from the Department of Planning and Budget.

f. Limit use of funds to direct over indirect expenditures, with students with IEP's specifying private educational programs as sole recipients.

g. A regular financial audit schedule will be set for entities receiving these funds.

2) **Staffing plan** to support new proposed functions to VDOE:

a. Two new positions will be created in the Office of Special Education Finance and Budget in the Department of Special Education and Student Services to support the implementation of the transfer of funding supporting private school placements of students with disabilities. The draft Employee Work Profiles (EWP) for each position are included in Appendix E.

i. 1.0 fulltime equivalent (FTE) will develop detailed policy and procedure to replicate spending requests and notifications received currently by OCS to include local school division (placing agent/responsible school division), private education provider (private special education school), tuition costs, student characteristics (required by the state performance plan and annual performance report and the December 1 Child Count data collection).

ii. 0.5 Part-time position will support fund management, payment requests and data collection regarding identified and encumbered funding and assist with data collection and collaboration with staff from special education data.

3) **Procedures and data collection** to support new proposed functions to VDOE:

a. VDOE will identify students currently placed as well as students who seek funding to support newly identified placement needs. VDOE will ensure that the use of public funding supports students and the educational services they are receiving from private providers.

i. Student records provided through the Student Record Collection (SRC)

ii. December 1 Child Count Data collection for students with disabilities (demographic information, disability category, placement code)

iii. Additional information to include data currently collected by OCS/local CSA offices (local school division, name of provider, cost, time period)

iv. Data related to total costs for tuition (per day) and related services (OT, PT, etc.) that are often billed separately but also currently reimbursed through CSA

v. VDOE will ensure collection of student data in line with current allowability and function to ensure accurate assignment of students being funded by this program and the provider. This will include alignment of the data currently being collected related to private school outcomes data.

b. OCS would retain the SPED Wraparound and the responsibility for education funding for non-educational residential placements and maintain their current policies and procedures.

4) **Monitoring and Accountability** to support new proposed functions to VDOE:

a. Licensing and monitoring of the currently licensed, and any newly approved licensure, of private schools for students with disabilities will continue uninterrupted as a function of the VDOE.

b. Increased frequency of monitoring activities within the licensed private schools for students with disabilities, currently a total of 114, may occur as needed to monitor corrective action plan implementation and ensure continued compliance with the Regulations Governing the Operation of Private Schools for Students with Disabilities. Annual monitoring activities of schools would allow the monitoring specialist to more closely and effectively monitor compliance, but also observing the effectiveness of the instruction and services being provided. Currently, over 75 percent of the licensed private schools are on a triennial license.

5) **Items that will not change**:

a. The IEP process for placing students in private education settings will not change.

b. The funds necessary to meet all requirements under the IDEA will be maintained.

c. CSA Special Education Wraparound funding for services delivered in the home and community will be retained at CSA.

Charge #2: Using CSA Funds in Public Schools

1) Explore a defined funding model within VDOE for a pool reserved for students with disabilities in public schools to enable those who are at risk of out-of-public-school placements to remain in the least restrictive environment.
    a. This funding model would prioritize funding for the students with the highest support needs who are at risk of being placed in an out-of-public-school placement and keep the funding equally accessible to all school divisions.
    b. The standard VDOE Local Composite Index match rate would be used for this funding pool.
2) Funds would be provided for students to be served by local school divisions.
    a. Funds would be provided through a reimbursement model.
    b. Reimbursement amount would be determined after the school division submits the actual costs expended for an individual student in the division's December 1 Data Collection and Student Record Collection (SRC).
    c. After school divisions identify students and expected annual costs, Sped Finance & Budget Office would facilitate collaboration with the LEA and VDOE budget office and the LEA would determine whether the State Share for reimbursement costs will provide a greater fiscal benefit.
3) VDOE would provide guidance for students who may be eligible for resources and for IEP teams to make determinations of services and supports. Existing data and utilization of transitional funds would be considered in developing this guidance. Additionally, priorities discussed by the Work Group and examples of best practices currently being used in the field may be considered in developing additional innovation flexibility in the use of funds to support students.

Charge #3: Use of Current CSA Funds for Transitions to Public School

1) Continue to collect data and information available to review to consider needs and utilization
2) Study utilization of these funds and the students and services they supported and final outcomes and/or placements of students

Charge #4: Types of direct services and supports for students with severe disabilities

Continue to provide guidance to schools on the use of direct supports and services for students with severe disabilities.

KEY DATA CONSIDERED IN MAKING RECOMMENDATIONS

To make these recommendations, the Work Group reviewed the 2020 JLARC report as well as data provided by the Department of Education, Office of Children's Services, specialty regional schools, private schools, and public schools. Additional data is provided in Appendix F.

JLARC 2020 Report

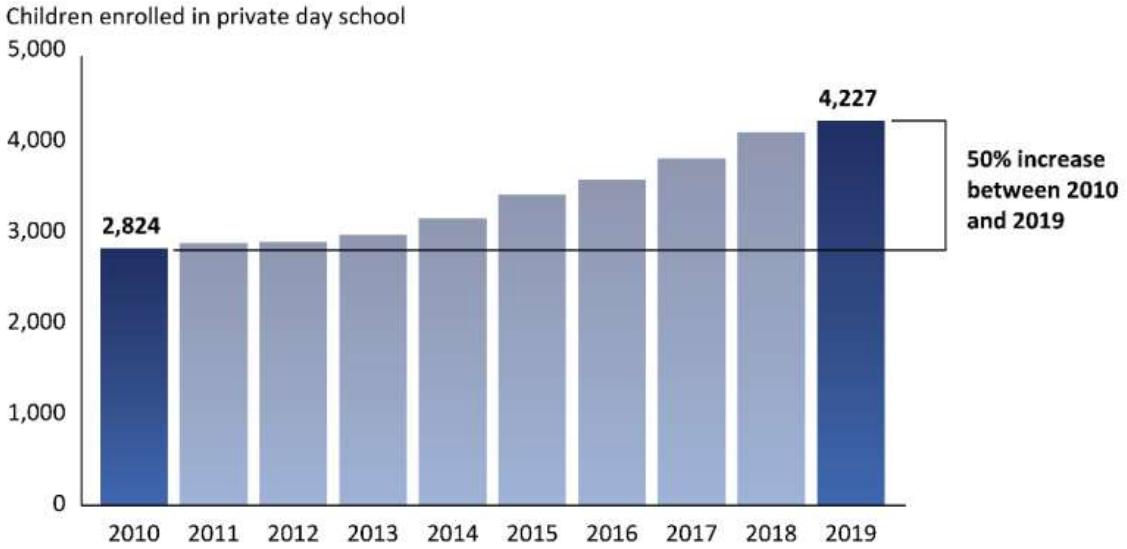
In 2019, the Joint Legislative Audit and Review Commission (JLARC) approved a staff study of CSA, which is a state-supervised and locally administered program whose purpose is to identify and pay for services that can benefit some of the state's most at-risk children, including children in foster care and children with serious emotional and behavioral problems. The full report is available here: http://jlarc.virginia.gov/pdfs/reports/Rpt541-2.pdf.

JLARC found:

- **CSA spending for private special education day school has more than doubled since FY10, growing by approximately 14 percent per year from $81 million to $186 million.**
    - Enrollment in private day school has grown 50 percent over the past 10 years because of three factors:
        - More new children placed in private day school each year
        - Children being placed in private day school at younger ages
        - Children spending more time in private day school
    - Private day schools appear to charge tuition rates that are consistent with the cost of providing low student-to-staff ratios in small environments, and a majority of schools do not earn excessive profits. On average, private day schools earned a 6 percent net profit in 2019.

The enrollment of children in private day school from 2010-2019 is shown in figure 1.

Figure 1 – Enrollment in Private Day School

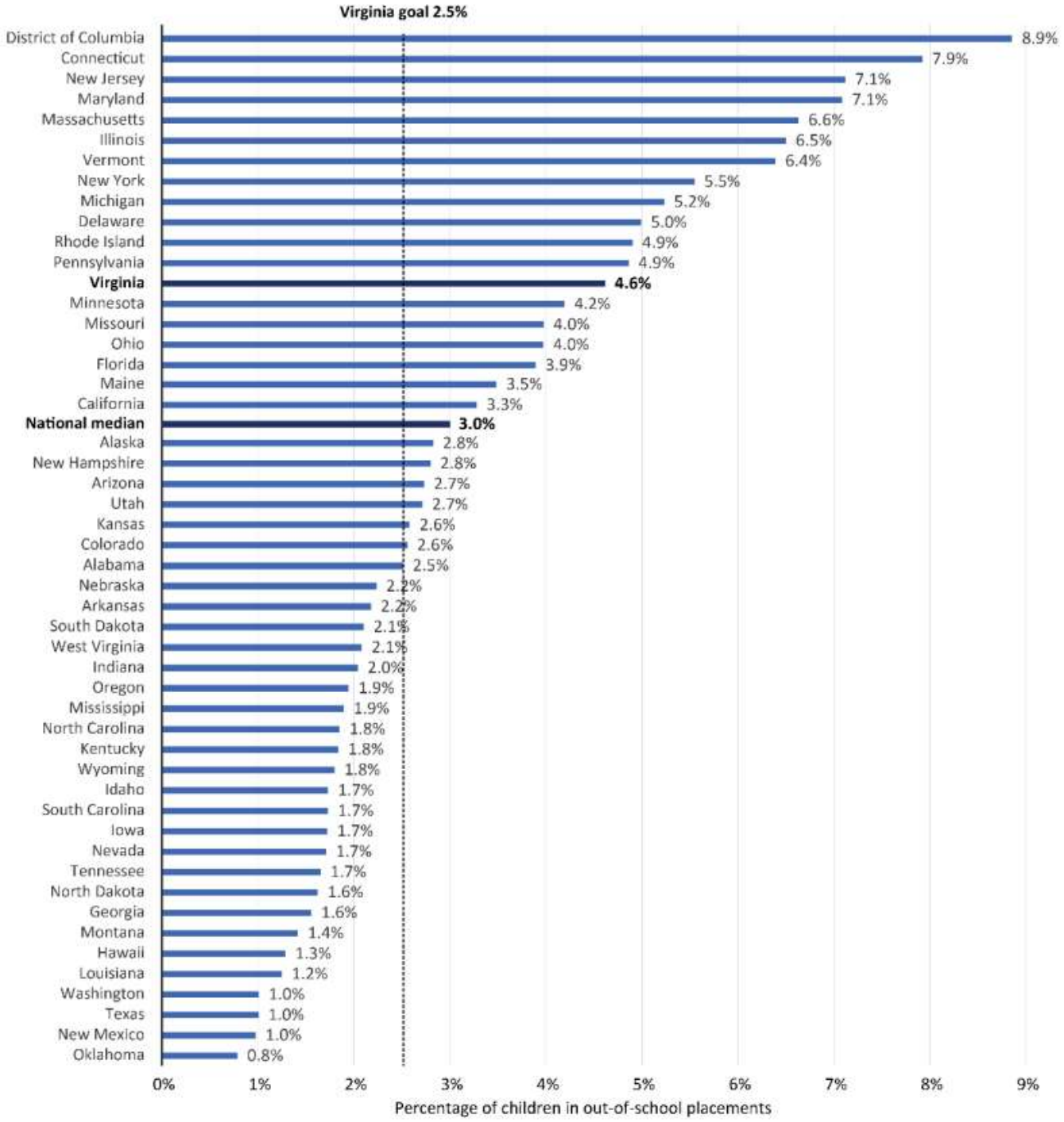


Source: JLARC, 2020

- **Restricting use of CSA funds to private day school services could prevent children from receiving comparable services in a less restrictive setting.**
  - Current state law and policy do not permit CSA funds to be spent on public school services to students with disabilities.
  - School divisions cannot access these funds to provide services that could keep children in public school or transition them back to public school from a more restrictive placement.
  - Virginia places a higher percentage of students with disabilities in more restrictive out-of-public-school settings than 37 other states, and Virginia's out-of-public school placement rate has increased over the past 10 years.

The percentage of special education students placed outside of their home school in Virginia and 37 other states is compared in figure 2.

Figure 2 – Placement of Special Education Students Outside of Their Home School



Source: JLARC, 2020

- **VDOE would be a more logical administrator of private special education day school funding** because the agency is responsible for administering funding and programs for special education services in Virginia's school divisions and already licenses private day schools.

JLARC recommended:

1) The General Assembly may wish to consider amending §2.2-5211 and §2.2-5212 of the Code of Virginia to allow state funds currently reserved for children requiring placement in a private special education day school to pay for services delivered in public schools to help transition students from residential or private day school placements back to a public school setting.
2) The General Assembly may wish to consider amending §2.2-5211 and §2.2-5212 of the Code of Virginia to allow the use of state funds currently reserved for children requiring placement in a private special education day school for services delivered to students with disabilities in public schools if the public school's individualized education program (IEP) team has determined that the services may prevent a more restrictive placement.
3) The General Assembly may wish to consider including language in the Appropriation Act, and amending the Code of Virginia as appropriate, to direct the transfer of funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to VDOE.

Current CSA Private Day School Process

Currently, OCS oversees the CSA funding of private day and residential school placements. First, a public school determines that a child has an educational disability. As a result, an IEP process is conducted. If this process results in a placement in a private day or residential school as the least restrictive environment in which the child's educational requirements can be met, the next steps are followed. The IEP can also include specific services to be provided (i.e., speech therapy, occupational therapy, etc.). Next, LEAs obtain consent to share information and make a referral to the local CSA program. School personnel complete the required CSA assessment (CANS).

The CSA program is responsible for contracting with a specific private day or residential provider (this may be directed/facilitated by the public school). The student's "case" is either reviewed initially by the Family Assessment and Planning Team (FAPT) or goes directly to the Community Policy and Management Team (CPMT) for funding authorization. Whether the

FAPT reviews the "case" is determined local policy. CSA involvement cannot modify the IEP and is only to facilitate the authorization and funding of the placement.

Finally, the student attends the private placement and all invoices are processed and paid by CSA (state and local match). School case managers remain involved and complete required reviews of subsequent CANS assessments.

OCS and VDOE Data: Special Education in Virginia

In FY2020, just over two percent of students receiving special education services in Virginia were placed in private day schools or residential facilities. The percentage of students in each placement type is shown in chart 1. Bolded placements receive CSA funding.

Chart 1 – Special Education Placement Types as a Proportion of Total Count – FY 20

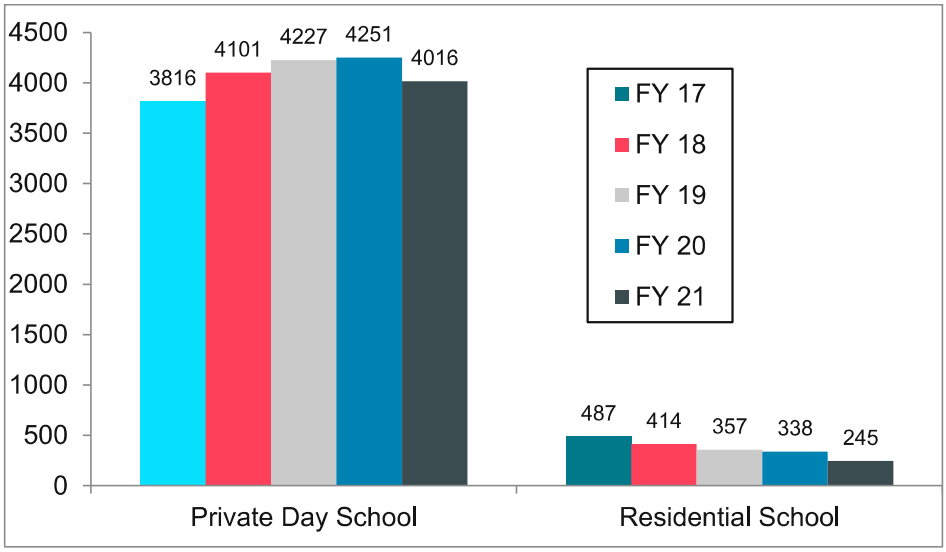
Placement Type	***% of Total Count***
Public Day School, General Ed Classroom	*90%*
Public Day School, Spec Ed Classroom	*2%*
Private Day School	***2%***
Public Separate School	*1%*
Public Residential Facility	<
Private Residential School	**<**
Home-Based Program	<
Hospital	<
Correctional Facility	<

Regular Early Childhood Program	*3%*
Special Education, Separate School	<
Special Education Residential Facility	<
Home	<
Service Provider Location	<

Source: VDOE Dec 1 Headcount data, 2020. Notes: all percentages are approximate. < indicates less than 1%.

The number of students with disabilities served in private day school has fluctuated from approximately 3,800 in FY2017 to a height of more than 4,250 in FY2020. The number of students with disabilities served in residential schools has decreased from over 480 students in FY2017 to a low of 245 students in FY2021. The number of students placed in these schools each year from FY2017 through FY2021 is indicated in figure 3.

Figure 3 - Number of Youth Served by Placement Type: Special Education Services



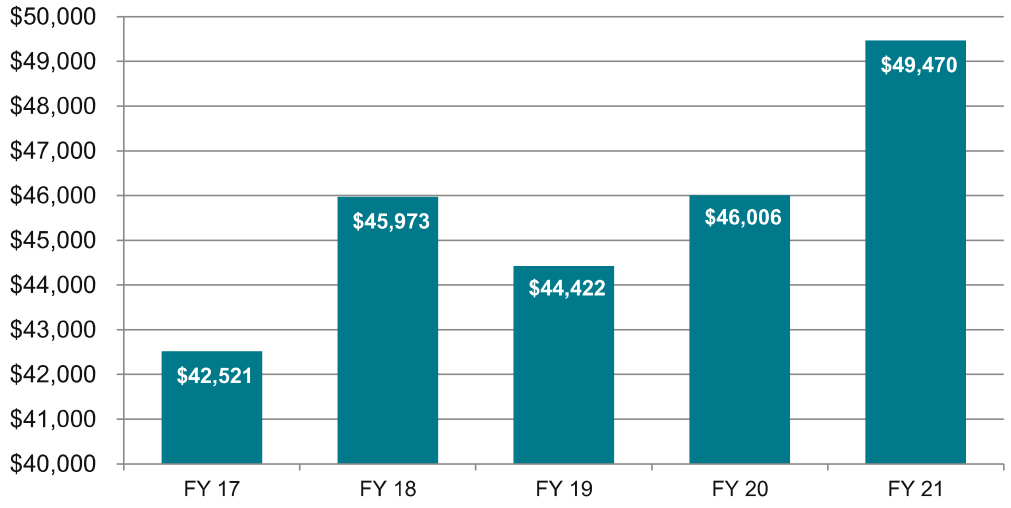
FY2021 unduplicated count of youth who received services resulting from an Individualized Education Program (IEP) requiring private school placement = 4,175
Source: OCS, 2021

CSA funding covers daily tuition and additional costs for ancillary services required by a student's IEP but not included in the daily tuition rate (i.e., physical therapy, speech/language/ occupational therapies, applied behavior analysis). Funding for private special education is not discrete in the CSA appropriation. The CSA forecast is adjusted annually and includes both private special education and all other CSA services. The forecast (and appropriation) for special education has grown significantly over the past 10 years from $72 million in FY2011 to $197 million in FY2021, according to OCS. If not for decreases or stable expenditures in other service lines, it is possible that funds available to "meet sum sufficiency" would not be met with the initial appropriation. On a few occasions, additional funding has been required in a "caboose" bill to meet needs. Expenditures in the past three fiscal years have been level FY2017 – FY 2022). The impact of the COVID-19 pandemic on this is unknown.

According to OCS, the average annual CSA expenditure per child in private day school has increased from over $42,000 in FY2017 to almost $50,000 in FY2021. This data is consistent with the data reported by JLARC. The average annual CSA expenditure per child for each year is shown in figure 4.

Figure 4 - Average Annual CSA Expenditure Per Child (FY2017 – 2021)

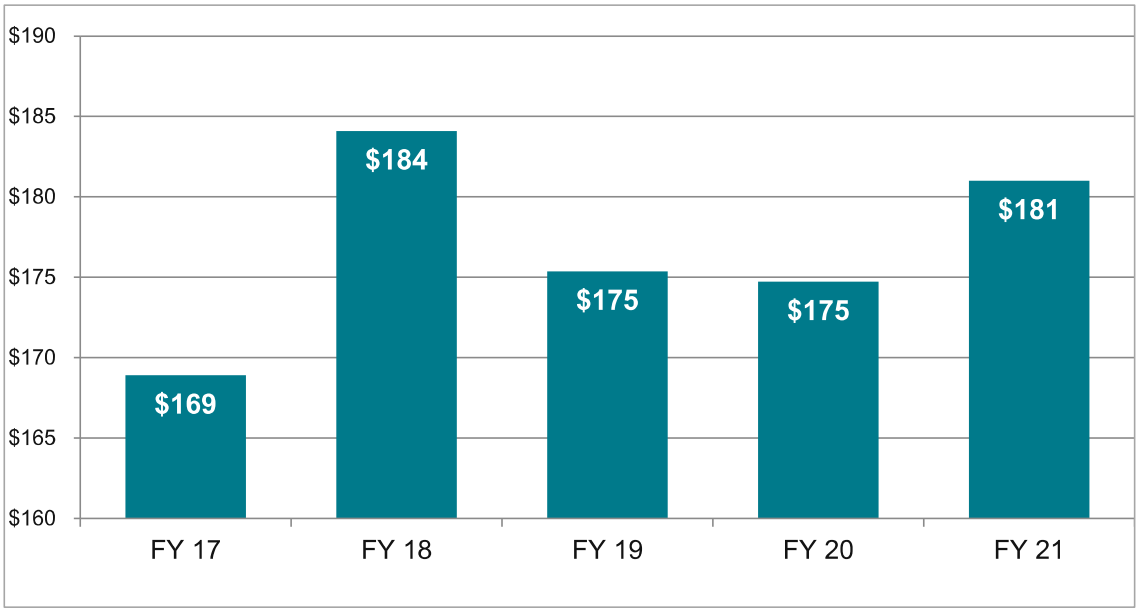
Private Day Special Education Services



Source: OCS, 2021

OCS also reported that the average cost per child per day in private day school has fluctuated from $169 in FY2017 to over $180 in FY2018 and FY2021. The average costs for each year are shown in figure 5.

Figure 5 - Average Cost per Child per Day for Private Day Placements



Source: OCS, 2021

Students with Intensive Support Needs Application (SISNA) is a funding model used by the Department of Education for services for students with disabilities in public schools. The purpose of SISNA funding is to:

- Provide an opportunity for school divisions to offset high costs of supporting students with intensive support needs.
- Provide an equitable model for all school divisions to apply for these funds.
- Determine the "actual" cost of instruction and services for identified students.
- Provide a system for LEAs to be reimbursed based on actual financial costs for providing actual services and increased accountability.

Disability categories currently used by SISNA:

- Autism
- Emotional disability
- Deaf-blindness
- Hearing impairment
- Traumatic brain injury
- Multiple disabilities

Services for students with autism is the largest group of services receiving funding from both CSA and SISNA. As shown in figure 6, a total of 7,428 students received funding for services from either CSA or SISNA. Fifty-four percent of these students received services for autism. Two-thirds of the services provided to students with autism were funded through SISNA in public schools.

Figure 6 – Funding for Special Education Services by Disability Category

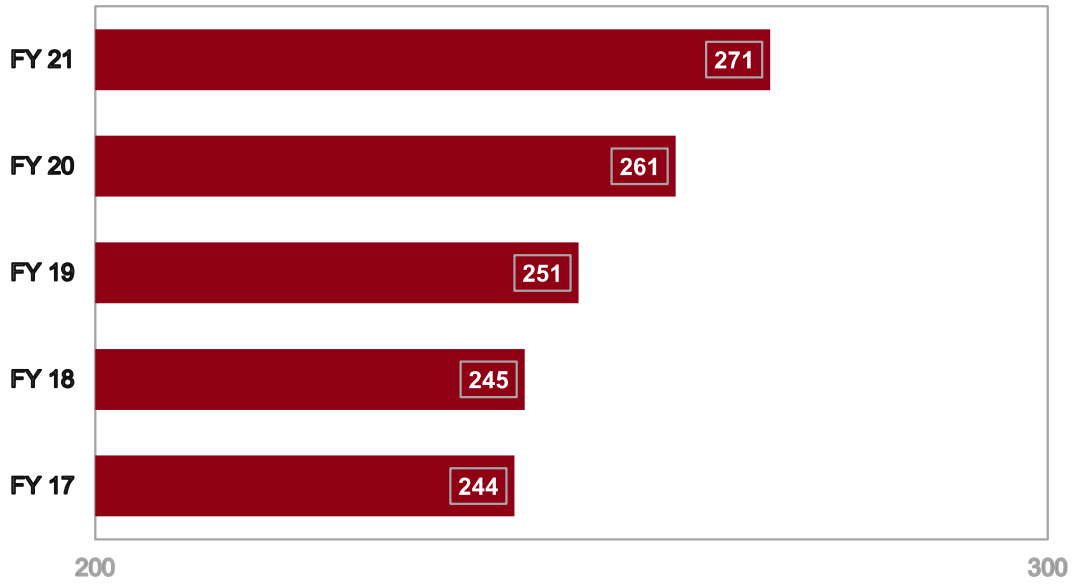
SERVICES DELIVERED LOCATION BY DISABILITY CATEGORY				
DISABILITY CATEGORY	PRIVATE SCHOOL PLACEMENTS		CSA FUNDED	SISNA FUNDED
Autism	Total		1313	2708
	Private Day School	1258		
	Private Residential School	55		
Deaf-Blindness	Total		*	*
	Private Day School	*		
	Private Residential School	*		
Emotional Disturbance	Total		946	507
	Private Day School	817		
	Private Residential School	129		
Hearing Impairments	Total		*	84
	Private Day School	*		
	Private Residential School	*		
Multiple Disabilities	Total		179	796
	Private Day School	173		
	Private Residential School	*		
Traumatic Brain Injured	Total		*	16
	Private Day School	*		
	Private Residential School	*		
Developmental Delay	Total		12	*
	Private Day School	11		
	Private Residential School	*		
Intellectual Disabilities	Total		227	*
	Private Day School	210		
	Private Residential School	17		
Other Health Impairments	Total		520	*
	Private Day School	463		
	Private Residential School	57		
Orthopedic Impairments	Total		*	*
	Private Day School	*		
	Private Residential School	*		
Specific Learning Disabilities	Total		120	*
	Private Day School	100		

	Private Residential School	20		
Speech or Language Impairments	Total		*	*
	Private Day School	*		
	Private Residential School	*		
Visual Impairments	Total		*	*
	Private Day School	*		
	Private Residential School	*		
TOTALS			3317	4111

Source: VDOE, 2022

Just like cost, the average number of days per year students with disabilities are receiving educational services in private days schools is increasing. Additionally, on average, students appear to be staying in private day school 1-3 years. Figure 7 shows the average number of days per year for private day placements from FY2017 through FY2021.

Figure 7 – Private Special Education Services Funded under the Children's Services Act Average Length of Stay (Number of Days per Year) for Private Day Placements



Source: OCS, 2021

JLARC reported additional information about students' length of stay in private day school in their 2020 report *Review of the Children's Services Act and Private Special Education Day School Costs*. They explain, "The median stay in a private day school is approximately two years, but younger children are more likely than older children to stay in private day school for

longer than the median of two years. Elementary school age children were almost four times more likely than high school age children to stay in private day school for three years or longer" (p. 17). The length of stay in private day school for elementary, middle, and high school students are shown in figure 8.

Figure 8 – Length of Stay in Private Day School for Students with Disabilities

	Length of stay in private day school			
Students' grade level when first placed in private day school	**Less than 1 year**	**1 year**	**2 years**	**3 years or more**
Elementary school	18%	16%	11%	54%
Middle school	26%	18%	14%	42%
High school	46%	26%	16%	13%

Source: JLARC, 2020

According to VDOE, fewer than 11 percent of students placed in private day or residential schools returned to public schools in school year 2020-2021. The highest rates of returning to public school occurred in grades eight through 12. Figure 9 shows the percentage of students returning to public school by grade level.

Figure 9 – Return to Public School from Private Placements 20-21

RETURN TO PUBLIC SCHOOL

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 1	81	4	4.9%
Grade 2	122	6	4.9%
Grade 3	187	7	3.7%
Grade 4	268	16	6.0%
Grade 5	296	18	6.1%
Total Elementary School	**954**	**51**	**5.3%**

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 6	330	21	6.4%
Grade 7	421	25	5.9%
Grade 8	517	48	9.3 %
Total Middle School	**1,268**	**94**	**7.4%**

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 9	592	68	12.9%
Grade 10	529	52	8.8%
Grade 11	465	47	10.1%
Grade 12	790	86	10.9%
Total High School	**2,736**	**253**	**9.2%**
Total Student Population	**4,594**	**398**	**8.7%**

Source: VDOE, 2021

For the first time, expenditure data on transition services from private placements to public placements are available. As shown in chart 2, 21 students from 13 localities used CSA funding to support their transition from private to public placement, which cost over $231,000 total.

Chart 2 - FY2022 Special Education Transitional Services

FIPS	Service Name Code	Unduplicated Child Count	Total Net Expenditures	Avg Net Expenditure Per Child	Per Diem	Selected FY Avg Length of Stay	Total Avg Length of Stay
11	Appomattox	2	$16,525.00	$8,262.50	$79.45	104	104
23	Botetourt	2	$43,102.53	$21,551.26	$101.66	212	212
29	Buckingham	1	$1,800.00	$1,800.00	$8.49	212	212
35	Carroll	1	$18,642.24	$18,642.24	$135.09	138	138
97	King & Queen	1	$20,430.00	$20,430.00	$117.41	174	174
99	King George	1	$35.00	$35.00	$1.52	23	23

149	Prince George	1	$2,100.00	$2,100.00	$65.63	32	32
157	Rappahannock	1	$36,022.50	$36,022.50	$148.85	242	242
171	Shenandoah	1	$16,216.99	$16,216.99	$131.85	123	123
670	Hopewell	1	$8,700.00	$8,700.00	$181.25	48	48
720	Norton	1	$5,043.90	$5,043.90	$162.71	31	31
730	Petersburg	6	$49,706.00	$8,284.33	$57.26	144.67	144.67
775	Salem	2	$13,381.00	$6,690.50	$73.52	91	91
	Total	**21**	**$231,705.16**				

Data provided through June 22, 2022. This is the first year these funds have been available.
Source: OCS, 2022

Potential Match Rates

With the transfer of the administration of CSA funding for students in private day school and residential facilities to VDOE, a decision will need to be made on how funding provided to localities will be matched by the state. Virginia uses a resource-allocation model to determine general education funding based on Local-Composite-Index (LCI) Scores. LCI scores:

- Determine the ratio of local to state funding for school divisions
- Calculated every 2 years
- Represent each locality's ability-to-pay by computing:
  - True Property Value
  - Adjusted Gross Income (Residential and Non-Residential)
  - Taxable Retail Sales
  - Total Population
- Currently only used to determine general education funding, not CSA funding

For example, a locality with an LCI score of 0.756 would mean the locality would contribute 75 percent while the state would contribute 25 percent.

The current match rate used for CSA funds is a fixed rate calculated to determine the amount of CSA funding a locality will receive. This match rate is based on a formula tied to a locality's "ability to pay." The ability to pay measure was developed by JLARC. The CSA match rate was capped and has not been modified since 1997. The maximum local share is presently 53.09 percent and the minimum 16.98 percent. The average is 32.99 percent, according to OCS.

If the match rate for localities was changed from the CSA rate to the LCI rate, some localities would pay more for special education services and some localities would pay less. Potentially, any policy change that increases local match rates could serve as a disincentive to private

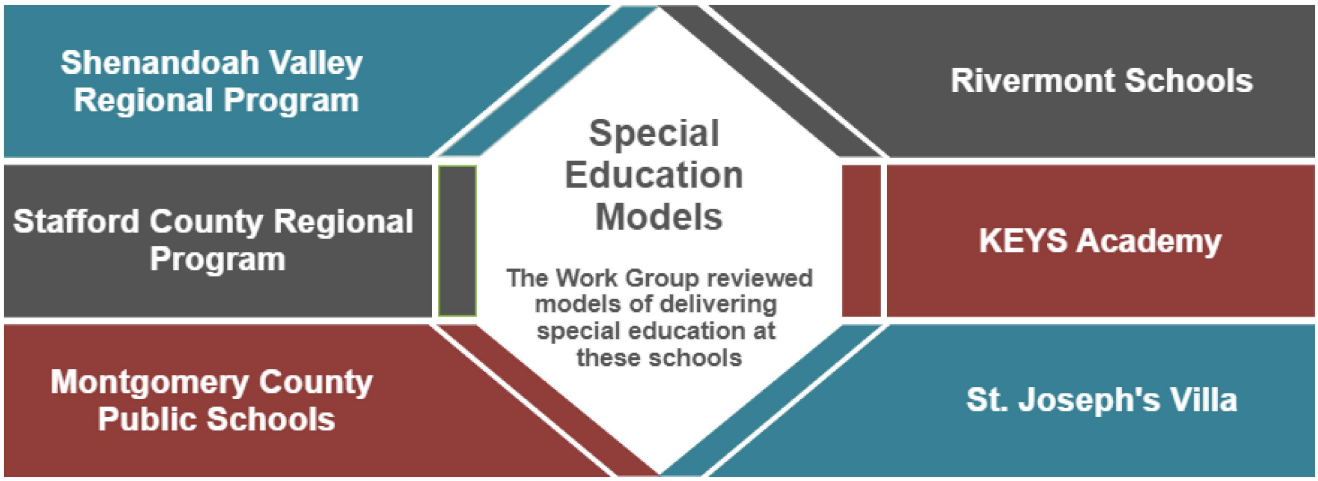
placements. However, IEP placement decisions are intended to be independent of cost considerations. A full comparison of LCI and CSA match rates on locality contributions is provided in Appendix F.

Models of Delivering Special Education

The Work Group was directed to offer a review and analysis of different models of delivering special education and private special education day school services, including a review of:

- Specialty regional schools
- In-school delivery of services by private special education program providers
- In-school delivery of services by the school division

The Work Group viewed presentations from the following schools:



Specialty Regional Programs

In their 2020 report, JLARC found that school divisions without access to a regional program or a separate public school for students with disabilities had 4.2 percent median placement rate in private day schools while school divisions who had access to both had a 1.3 percent placement rate. They report eight school divisions have access to both services while 41 divisions do not have access to either (p. 28). The private day placement rate as a function of access to regional specialty programs and separate schools is shown in figure 10.

Figure 10 – Private Day School Placement Rates: Specialty Regional and Separate Schools

Element	Median private day placement rate	Number of school divisions
Access to a regional special education program AND a separate school for students with disabilities	1.3%	8
Access to a regional special education program OR a separate school for students with disabilities	2.4%	50
No access to a regional special education program AND no access to a separate school for students with disabilities	4.2%	41

Source: JLARC, 2020

Shenandoah Valley Regional Program

The Shenandoah Valley program is a collaborative effort from seven school divisions serving students with disabilities with the most intensive needs. The program reported more efficient and cost-effective services as a result of this collaboration.

The program employs board certified behavioral analysts (BCBA) to build plans for instructional staff and create professional development opportunities for staff. The program also employs occupational therapists and physical therapists as well as sign language interpreters. Further, the program has a contract with James Madison University to provide interns to support the program.

Students served in this program are placed in regional classrooms based on IEP decisions. Students are required to spend at least 60 percent of their time in general education classrooms. The program is not in one, stand-alone building like in Newport News or Charlottesville. Students in SVRP receive a continuum of services that depend on needs that may fluctuate throughout the year. Five of the seven school divisions use the Competent Learner Model in these classrooms. For post-high school students, the region provides a STEP Learning Lab at Blueridge Community College that provides independent living skills.

Stafford County Regional Program

The program in Stafford County has two separate public day schools, one high school, and alternative education supports that are provided at the Phoenix Center. The program employs autism teachers, effective behavior support (EBS) teachers, and behavior support assistants. The school division provides a coordinator for the program, social workers, occupational

therapists, physical therapists, speech language pathologists, and adapted physical education (APE) teachers. Materials costs are shared between local governments and school divisions. Students are placed in the program based on IEP decisions. There are caps on the number of students in each school due to limited space.

The program is offered as a stepping stone for many students needing transition support from private placements to public placements. Estimated cost per child is roughly a 40 percent savings when compared to students placed in a private day setting. The program explains it does not replace private day school but provides another step in the continuum of services.

Private Day Schools

Rivermont Schools

Rivermont Schools operate 13 schools across Virginia, all accredited through VDOE and the Virginia Council for Private Education (VCPE). The schools offer career and technical education (CTE), community-based learning, and SOL aligned curriculum, just like public schools. The Rivermont School three-tiered service model combines therapeutic, behavioral, and educational services throughout the day. Transition services back into the public school are provided, as well as residential services. Wrap-around services also allow students to integrate into the community. Staffing ratios are smaller as compared to public schools. Rivermont does not provide life skills building for adults, intellectual or developmental disability (ID/DD) waiver services, or in-home applied behavioral analysis (ABA). Overall, services depend on individual needs of students.

Rivermont graduates both standard and applied studies diplomas. In 2021, 43 of the 63 graduates earned standard diplomas. During the 2020-2021 academic year, 18 students transitioned back to their home schools. Rivermont works with stakeholders and partners to ensure all supports are aligned and develop individualized recommendations, in addition to the school divisions, to support transition. Referral behaviors are also observed to determine the timing of transition.

KEYS Academy

KEYS Academy has four schools throughout Virginia, serving 27 different small public school systems. KEYS Academy serves mostly rural environments in the central region, grades K-12 and ages five through 22. Many of these systems do not have opportunities or services

needed to service students with severe disabilities. All students are referred due to safety challenges in the public setting, not academic concerns. KEYS Academy reports 30 percent of students do not live with biological parents and instead live with relatives, foster care, friends, or are experiencing homelessness.

KEYS programs and services are driven by student IEPs. Schools are licensed and monitored by VDOE, follow the same teacher credentialing requirements as public schools, and follow the same assessment criteria for SOLs, work keys, and CTE Assessments. The Schools have smaller class sizes than public schools and have staff with higher level training for social-emotional learning and de-escalation. Their teachers have a background in mental health services in addition to education. The Schools cannot offer the same span of electives and CTE course offerings as public schools, which encourages students to work on transition readiness back to public school.

For the academic years through 2016-2021, 32 of the 37 seniors graduated and 24 of them received standard diplomas.

St. Joseph's Villa

St. Joseph's Villa is a nonprofit organization serving children since 1843 in 49 localities throughout Virginia.

The schools have the same teacher credentialing, staffing, licensing and accreditation, and assessments required of public schools. St. Joseph's Villa has a unique commitment to a holistic model guided by evidence-based methodologies. St. Joseph's Villa currently provides services in the areas of housing, mental health, developmental disabilities, and education. There are close to 25 services overall, all responsive to needs of the community.

Three years prior to the pandemic, St. Joseph's Villa had 17 students transition back to public schools. Outcomes are measured through accomplishment of IEP goals and objectives.

St. Joseph's Villa shared that, to support students with disabilities in public schools or who may transition to public schools, public schools should provide more teacher training programs and administrator training on how to serve students with the most severe disabilities.

Public School

The Work Group was directed to identify the types of services and supports that have allowed children with severe disabilities to be successful in the public school setting and avoid an out-of-school placement. Montgomery County school was identified as a division successfully providing services and support to students in public schools.

Montgomery County

Montgomery County public schools use an inclusive framework for the education of students with disabilities. This framework for pre-k through post-graduate is built from a community perspective, with the goal of providing students with all opportunities. In total, 1,200 students are served in special education services.

All school district staff, from bus drivers to teachers to principals, are trained in behavioral strategies and best management practices for students with the most severe needs so that students can be in collaborative classrooms. The school division central office has an autism coach and BCBA specialists that work with teachers to ensure they are using evidence-based practices. School staff are certified in tech supports to address student needs from every angle. Additionally, school instructional assistants will be trained as registered behavioral technicians (RBTs) through a new partnership with VCU.

Inclusive framework

- Culture and division mindset
- Emphasis on maintaining students in our community
- Individualized programming
- Start with least restrictive environment
- Strategic plan based on providing services to the whole child
- Disability category does not dictate placement

Framework components

- Lead teacher model
- Caseloads 12:1 ratio
- Co-taught classrooms
- Community partnerships
- Parent resource center

- Family engagement coordinator
- Professional development in high-leverage practices

Co-teaching

This is a top-down initiative where all stakeholders of instructional leadership teams play a role. Division-wide instructional leadership investment includes central office support, steering committee, and collaborative master scheduling team. Co-teaching is the preferred service delivery model. There is also ongoing data collection in the areas of co-teaching fidelity that includes an emphasis on high yield co-teaching models and comprehensive instruments for observations. All teachers are invested in instructional accountability.

Additional supports

Additional school supports that emphasize least restrictive environment placements include:

- School level administrators have the mindset of inclusive practices
- Low student/teacher ratios and instructional assistant support
- Tiered specialists
- School counselors
- Verbal and nonverbal de-escalation training
- Equity and diversity professional development provided to staff
- Partner with Radford University and Virginia Tech on the On Campus Transition Program (OCTP) for students age 18-22
- New River Community College partners provide career development services

Step down to home schools

The school district works extensively to keep students in their home schools or transition them back. The transition, or "step down," process includes school staff attending private day quarterly meetings. Once a determination is made, all stakeholders are included to identify wrap around services. School and classroom factors such as scheduling, class size, and programming needs are considered. Placement is monitored for progress and adjustments are made as needed.

Montgomery County placed only five students in private educational setting through CSA funds in FY2021, which is remarkably low. Montgomery County funds their services through a collaborative effort between staff, leadership, all schools, and community partners. They also use SISNA funding for students with the most severe needs. The school reports they have not

had to make a private school placement because of inadequate resources in public schools. Students placed in private schools are placed in those schools due to student need.

For students with the most severe needs, the division collaborates with the student services department to develop behavior plans and counseling for check-in-check-out systems. They also establish teams of support around students to ensure data is collected and that progress is monitored. The division employs internal BCBA specialists but also brings in external specialists and counselors when needed.

CONCLUSION

The CSA Work Group has provided recommendations to the General Assembly, in accordance with the requirements in House Bill 2117 and Senate Bill 1313. The Work Group believes these recommendations will provide the most effective and efficient support for students with disabilities in Virginia.

APPENDIX A – STUDY MANDATE

2021 SPECIAL SESSION I

CHAPTER 71

*An Act to amend and reenact §§ **2.2-5211** and **2.2-5212** of the Code of Virginia, relating to Children's Services Act; special education programs.*

[S 1313]

Approved March 11, 2021

Be it enacted by the General Assembly of Virginia:

1. That §§ **2.2-5211** and **2.2-5212** of the Code of Virginia are amended and reenacted as follows:

§ **2.2-5211**. State pool of funds for community policy and management teams.

A. There is established a state pool of funds to be allocated to community policy and management teams in accordance with the appropriation act and appropriate state regulations. These funds, as made available by the General Assembly, shall be expended for public or private nonresidential or residential services for troubled youths and families. *However, funds for private special education services shall only be expended on private educational programs that are licensed by the Board of Education or an equivalent out-of-state licensing agency. Effective July 1, 2022, funds for private special education services shall only be expended on private educational programs that the Office of Children's Services certifies as having reported their tuition rates on a standard reporting template developed by the Office. The Office of Children's Services shall consult with private special education services providers in developing the standard reporting template for tuition rates.*

The purposes of this system of funding are to:

1. Place authority for making program and funding decisions at the community level;

2. Consolidate categorical agency funding and institute community responsibility for the provision of services;

3. Provide greater flexibility in the use of funds to purchase services based on the strengths and needs of children, youths, and families; and

4. Reduce disparity in accessing services and to reduce inadvertent fiscal incentives for serving children and youth according to differing required local match rates for funding streams.

B. The state pool shall consist of funds that serve the target populations identified in subdivisions 1 through ~~5 of this subsection~~ *6* in the purchase of residential and nonresidential services for children and youth. References to funding sources and current placement authority for the targeted populations of children and youth are for the purpose of accounting for the funds in the pool. It is not intended that children and youth be categorized by individual funding streams in order to access services. The target population shall be the following:

1. Children and youth placed for purposes of special education in approved private school educational programs, previously funded by the Department of Education through private tuition assistance;

2. Children and youth with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the Department of Education through the Interagency Assistance Fund for Noneducational Placements of Handicapped Children;

3. Children and youth for whom foster care services, as defined by § **63.2-905**, are being provided;

4. Children and youth placed by a juvenile and domestic relations district court, in accordance with the provisions of § **16.1-286**, in a private or locally operated public facility or nonresidential program, or in a community or facility-based treatment program in accordance with the provisions of subsections B or C of § **16.1-284.1**; ~~and~~

5. Children and youth committed to the Department of Juvenile Justice and placed by it in a private home or in a public or private facility in accordance with § **66-14***; and*

6. Children and youth previously placed pursuant to subdivision 1 in approved private school educational programs for at least six months who will receive transitional services in a public school setting. State pool funds shall be allocated for no longer than 12 months for transitional services. Local agencies may contract with a private school education program provider to provide transition services in the public school.

C. The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education services and foster care services for children and youth identified in subdivisions B 1, ~~B~~ 2, ~~and B~~ 3*, and 6* and (ii) meet relevant federal mandates for the provision of these services. The community policy and management team shall anticipate to the best of its ability the number of children and youth for whom such services will be required and reserve funds from its state pool allocation to meet these needs. Nothing in this section prohibits local governments from requiring parental or legal financial contributions, where not specifically prohibited by federal or state law or regulation, utilizing a standard sliding fee scale based upon ability to pay, as provided in the appropriation act.

D. When a community services board established pursuant to § **37.2-501**, local school division, local social service agency, court service unit, or the Department of Juvenile Justice has referred a child and family to a family assessment and planning team and that team has recommended the proper level of treatment and services needed by that child and family and has determined the child's eligibility for funding for services through the state pool of funds, then the community services board, the local school division, local social services agency, court service unit, or Department of Juvenile Justice has met its fiscal responsibility for that child for the services funded through the pool. However, the community services board, the local school division, local social services agency, court service unit, or Department of Juvenile Justice shall continue to be responsible for providing services identified in individual family service plans that are within the agency's scope of responsibility and that are funded separately from the state pool.

Further, in any instance that an individual 18 through 21 years of age, inclusive, who is eligible for funding from the state pool and is properly defined as a school-aged child with disabilities pursuant to § **22.1-213** is placed by a local social services agency that has custody across jurisdictional lines in a group home in the Commonwealth and the individual's individualized education program (IEP), as prepared by the placing jurisdiction, indicates that a private day school placement is the appropriate educational program for such individual, the financial and legal responsibility for the individual's special education services and IEP shall remain, in compliance with the provisions of federal law, Article 2 (§ **22.1-213**) of Chapter 13 of Title 22.1, and Board of Education regulations, the responsibility of the placing jurisdiction until the individual reaches the age of 21, inclusive, or is no longer eligible for special education services. The financial and legal responsibility for such special education services shall remain with the placing jurisdiction, unless the placing jurisdiction has transitioned all appropriate services with the individual.

E. In any matter properly before a court for which state pool funds are to be accessed, the court shall, prior to final disposition, and pursuant to §§ **2.2-5209** and **2.2-5212**, refer the matter to the community policy and management team for assessment by a local family assessment and planning team authorized by policies of the community policy and management team for assessment to determine the recommended level of treatment and services needed by the child and family. The family assessment and planning team making the assessment shall make a report of the case or forward a copy of the individual family services plan to the court within 30 days of the court's written referral to the community policy and management team. The court shall consider the recommendations of the family assessment and planning team and the community policy and management team. If, prior to a final disposition by the court, the court is requested to consider a level of service not identified or recommended in the report submitted by the family assessment and planning team, the court shall request the community policy and management team to submit a second report characterizing comparable levels of service to the requested level of service. Notwithstanding the provisions of this subsection, the court may make any disposition as is authorized or required by law. Services ordered pursuant to a disposition rendered by the court pursuant to this section shall qualify for funding as appropriated under this section.

F. As used in this section, "transitional services" includes services delivered in a public school setting directly to students with significant disabilities or intensive support needs to facilitate their transition

back to public school after having been served in a private special education day school or residential facility for at least six months. "Transitional services" includes one-on-one aides, speech therapy, occupational therapy, behavioral health services, counseling, applied behavior analysis, specially designed instruction delivered directly to the student, or other services needed to facilitate such transition that are delivered directly to the student in their public school over the 12-month period as identified in the child's individualized education program.

§ **2.2-5212**. Eligibility for state pool of funds.

A. In order to be eligible for funding for services through the state pool of funds, a youth, or family with a child, shall meet one or more of the criteria specified in subdivisions 1 through 4 and shall be determined through the use of a uniform assessment instrument and process and by policies of the community policy and management team to have access to these funds.

1. The child or youth has emotional or behavior problems that:

a. Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;

b. Are significantly disabling and are present in several community settings, such as at home, in school, or with peers; and

c. Require services or resources that are unavailable or inaccessible, or that are beyond the normal agency services or routine collaborative processes across agencies, or require coordinated interventions by at least two agencies.

2. The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies.

3. The child or youth requires placement for purposes of special education in approved private school educational programs *or for transitional services as set forth in subdivision B 6 of* § ***2.2-5211***.

4. The child or youth requires foster care services as defined in § **63.2-905**.

B. For purposes of determining eligibility for the state pool of funds, "child" or "youth" means (i) a person younger than 18 years of age or (ii) any individual through 21 years of age who is otherwise eligible for mandated services of the participating state agencies including special education and foster care services.

2. That the Secretary of Education and the Secretary of Health and Human Resources or their designees, in conjunction with the Office of Children's Services and the Department of Education, shall

establish a work group (the Work Group) with appropriate stakeholders to develop a detailed plan to (i) direct the transfer of Children's Services Act funds currently reserved for children requiring an educational placement in a private special education day school or residential facility to the Department of Education, (ii) provide recommendations on the use of Children's Services Act funds to pay for services delivered directly to students with disabilities in public school to enable those who are at risk of out-of-school placements to remain in a public school setting, and (iii) provide recommendations on the most effective use of Children's Services Act funds to transition students from out-of-school placements to public school. Work Group stakeholders shall include representatives of (a) the Department of Education and the Office of Children's Services; (b) three private special education day school service providers, including at least one director of a private special education day school; (c) local school districts, including at least one local special education director; (d) local governments, including at least one Children's Services Act Coordinator; (e) licensed behavioral analyst service providers and other evidence-based behavioral services providers; (f) organizations engaged in advocacy for students with disabilities, including at least one for the autism spectrum community; (g) the House Committee on Appropriations and the Senate Committee on Finance and Appropriations; and (h) other stakeholders deemed necessary by the Secretaries of Education and Health and Human Resources. The Work Group shall also include one parent of a child with an individualized education program currently enrolled in a private special education day program and one parent of child with an individualized education program currently enrolled in a public special education program. Both legislative members of the State Executive Council for Children's Services shall be invited to participate in the Work Group. The Work Group's plan shall include details on how the Virginia Department of Education should administer the transferred funding so that it (1) is prioritized for students with the most severe disabilities who are at risk of being placed in an out-of-school placement or who are in an out-of-school placement and (2) is equally accessible to all school divisions. The Work Group's plan shall also provide recommendations for minimizing the fiscal impact of the new funding policy on localities and consider the local fiscal impacts of using current Children's Services Act match rates versus the Local Composite Index. The Work Group's plan shall also offer a review and analysis of different models of delivering special education and private special education day school services, including a review of specialty regional schools, in-school delivery of services by private special education program providers, and in-school delivery of services by the school division. The Work Group shall (A) collect data from Virginia schools that have delivered special education services to students with severe disabilities within the public school setting as well as from Virginia school divisions that have used Children's Services Act funds to pay for transition services, (B) use the data to identity the types of services and supports that have allowed children with severe disabilities to be successful in the public school setting and avoid an out-of-school placement, and (C) provide recommendations for the types of direct services and supports that should be provided to students in the public school setting using Children's Services Act funds. The Work Group shall also consider whether the transitional services, as defined in § **2.2-5211** of the Code of Virginia, as amended by this act, are appropriate direct services to be covered; determine whether the criteria for students to qualify for such funding are appropriate; and make recommendations for modifying the definition or criteria, if necessary. The Work Group shall specifically evaluate whether or not Children's Services Act funding should be expanded to include ongoing support for students with disabilities following the 12-month transition period. The Work Group may solicit proposals from local school divisions for programs that would identify the resources,

services, and supports required by each student in the local school divisions who is educated in a private special education day school and how redirecting federal, state, and local funds, including funds provided pursuant to the Children's Services Act, could allow some students to transition from the private school setting to the public school setting. The Work Group may recommend any proposal determined to be feasible for consideration by the General Assembly. The Work Group's preliminary findings shall be submitted to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by November 1, 2021; and a final plan and recommendations shall be submitted by November 1, 2022, which shall include draft legislation and amendments to the general appropriation act that would allow the General Assembly to accomplish the plan's recommendations.

APPENDIX B – WORK GROUP MEMBER LIST

CSA Funding Work Group Members

#	Name	Organization/Role
1.	Senator Montgomery Mason	Senate member of SEC, Patron SB1313
2.	Dr. Samantha Hollins	Virginia Dept of Education
3.	Hank Millward	Virginia Dept of Education
4.	Tracie Coleman	Virginia Dept of Education
5.	Christina Owens	Virginia Dept of Education
6.	Scott Reiner	Office of Children's Services
7.	Kristy Wharton	Office of Children's Services
8.	Brandon Timmons	Rivermont School
9.	Robyn Puryear	Keys Academy
10.	Matthew Kreydatus	St. Joseph's Villa
11.	Erica Regensburg	LEA Private School Placement Coordinator, Central VA
12.	Richard Dirmeyer	Newport News SPED Supervisor
13.	Kenya Ratliff	CSA Coordinator, Chesapeake
14.	Michael Becketts	Fairfax Dept of Family Services
15.	Glenda Pittman	Arlington Dept of Human Services
16.	Leslie Beauregard	City of Staunton
17.	Dr. Kitti Robinson	Director of Pygmalion School
18.	Christy Evanko	Virginia Assoc for Behavioral Analysis
19.	Tonya Milling	ARC of Virginia
20.	Ann Flippin	Autism Society of Central Virginia
21.	Clare Huerta	Virginia Board for People with Disabilities
22.	Mike Tweedy	Senate Finance and Appropriations Committee
23.	Zach Robbins	House Appropriations Committee
24.	Tyler Williams	Senate Finance and Appropriations Committee
25.	Troy Bryant	Parent of Private School Student, Central Virginia
26.	Mychael Willon	Parent of Public School Student, Tidewater
27.	William Elwood	Virginia Association of Independent Specialized Education Facilities
28.	Megan de Nobriga	SPED Director Bristol
29.	Natasha Bailey	SPED Director Nottoway
30.	Hayley Mullins	Campbell County Public Schools
31.	Susan Massart	House Appropriations Committee
32.	Travis Turner	Parent of Private School Student, Valley Region
33.	Delegate Elizabeth Guzman	House member of SEC
34.	Dr. Joan Dooley	SPED Director Nottoway

CSA Subgroup Members

Public School Subgroup Members	
Name	Organization/Role
Dr. Samantha Hollins	Virginia Dept of Education
Erica Regensburg	LEA Private School Placement Coordinator, Central VA
Richard Dirmeyer	Newport News SPED Supervisor
Kenya Ratliff	CSA Coordinator, Chesapeake
Ann Flippin	Autism Society of Central Virginia
Troy Bryant	Parent of Private School Student, Central Virginia
Delegate Elizabeth Guzman	House member of SEC
Megan de Nobriga	SPED Director Bristol

Private School Subgroup Members	
Name	Organization/Role
Hank Millward	Virginia Dept of Education
Christina Owens	Virginia Dept of Education
Brandon Timmons	Rivermont School
Robyn Puryear	Keys Academy
Natasha Bailey	SPED Director Nottoway
Michael Becketts	Fairfax Dept of Family Services
Christy Evanko	Virginia Assoc for Behavioral Analysis
Travis Turner	Parent of Private School Student, Valley Region

Funding Subgroup Members	
Name	Organization/Role
Senator Montgomery Mason	Senate member of SEC
Tracie Coleman	Virginia Dept of Education
Scott Reiner	Office of Children's Services
Kristy Wharton	Office of Children's Services
Matthew Kreydatus	St. Joseph's Villa
Glenda Pittman	Arlington Dept of Human Services
Mike Tweedy	Senate Finance and Appropriations Committee
Zach Robbins	House Appropriations Committee
William Elwood	Virginia Association of Independent Specialized Education Facilities

Pilot Program Subgroup Members	
Name	Organization/Role
Leslie Beauregard	City of Staunton
Dr. Kitti Robinson	Private School BCBA, Valley Region
Tonya Milling	ARC of Virginia
Clare Huerta	Virginia Board for People with Disabilities
Susan Massart	House Appropriations Committee
Tyler Williams	Senate Finance and Appropriations Committee
Mychael Willon	Parent of Public School Student, Tidewater
Dr. Joan Dooley	SPED Director Nottoway

CSA Funding Work Group Meeting Dates

#	Date/Time	Objective(s)	Location
1	Friday, June 25, 2021	Charge, Scope, & Goals	Virtual
2	Tuesday, August 24, 2021	Data Presentation	Virtual
3	Thursday, September 23, 2021	Subgroup Formation & Work	Virtual
4	Wednesday, October 13, 2021	Voting on Preliminary Report	Patrick Henry Building
5	Tuesday, November 30, 2021	JLARC & Regional Program Presentations	Virtual
6	Monday, January 10, 2022	Data Discussion	Virtual
7	Wednesday, March 16, 2022	Private School Presentations	Virtual
8	Tuesday, April 19, 2022	Proposed Recommendations Review	Virtual
9	Thursday, May 19, 2022	Public School & VDOE Presentations	Virtual
10	Tuesday, June 21, 2022	Reviewing Proposed Recommendations	Patrick Henry Building
11	Tuesday, August 16, 2022	Reviewing Proposed Recommendations	Patrick Henry Building
12	Friday, October 14, 2022	Voting on Final Report	Patrick Henry Building

Presentations to the Work Group from Virginia Schools

Date/Time	Presentations
Tuesday, November 30, 2021	Shenandoah Valley Regional Program
	Stafford County
Wednesday, March 16, 2022	Rivermont Schools
	KEYS Academy
	St. Joseph's Villa
Thursday, May 19, 2022	Montgomery County Public Schools

APPENDIX C – AMENDMENTS TO CSA STATUTES

§ 2.2-5211. State pool of funds for community policy and management teams.

A. There is established a state pool of funds to be allocated to community policy and management teams in accordance with the appropriation act and appropriate state regulations. These funds, as made available by the General Assembly, shall be expended for public or private nonresidential or residential services for ~~troubled~~ *eligible* youths and families~~. However, funds for private special education services shall only be expended on private educational programs that are licensed by the Board of Education or an equivalent out-of-state licensing agency. Effective July 1, 2022, funds for private special education services shall only be expended on private educational programs that the Office of Children's Services certifies as having reported their tuition rates on a standard reporting template developed by the Office. The Office of Children's Services shall consult with private special education services providers in developing the standard reporting template for tuition rates.~~

The purposes of this system of funding are to:

1. Place authority for making program and funding decisions at the community level;

2. Consolidate categorical agency funding and institute community responsibility for the provision of services;

3. Provide greater flexibility in the use of funds to purchase services based on the strengths and needs of children, youths, and families; and

4. Reduce disparity in accessing services and to reduce inadvertent fiscal incentives for serving children and youth according to differing required local match rates for funding streams.

B. The state pool shall consist of funds that serve the target populations identified in subdivisions 1 through *4* ~~5 of this subsection 6~~ in the purchase of residential and nonresidential services for children and youth. References to funding sources and current placement authority for the targeted populations of children and youth are for the purpose of accounting for the funds in the pool. It is not intended that children and youth be categorized by individual funding streams in order to access services. The target population shall be the following:

~~1. Children and youth placed for purposes of special education in approved private school educational programs, previously funded by the Department of Education through private tuition assistance;~~

~~2. Children and youth with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the Department of Education through the Interagency Assistance Fund for Noneducational Placements of Handicapped Children;~~

~~3~~ *1*. Children and youth for whom foster care services, as defined by § 63.2-905, are being provided;

~~4.~~ *2*. Children and youth placed by a juvenile and domestic relations district court, in accordance with the provisions of § 16.1-286, in a private or locally operated public facility or nonresidential program, or in a community or facility-based treatment program in accordance with the provisions of subsections B or C of § 16.1-284.1; and

~~5~~. *3.* Children and youth committed to the Department of Juvenile Justice and placed by it in a private home or in a public or private facility in accordance with § 66-14*; and*

4. Children and youth with educational disabilities, as defined by 34 CFR §300.199 and related Virginia regulations (8VAC20-81), who are receiving non-residential services in the home and community when the needs associated with their disability extend beyond the school setting and threaten the student's ability to be maintained in the home, community, or school setting.

~~*6. Children and youth previously placed pursuant to subdivision 1 in approved private school educational programs for at least six months who will receive transitional services in a public school setting. State pool funds shall be allocated for no longer than 12 months for transitional services. Local agencies may contract with a private school education program provider to provide transition services in the public school.*~~

C. The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide ~~special education services and~~ foster care services for children and youth identified in subdivisions B 1, 2, *and* 3*,* ~~*and 6*~~ and (ii) meet relevant federal mandates for the provision of these services. The community policy and management team shall anticipate to the best of its ability the number of children and youth for whom such services will be required and reserve funds from its state pool allocation to meet these needs. Nothing in this section prohibits local governments from requiring parental or legal financial contributions, where not specifically prohibited by federal or state law or regulation, utilizing a standard sliding fee scale based upon ability to pay, as provided in the appropriation act.

D. When a community services board established pursuant to § 37.2-501, local school division, local social service agency, court service unit, or the Department of Juvenile Justice has referred a child and family to a family assessment and planning team and that team has recommended the proper level of treatment and services needed by that child and family and has determined the child's eligibility for funding for services through the state pool of funds, then the community services board, the local school division, local social services agency, court service unit, or Department of Juvenile Justice has met its fiscal responsibility for that child for the services funded through the pool. However, the community services board, the local school division, local social services agency, court service unit, or Department of Juvenile Justice shall continue to be responsible for providing services identified in individual family service plans that are within the agency's scope of responsibility and that are funded separately from the state pool.

~~Further, in any instance that an individual 18 through 21 years of age, inclusive, who is eligible for funding from the state pool and is properly defined as a school-aged child with disabilities pursuant to § 22.1-213 is placed by a local social services agency that has custody across jurisdictional lines in a group home in the Commonwealth and the individual's individualized education program (IEP), as prepared by the placing jurisdiction, indicates that a private day school placement is the appropriate educational program for such individual, the financial and legal responsibility for the individual's special education services and IEP shall remain, in compliance with the provisions of federal law, Article 2 (§ 22.1-213) of Chapter 13 of Title 22.1, and Board of Education regulations, the responsibility of the placing jurisdiction until the individual reaches the age of 21, inclusive, or is no longer eligible for special education services. The financial and legal responsibility for such special education services shall remain with the placing jurisdiction, unless the placing jurisdiction has transitioned all appropriate services with the individual.~~

E. In any matter properly before a court for which state pool funds are to be accessed, the court shall, prior to final disposition, and pursuant to §§ 2.2-5209 and 2.2-5212, refer the matter to the community policy and management team for assessment by a local family assessment and planning team authorized by policies of the community policy and management team for assessment to determine the recommended level of treatment and services needed by the child and family. The family assessment and planning team making the assessment shall make a report of the case or forward a copy of the individual family services plan to the court within 30 days of the court's written referral to the community policy and management team. The court shall consider the recommendations of the family assessment and planning team and the community policy and management team. If, prior to a final disposition by the court, the court is requested to consider a level of service not identified or recommended in the report submitted by the family assessment and planning team, the court shall request the community policy and management team to submit a second report characterizing comparable levels of service to the requested level of service. Notwithstanding the provisions of this subsection, the court may make any disposition as is authorized or

required by law. Services ordered pursuant to a disposition rendered by the court pursuant to this section shall qualify for funding as appropriated under this section.

~~*F. As used in this section, "transitional services" includes services delivered in a public school setting directly to students with significant disabilities or intensive support needs to facilitate their transition back to public school after having been served in a private special education day school or residential facility for at least six months. "Transitional services" includes one-on-one aides, speech therapy, occupational therapy, behavioral health services, counseling, applied behavior analysis, specially designed instruction delivered directly to the student, or other services needed to facilitate such transition that are delivered directly to the student in their public school over the 12-month period as identified in the child's individualized education program.*~~

§ 2.2-5212. Eligibility for state pool of funds.
A. In order to be eligible for funding for services through the state pool of funds, a youth, or family with a child, shall meet one or more of the criteria specified in subdivisions 1 through 4 and shall be determined through the use of a uniform assessment instrument and process and by policies of the community policy and management team to have access to these funds.

1. The child or youth has emotional or behavior problems that:

a. Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;

b. Are significantly disabling and are present in several community settings, such as at home, in school or with peers; and

c. Require services or resources that are unavailable or inaccessible, or that are beyond the normal agency services or routine collaborative processes across agencies, or require coordinated interventions by at least two agencies.

2. The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies.

~~3. The child or youth requires placement for purposes of special education in approved private school educational programs.~~

~~4.~~ *3.* The child or youth requires foster care services as defined in § 63.2-905.

4. The child or youth is a student with an educational disability who is in need of non-educational, community-based (non-residential) services related to their educational disability, and that threat the student's ability to be maintained in the home, community, or school setting.

Eligibility under this section is contingent on and limited to, an appropriation in the CSA state pool of funds.

B. For purposes of determining eligibility for the state pool of funds, "child" or "youth" means (i) a person younger than 18 years of age or (ii) any individual through 21 years of age who is otherwise eligible for mandated services of the participating state agencies including special education and foster care services.

1992, cc. 837, 880, § 2.1-758; 1994, c. 865; 1999, c. 669; 2001, c. 844; 2013, c. 5.

APPENDIX D – PROPOSED VDOE STATUTORY LANGUAGE

Proposed statutory language to be added to the Department of Education sections of the Code of Virginia. Delayed effective date of July 1, 2024 (addition to appropriations language to cover the delayed enactment clause).

§ 22.1-218. Reimbursement for placement in private schools

There is established a state pool of funds to be allocated to local school divisions in accordance with the general appropriation act and applicable state regulations. These funds, as made available by the General Assembly, shall be expended for private special education services or programs that are licensed by the Board of Education or an equivalent out-of-state licensing agency. Programs must also report their tuition rates on a standard reporting template developed by the Department of Education. Expenses of the Department of Education incurred in administering these functions shall be supported with such funds as provided in the general appropriation act.

The state pool shall consist of funds that serve the purchase of residential and nonresidential services for children and youth. The target population shall be the following:

1. Children and youth placed for purposes of special education in approved private school educational programs, previously funded by the Children's Services Act;

2. Children and youth with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the Children's Services Act;

3. Children and youth previously placed pursuant to subdivision 1 in approved private school educational programs for at least six months who will receive transitional services in a public school setting. State pool funds shall be allocated for no longer than 12 months for transitional services. Local agencies may contract with a private school education program provider to provide transition services in the public school, previously funded by the Children's Services Act.

4. For purposes of determining eligibility for the state pool of funds, "child" or "youth" means (i) a person younger than 18 years of age or (ii) any individual through 21 years of age, inclusive

in accordance with the Code of Virginia, who is otherwise eligible for mandated services of the participating state agencies including special education.

5. The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education services for children and youth identified in subdivisions 1, 2 and 3 and (ii) meet relevant federal mandates for the provision of these services.

6. Further, in any instance that an individual 18 through 21 years of age, inclusive in accordance with the Code of Virginia, who is eligible for funding from the state pool and is properly defined as a school-aged child with disabilities pursuant to § 22.1-213 is placed by a local social services agency that has custody across jurisdictional lines in a group home in the Commonwealth and the individual's individualized education program (IEP), as prepared by the placing jurisdiction, indicates that a private day school placement is the appropriate educational program for such individual, the financial and legal responsibility for the individual's special education services and IEP shall remain, in compliance with the provisions of federal law, Article 2 (§ 22.1-213) of Chapter 13 of Title 22.1, and Board of Education regulations, the responsibility of the placing jurisdiction until the individual reaches the age of 21, inclusive in accordance with the Code of Virginia, or is no longer eligible for special education services. The financial and legal responsibility for such special education services shall remain with the placing jurisdiction, unless the placing jurisdiction has transitioned all appropriate services with the individual.

7. As used in this section, "transitional services" includes services delivered in a public school setting directly to students with significant disabilities or intensive support needs to facilitate their transition back to public school after having been served in a private special education day school or residential facility for at least six months. "Transitional services" includes one-on-one aides, speech therapy, occupational therapy, behavioral health services, counseling, applied behavior analysis, specially designed instruction delivered directly to the student, or other services needed to facilitate such transition that are delivered directly to the student in their public school over the 12-month period as identified in the child's individualized education program.

INSERT DELAYED ENACTMENT CLAUSE (same language as CSA code language above)

APPENDIX E – DRAFT EWPS FOR NEW VDOE POSITIONS

VIRGINIA DEPARTMENT OF EDUCATION
EMPLOYEE WORK PROFILE
Position Description & Performance Plan

PART I – Position Identification Information	
1. Position Number:	2. Division: School Quality, Performance & Instruction Department : Special Education & Student Services Office of: Special Ed Finance & Budget (Sped-FAB)
3. Work Location Code:	4. Occupational Family: Career Group:
5. Role Title & Code:	6. Pay Band:
7. Work Title: Private Placement Funding Analyst	8. SOC Title & Code:
9. EEO Code: B	10. Level Indicator: ☒ Employee ☐Supervisor ☐Manager
11. Statement of Economic Interests Required: ☐ Yes ☒ Not Required	Does employee supervise 2 or more employees? (FTE's) ☐ Yes ☒ No
12. Supervisor's Position Number: 0753	13. Supervisor's Role Title & Code: Financial Services Specialist III-19033
14. FLSA Status: ☒ Exempt ☐ Non-Exempt Exemption/Partial Exemption Test (if applicable):	15. Effective Date:

PART II – Position Description & Performance Plan
16. Organizational Objective: The vision of the Board of Education and the Superintendent of Public Instruction is to ensure, through high academic standards and accountability, that an effective education program is established and maintained in Virginia's public elementary, middle, and secondary schools. The mission, in cooperation with local school boards, is to increase student learning and achievement.
17. Purpose of Position: The purpose of this position is to support activities that forward the organization's mission, specifically described in the Department's strategic plan to address the needs of students with disabilities and other student services. This position provides effective leadership as a member of the Department of Special Education and Student Services team, and provides the highest expertise in the Commonwealth in the area of special education finance.

18. Knowledge, Skills, Abilities and/or Competencies required to successfully perform the work: Extensive knowledge of special education finance; broad knowledge of state procedures for administering special education or local community service board funds; working knowledge of word-processing and spreadsheet software. Demonstrated ability to define problems and apply problem solving techniques to complex educational issues; to participate on interdisciplinary teams to coordinate or produce independently the completion of projects; to communicate effectively; to present effectively complex information to both technical and lay audiences; to manage multiple assignments with critical deadlines; and to coordinate, critique, and edit work products. Considerable knowledge of federal and state special education regulations; broad understanding of local division policies, procedures, functions and administration; and working knowledge of information systems and database and spreadsheet software.
19. Education, Experience, Licensure, Certification required for entry into position: Graduation from an accredited college or university or an equivalent combination of education and experience is required. A degree in special education administration is preferred. Considerable experience in applying expertise to problems in education. Experience at the state and/or local level in administering special education programs.

20. Core Responsibilities	21. Measures for Core Responsibilities
A. Performance Management (for employees who supervise others)	▪ Expectations are clear, well communicated, and relate to the goals and objectives of the department. ▪ Staff receives frequent, constructive feedback, including interim evaluations as appropriate. ▪ Staff has the necessary knowledge, skills, and abilities to accomplish goals. ▪ The requirements of the performance planning and evaluation system are met and evaluations are completed by established deadlines with proper documentation. ▪ Performance issues are addressed and documented as they occur. ▪ Safety issues are reviewed and communicated to assure a safe and healthy workplace and a reduction in work-related absences. ▪ All required Managing Virginia Program (MVP) course levels are completed within the specified time frames.
B. Coordinate, manage and oversee the Private Day Schools Funding Responsibilities % of Time: 50	▪ Coordinate and monitor the private placement funds, evaluate existing funding model and identify opportunities for enhancing the funding model. ▪ Identify Statutory and Regulatory requirements and note areas that may require revisions. ▪ Collaborate with and assist private school monitors in the development and revision of financial monitoring tools as appropriate and necessary. ▪ Ensure the process used is documented and LEAs, private schools, stakeholders, and team members are aware of all communications and information shared. ▪ Collaborate with data team to support, facilitate, and provide technical assistance to school divisions and private schools in regard to financial data submission. ▪ Collaborate with data team to collect and analyze financial data obtained through the VDOE Student Records Collection (SRC) data base or received by private schools for students with disabilities in preparation for the annual report to the General Assembly on the ***Outcome Data Measuring Student Progress for Students with Disabilities Enrolled in Special Education Private Day Schools***. ▪ Collect and analyze financial data to provide updates to the Special Education Director of Finance and Budget or leadership of the status of the private placement funds and ask questions or seek clarification in a timely manner.

	▪ Develop policies and procedures concerning the private placement funds and ensure the processes are followed. ▪ Collaborate with CSA as needed.
C. Coordinate the Private School Program Funding Process % of Time: 20	▪ Coordinate, conduct, and monitor the private placement funds. ▪ Develop internal policies and procedures for private placement funding. Ensure policies and procedures are documented and followed. ▪ Coordinate with VDOE Budget Office to provide accurate estimates for annual distribution of funds to localities. ▪ Complete an analysis of funding to identify areas of concern or opportunities for improvement. ▪ Communicate and document private placement activities to track and monitor participation by LEAs/private schools, including costs, students, disability types and types of service. ▪ Collaborate with data team to provide training and technical assistance to the administrators of private schools for students with disabilities on the collection and reporting of the data required for the annual report to the General Assembly on the ***Outcome Data Measuring Student Progress for Students with Disabilities Enrolled in Special Education Private Day Schools***. ▪ Collaborate with data team to collect and analyze data obtained through the VDOE Student Records Collection (SRC) data base or received by private schools for students with disabilities in preparation for the annual report to the General Assembly on the ***Outcome Data Measuring Student Progress for Students with Disabilities Enrolled in Special Education Private Day Schools***.
D. Coordinate and Monitor Program Activities and Use of Funds % of Time: 10	▪ Coordinate and monitor program activities and use of funds. ▪ Monitor the status of private placement funds and follow up with LEAs/private schools to ensure payments are submitted within the established timelines. ▪ Prepare, provide, and submit preliminary and actual financial reports to budget/finance to report actual costs and payment amounts. ▪ Respond to any written or oral requests for information such as copies of regulations, guidance documents, etc. within five business days.
E. Provide technical assistance % of Time: 10	▪ Support, facilitate, and provide technical assistance to LEAs/private schools and stakeholders in a timely manner. ▪ Schedule at least one meeting with each school division/private school. ▪ Meet with school LEAs/private schools as needed to provide support and technical assistance. ▪ Provide guidance documents to accommodate the new policies, procedures, and processes. ▪ Create multiple forms of guidance documents, which may include recorded instructional webinars, and facilitate Question & Answer sessions. ▪ Demonstrates proficiency in the use of the SSWS drop box for transmitting personally identifiable student information.
F. Assist or Manage Special Projects as Determined by the Director of Finance & Budget % of Time: 10	▪ Works collaboratively or independently on special projects assigned and remains knowledgeable of SESS and FAB Office projects through the attendance of meetings.

	▪ Assist with, Manage and complete Special Projects or assignments in a timely manner as Determined by the Director of Finance & Budget. ▪ Performs ARMICs review of private placement funds procedures to identify internal control weaknesses and identify areas for improvement. ▪ Collaborate with team members and colleagues within VDOE, SESS, and FAB concerning program needs. ▪ Create and disseminate surveys to LEAs/private schools to seek feedback about the private placement funds and support documentation to improve processes and documents. ▪ Participate in regional meetings of LEA special education directors to provide guidance and assistance on special education issues within private schools for students with disabilities. ▪ Participate in meetings of with private schools guidance and assistance on special education issues within private schools for students with disabilities.
22. Special Assignments	**23. Measures for Special Assignments**
G. Emergency Declaration	▪ May be required to assist the agency or state government generally in the event of an emergency declaration by the Governor. ▪ Participate in the Continuity of Operations Plan (COOP) and other assigned projects.

24. Agency/Division/Unit Objectives	**25. Measures for Agency/Division/Unit Objectives**
I. Upholds the Principles of the Department of Education's Code of Ethics	▪ Dedicates efforts toward excellence in public education through continuous improvement. ▪ Is a positive 0role model and treats all persons in an evenhanded and courteous manner. ▪ Protects the Department's assets and ensures their proper and efficient use. ▪ Complies with all applicable laws, regulations, and policies. ▪ Promotes policies and programs in accordance with the Department's Statement of Non-Discrimination and the Commonwealth's EEO Policy. ▪ Exposes any discovered evidence of corruption, misconduct, or neglect of duty. ▪ Strives for professional excellence of the highest caliber. ▪ Observes and follows both the letter and the spirit of the Virginia Freedom of Information Act. ▪ Abides by Department of Education policies, Virginia's Standards of Conduct for Employees, and related regulations. ▪ Does not engage in activities that may be inconsistent with the State and Local Government Conflict of Interest Act or the Public Procurement Act.
J. Non-Disclosure and Appropriate Use of Data Agreement	▪ Will not disclose, or allow to be disclosed any restricted-use data used during the completion of assigned responsibilities and tasks except as permitted by state and federal law and regulations. ▪ In accordance with state law, will not distribute or disseminate any materials marked confidential governor's working papers to any party not authorized by the Department of Education. ▪ Will safely store, destroy or return any documents provided by the Department of Education staff containing restricted-use data, in accordance with records retention policies and schedules.

	▪ Will use data only in accordance with state and federal laws and regulations, abiding by Department of Education policies.

26. Physical Demands

Describe the extent of the activity performed by an employee in this position during the course of a typical work period (day, week, month, or year), based on the specific position.

Physical Demands (without accommodations)	**None (0%)**	**Occasional (1-33%)**	**Frequent (34-66%)**	**Constant (67%-100%)**
1. sitting	☐	☐	☐	☒
2. walking	☐	☐	☐	☒
3. standing	☐	☐	☐	☒
4. bending neck	☐	☐	☒	☐
5. twisting neck	☐	☐	☒	☐
6. bending waist (*forward/sideways)*	☐	☐	☒	☐
7. twisting waist	☐	☐	☒	☐
8. squatting (*crouch/sit on heels)*	☐	☒	☐	☐
9. climbing: _____	☐	☒	☐	☐
10. kneeling	☐	☒	☐	☐
11. crawling	☐	☒	☐	☐
12. repetitive* movement: hand	☐	☐	☐	☒
13. simple grasping: 1 hand ☐ both ☐	☐	☐	☐	☒
14. power grasping: 1 hand ☐ both ☐	☐	☐	☐	☒
15. fine manipulation: 1 hand ☐ both ☐	☐	☐	☐	☒
16. pushing/pulling: 1 hand ☐ both ☐	☐	☐	☒	☐
17. reach above shoulder height	☐	☐	☒	☐
18. reach below shoulder height	☐	☐	☒	☐
19. move** items weighing up to 10 lbs.	☐	☐	☒	☐
20. move** items weighing 11-25 lbs.	☐	☐	☒	☐
21. move** items weighing 26-50 lbs.	☐	☒	☐	☐
22. move** items weighing 51-75 lbs.	☐	☒	☐	☐
23. move** items weighing 76-100 lbs.	☐	☒	☐	☐
24. move** items weighing 100+ lbs.	☐	☒	☐	☐
25. repetitive* movement: foot	☐	☐	☐	☐

**constant for at least 15 minutes* ***with no assistive device (such as a cart or dolly)*

Virginia Department of Education

DRAFT PART-TIME EMPLOYEE JOB DESCRIPTION/REPONSIBILITIES

Employee Position Identification Information	
1. **Position Name**: PT Private Placement Specialist.	2. **Division**: SESS **Office**: Sped Finance & Budget
3. **Employee Name**:	4. **Employee ID Number**:

% of Time	List of Job Responsibilities
50%	• Assist in the coordination and monitoring of private placement funds. • Ensure the process used is documented and LEAs, private schools, stakeholders, and team members are aware of all communications and information shared. • Assist in collecting and analyzing data to provide updates to the Special Education Director of Finance and Budget or leadership of the status of the private placement funds and ask questions or seek clarification in a timely manner. • Assist in developing policies and procedures concerning the private placement funds and eligibility requirements and ensure the processes are followed.
10%	• Assist in the development of internal policies and procedures for private placement funding. Ensure policies and procedures are documented and followed.
10%	• Assist in responding to any written or oral requests for information such as copies of regulations, guidance documents, etc. within five business days. • Verify LEAs and private schools data follow requirements and monitor compliance. Ensure all documents are saved to the shared drive upon receipt.
10%	• Assist in providing training and technical assistance to LEAs, private schools, and stakeholders in a timely manner. • Facilitate and schedule meetings and follow up to questions or inquiries in a timely manner.
10%	• Assist in the development of funding procedures to support privately placed students or students at risk for external placement.
5%	• Share preliminary estimates with immediate supervisor and ensure the amounts can be supported with data.
5%	• As appropriate or necessary, provides training and assistance to school divisions, private schools, and stakeholders in the use of VDOE's automated systems or processes.

Knowledge/Abilities/Skills
• Extensive knowledge of special education programs, or Private Placement Programs in Virginia or special education programs serving students at risk for external or private placement
• Extensive knowledge of state procedures for administering special education or community service board funding systems
• Broad knowledge of state special education data systems, local school division administration and fiscal operations
• Extensive knowledge of state special education

APPENDIX F – ADDITIONAL DATA GATHERED TO MAKE RECOMMENDATIONS

Students with Disabilities Placements

The CSA Funding Work Group was charged to consider funding for students in Private Day School and Private Residential School. CSA funds serve 2 percent of overall VDOE Students with Disabilities.

The VDOE Day 1 Headcount report includes students from Dec 1 – Nov 30. The Yearly Day 1 Headcount for Students with Disabilities has increased steadily each year until FY 20 (where it declined by 3 percent).

VDOE Placements for Students with Disabilities FY16-FY20					
Placement Type	***Number of Students by School Year***				
	16-17	***17-18***	***18-19***	***19-20***	***20-21***
Public Day School, General Ed Classroom	*143,493*	*147,014*	*149,414*	*152,449*	*156,970*
Public Day School, Spec Ed Separate Class	*5,287*	*5,111*	*6,084*	*6,176*	*4,350*
Private Day School	***2,802***	***3,004***	***3,177***	***3,305***	***3,263***
Public Separate School	*2,005*	*2,082*	*2,109*	*2,114*	*1,953*
Public Residential Facility	*94*	*89*	*81*	*255*	*208*

Private Residential School	***498***	***441***	***446***	***401***	***341***
Home-Based Program	*1,064*	*1,098*	*1,121*	*1,195*	*726*
Hospital	*29*	*30*	*32*	*38*	*21*
Correctional Facility	*445*	*415*	*355*	*157*	*114*
Regular Early Childhood Program	*11,391*	*12,300*	*11,698*	*12,360*	*4,859*
Special Education, Separate School	*23*	*34*	*26*	*58*	*15*
Special Education Residential Facility	*<*	*<*	*0*	*<*	*<*
Home	*611*	*496*	*664*	*671*	*723*
Service Provider Location	*1,195*	*1,282*	*1,378*	*1,359*	*1,091*
Total Count	***168,941***	***173,397***	***176,585***	***180,541***	***174,638***

Source: VDOE Dec 1 Headcount data, 2020. Note: < indicates fewer than 10. Bolded placements receive

CSA Student Snapshot: Disability Type

Private Day School Placements by Disability FY 16-21					
Disability Type	**% of Private Day School Placements**				
	2016-2017	**2017-2018**	**2018-2019**	**2019-2020**	**2020-2021**
Autism	33%	33%	35%	36%	38%
Developmental Delay	<	<	<	<	<
Emotional Disturbance	33%	32%	31%	30%	29%
Hearing Impairments	<	<	<	<	<
Intellectual Disabilities	7%	7%	7%	7%	7%
Multiple Disabilities	7%	6%	6%	6%	6%
Orthopedic Impairments	<	<	<	<	<
Other Health Impairments	16%	17%	17%	16%	16%
Specific Learning Disabilities	4%	4%	4%	4%	4%
Speech or Language Impairments	<	<	<	<	<

Traumatic Brain Injured	<	<	<	<	<

Source: VDOE Dec 1 Headcount data, 2020. Notes: all percentages are approximate, < indicates less than 1%

CSA Student Snapshot: Gender, Age, and Race

Demographics of children served in private day school FY21 (OCS)

- 78% Male, 22% Female
- 27% under 6 years old
- 48% 7-12 years old
- 13-17 years 21%
- 18-21 years 4%
- 57% white, 32% African American, 11% other

Potential Match Rates

Comparison of LCI and CSA Match Rates on Locality Contributions

The below charts show how Virginia localities would be affected if the match rate was changed. All currency is rounded to the nearest whole dollar.

FY2021 CSA Special Education Expenditures by locality with state and local contributions and match rates.

FIPS	Locality	CSA SPED Private Day Placement FY 21	CSA Match Rate	CSA Local Match	LCI 22-24	LCI Local Share	Difference CSA VS LCI
1300	Fairfax - Falls Church	$19,216,812	0.4611	$8,860,872	0.6532	$12,552,422	($3,691,550)
13	Arlington	$3,984,312	0.4602	$1,833,580	0.8000	$3,187,450	($1,353,869)
540	Charlottesville	$2,981,834	0.3068	$914,827	0.6952	$2,072,971	($1,158,144)
510	Alexandria	$3,541,716	0.5309	$1,880,297	0.8000	$2,833,373	($953,076)
3	Albemarle	$3,820,499	0.4474	$1,709,291	0.6387	$2,440,153	($730,862)
87	Henrico	$13,065,624	0.3755	$4,906,142	0.4297	$5,614,299	($708,157)
163	Rockbridge	$2,480,818	0.2336	$579,519	0.4530	$1,123,811	($544,292)
760	Richmond City	$3,102,429	0.3691	$1,145,106	0.5139	$1,594,338	($449,232)
153	Prince William	$11,810,092	0.3414	$4,031,965	0.3739	$4,415,793	($383,828)

61	Fauquier	$2,638,851	0.4584	$1,209,650	0.5824	$1,536,867	($327,218)
630	Fredericksburg	$1,261,232	0.3441	$433,990	0.5808	$732,524	($298,534)
117	Mecklenburg	$1,557,194	0.2286	$355,974	0.4050	$630,664	($274,689)
67	Franklin County	$2,362,052	0.283	$668,461	0.3982	$940,569	($272,108)
125	Nelson	$971,828	0.3132	$304,376	0.5888	$572,212	($267,836)
193	Westmoreland	$1,414,899	0.3025	$428,007	0.4768	$674,624	($246,617)
107	Loudoun	$3,383,273	0.4764	$1,611,791	0.5450	$1,843,884	($232,093)
680	Lynchburg	$2,257,156	0.2736	$617,558	0.3760	$848,691	($231,133)
810	Virginia Beach	$4,680,388	0.3569	$1,670,431	0.4059	$1,899,770	($229,339)
109	Louisa	$2,233,331	0.4401	$982,889	0.5263	$1,175,402	($192,513)
770	Roanoke City	$5,770,261	0.3072	$1,772,624	0.3387	$1,954,387	($181,763)
29	Buckingham	$1,404,706	0.2023	$284,172	0.3273	$459,760	($175,588)
103	Lancaster	$450,619	0.4391	$197,867	0.8000	$360,496	($162,629)
710	Norfolk	$2,480,003	0.2455	$608,841	0.3064	$759,873	($151,032)
15	Augusta	$3,221,709	0.3302	$1,063,808	0.3751	$1,208,463	($144,655)
75	Goochland	$458,111	0.4871	$223,145	0.8000	$366,488	($143,343)
1200	Greensville - Emporia	$777,337	0.2266	176,145	0.4067	$316,143	($139,998)
181	Surry	$341,090	0.3979	$135,720	0.8000	$272,872	($137,152)
119	Middlesex	$611,611	0.4333	$265,011	0.6324	$386,783	($121,772)
145	Powhatan	$1,402,096	0.4342	$608,790	0.5146	$721,518	($112,728)
83	Halifax	$1,596,463	0.2335	$372,774	0.3038	$485,005	($112,231)
790	Staunton	$884,843	0.2699	$238,819	0.3967	$351,017	($112,198)
85	Hanover	$3,153,776	0.4444	$1,401,538	0.4741	$1,495,205	($93,667)
5	Alleghany	$952,827.09	0.1924	$183,324	0.2900	$276,320	($92,996)
36	Charles City	$319,197	0.3131	$99,940	0.5852	$186,794	($86,853)
800	Suffolk	$763,263	0.2432	$185,626	0.3514	$268,211	($82,585)
111	Lunenburg	$839,475	0.1698	$142,543	0.2604	$218,599	($76,056)
157	Rappahannock	$199,035	0.4199	$83,575	0.8000	$159,228	($75,653)
95	James City	$796,686	0.4483	$357,154	0.5331	$424,713	($67,559)
133	Northumberland	$149,404	0.3304	$49,363	0.6971	$104,150	($54,787)
187	Warren	$995,453	0.3853	$383,548	0.4387	$436,705	($53,157)
57	Essex	$625,784	0.3853	$241,115	0.4675	$292,554	($51,439)
197	Wythe	$846,552	0.2708	$229,246	0.3277	$277,415	($48,169)
155	Pulaski	$1,068,045	0.2923	$312,190	0.3366	$359,504	($47,314)
590	Danville	$1,537,394	0.2223	$341,763	0.2524	$388,038	($46,276)

17	Bath	$118,191	0.4278	$50,562	0.8000	$94,553	($43,991)
121	Montgomery	$318,221	0.2834	$90,184	0.4214	$134,098	($43,914)
23	Botetourt	$897,429	0.3602	$323,254	0.4091	$367,138	($43,884)
33	Caroline	$1,410,498	0.3308	$466,593	0.3613	$509,613	($43,020)
165	Rockingham	$1,802,994	0.3445	$621,131	0.3679	$663,322	($42,190)
143	Pittsylvania	$2,578,939	0.2355	$607,340	0.2511	$647,571	($40,231)
99	King George	$2,119,042	0.3627	$768,577	0.3805	$806,295	($37,719)
775	Salem	$1,797,351	0.3513	$631,409	0.3713	$667,357	($35,947)
183	Sussex	$329,051	0.2387	$78,545	0.3476	$114,378	($35,834)
25	Brunswick	$185,639	0.2439	$45,277	0.4314	$80,085	($34,807)
115	Mathews	$286,444	0.4271	$122,340	0.5453	$156,198	($33,858)
147	Prince Edward	$235,100	0.2232	$52,474	0.3644	$85,670	($33,196)
9	Amherst	$973,112	0.2722	$264,881	0.3048	$296,604	($31,723)
97	King & Queen	$331,126	0.3144	$104,106	0.4075	$134,934	($30,828)
191	Washington	$476,238	0.276	$131,442	0.3402	$162,016	($30,574)
678	Lexington	$443,721	0.3302	$146,517	0.3939	$174,782	($28,265)
65	Fluvanna	$1,222,431	0.3811	$465,869	0.4027	$492,273	($26,405)
131	Northampton	$86,063	0.1971	$16,963	0.4793	$41,250	($24,287)
171	Shenandoah	$692,530	0.3517	$243,563	0.3852	$266,762	($23,200)
11	Appomattox	$685,450	0.2639	$180,890	0.2960	$202,893	($22,003)
113	Madison	$160,672	0.3355	$53,906	0.4624	$74,295	($20,389)
73	Gloucester	$640,078	0.3687	$235,997	0.3975	$254,431	($18,434)
37	Charlotte	$480,571	0.2204	$105,918	0.2551	$122,594	($16,676)
77	Grayson	$116,774	0.2109	$24,628	0.3526	$41,174	($16,547)
830	Williamsburg	$60,601	0.4553	$27,592	0.7217	$43,736	($16,144)
63	Floyd	$130,833	0.2324	$30,406	0.3513	$45,962	($15,556)
520	Bristol	$279,292	0.2547	$71,136	0.3058	$85,408	($14,272)
700	Newport News	$3,963,318	0.2773	$1,099,028	0.2808	$1,112,900	($13,871)
570	Colonial Heights	$901,591	0.4027	$363,071	0.4160	$375,062	($11,991)
139	Page	$371,806	0.2865	$106,522	0.3163	$117,602	($11,080)
735	Poquoson	$102,900	0.2787	$28,678	0.3641	$37,466	($8,788)
45	Craig	$185,216	0.2901	53,731	0.3362	$62,270	($8,538)
7	Amelia	$192,718	0.3268	$62,980	0.3652	$70,380	($7,400)
21	Bland	$49,480	0.2109	$10,435	0.3531	$17,471	($7,036)
137	Orange	$1,420,525	0.4083	$580,001	0.4115	$584,546	($4,546)
1	Accomack	$34,163	0.2332	$7,967	0.3413	$11,660	($3,693)

19	Bedford County	$1,422,573	0.3111	$442,563	0.3132	$445,550	($2,987)
167	Russell	$58,920	0.1894	$11,159	0.2329	$13,722	($2,563)
750	Radford	$37,485	0.2035	$7,628	0.2395	$8,978	($1,349)
93	Isle of Wight	$37,904	0.3613	$13,695	0.3880	$14,707	($1,012)
79	Greene	$210,478	0.3471	$73,057	0.3505	$73,773	($716)
49	Cumberland	$180,845	0.304	$54,977	0.3060	$55,338	($362)
185	Tazewell	$17,993	0.2455	$4,417	0.2564	$4,613	($196)
43	Clarke	-	0.4797	-	0.5728	-	$0
91	Highland	-	0.3822	-	0.7745	-	$0
141	Patrick	-	0.2539	-	0.2511	-	$0
169	Scott	-	0.3154	-	0.1893	-	$0
620	Franklin City	-	0.371	-	0.2858	-	$0
135	Nottoway	$262,836	0.2686	$70,598	0.2660	$69,914	$683
27	Buchanan	$31,166	0.3156	$9,836	0.2850	$8,882	$954
35	Carroll	$95,555	0.291	$27,806	0.2696	$25,762	$2,045
71	Giles	$197,437	0.2898	$57,217	0.2791	$55,105	$2,113
720	Norton	$40,787	0.3254	$13,272	0.2655	$10,829	$2,443
173	Smyth	$178,203	0.2337	$41,646	0.2184	$38,920	$2,727
127	New Kent	$388,210	0.4329	$168,056	0.4244	$164,756	$3,300
159	Richmond County	$322,066	0.3227	$103,931	0.3050	$98,230	$5,701
105	Lee	$110,593	0.2245	$24,828	0.1714	$18,956	$5,872
640	Galax	$123,299	0.3146	$38,790	0.2619	$32,292	$6,498
51	Dickenson	$94,554	0.3042	$28,763	0.2301	$21,757	$7,006
840	Winchester	$186,248	0.4587	$85,432	0.4172	$77,703	$7,729
47	Culpeper	$707,300	0.3767	$266,440	0.3594	$254,204	$12,236
740	Portsmouth	$666,401	0.2605	$173,597	0.2413	$160,802	$12,795
199	York	$845,890	0.3888	$328,882	0.3699	$312,895	$15,987
175	Southampton	$622,449	0.323	$201,051	0.2965	$184,556	$16,495
69	Frederick	$1,017,557	0.4348	$442,434	0.4141	$421,370	$21,063
820	Waynesboro	$1,350,484	0.3843	$518,991	0.3685	$497,653	$21,338
89	Henry	$353,447	0.2786	$98,470	0.2179	$77,016	$21,454
195	Wise	$534,076	0.2755	$147,138	0.2347	$125,348	$21,790
660	Harrisonburg	$920,673	0.3808	$350,592	0.3459	$318,461	$32,131
683	Manassas City	$564,508	0.4168	$235,287	0.3562	$201,078	$34,209
690	Martinsville	$321,498	0.3321	$106,769	0.2223	$71,469	$35,300

530	Buena Vista	$1,072,258	0.2329	$249,729	0.1942	$208,233	$41,496
31	Campbell	$2,141,815	0.3107	$665,462	0.2913	$623,911	$41,551
53	Dinwiddie	$1,112,321	0.3358	$373,517	0.2912	$323,908	$49,610
101	King William	$670,635	0.3853	$258,396	0.3063	$205,415	$52,980
650	Hampton	$1,580,291	0.3223	$509,328	0.2731	$431,578	$77,750
685	Manassas Park	$525,771	0.4273	$224,662	0.2733	$143,693	$80,969
550	Chesapeake	$3,361,432	0.3715	$1,248,772	0.3403	$1,143,895	$104,877
670	Hopewell	$1,945,724	0.2667	$518,924	0.2022	$393,425	$125,499
149	Prince George	$1,413,164	0.3716	$525,132	0.2404	$339,725	$185,407
730	Petersburg	$1,951,448	0.3535	$689,837	0.2410	$470,299	$219,538
580	Covington	$1,074,641	0.2496	$268,230		-	$268,230
41	Chesterfield	$9,531,380	0.3853	$3,672,441	0.3546	$3,379,827	$292,613
161	Roanoke County	$4,107,789	0.4397	$1,806,195	0.3643	$1,496,468	$309,727
177	Spotsylvania	$4,913,690	0.4588	$2,254,401	0.3661	$1,798,902	$455,499
179	Stafford	$4,864,025	0.4439	$2,159,141	0.3411	$1,659,119	$500,022
Total		**$196,658,015**		**$71,948,771**		**$84,857,845**	**($12,909,075)**

Source: OCS, 2022

Students with Intensive Support Needs Application (SISNA) claims by semester (VDOE)

	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
1st Semester	$43,408,447.31	$45,045,404.55	$44,466,959.05	$38,365,082.66
2nd Semester	$39,448,236.43	$41,757,969.22	$40,150,172.03	$36,698,858.59
3rd Semester	$2,138,281.96	$2,137,437.70	$2,624,705.22	$840,058.47
Total	$84,994,965.70	$88,940,811.47	$87,241,836.30	$75,903,999.72
Grand Total				$337,081,613.19

OCS Data

FY 2021 Private Day Special Education Utilization

Includes daily tuition plus special education-related services (PT/OT/Speech) which are billed discreetly. These are included in the tables. For length of stay, this chart includes only days in FY2021. Total average length of stay includes the length of stay since the student began CSA funded services.

FIPS	Locality	Unduplicated Child Count	Total Net Expenditures	Avg Net Expenditure Per Child	Per Diem	Selected FY Avg Length of Stay	Total Avg Length of Stay
001	Accomack	1	$34,163.25	$34,163.25	$162.68	210	210
003	Albemarle	58	$3,828,206.80	$66,003.57	$241.01	273.86	949.84
005	Alleghany	27	$952,827.09	$35,289.89	$140.31	251.52	891.74
007	Amelia	5	$192,717.68	$38,543.54	$171.30	225	657.2
009	Amherst	24	$973,111.68	$40,546.32	$159.21	254.67	590.5
011	Appomattox	19	$726,675.23	$38,246.06	$153.60	249	656.79
013	Arlington	64	$3,984,371.81	$62,255.81	$206.98	300.78	896.02
015	Augusta	74	$3,227,670.08	$43,617.16	$163.64	266.54	926.97
017	Bath	4	$118,191.48	$29,547.87	$103.95	284.25	484
019	Bedford County	39	$1,422,573.46	$36,476.24	$151.90	240.13	818
021	Bland	2	$49,480.20	$24,740.10	$116.15	213	609.5
023	Botetourt	16	$897,446.19	$56,090.39	$168.50	332.88	1219
025	Brunswick	4	$185,639.00	$46,409.75	$190.59	243.5	768.25
027	Buchanan	3	$31,166.46	$10,388.82	$90.08	115.33	115.33
029	Buckingham	25	$1,404,705.96	$56,188.24	$197.65	284.28	802.96
031	Campbell	55	$2,141,814.64	$38,942.08	$143.26	271.84	702.07
033	Caroline	27	$1,410,497.59	$52,240.65	$193.67	269.74	682.74
035	Carroll	4	$95,554.82	$23,888.71	$153.13	156	480.25
036	Charles City	8	$319,196.65	$39,899.58	$149.30	267.25	1039.75
037	Charlotte	9	$480,570.66	$53,396.74	$155.07	344.33	892.89
041	Chesterfield	175	$9,531,540.14	$54,465.94	$187.72	290.14	975.03
043	Clarke	0	$0.00	$0.00	$0.00	0	0
045	Craig	4	$185,216.48	$46,304.12	$185.40	249.75	1334.25
047	Culpeper	10	$707,300.01	$70,730.00	$227.94	310.3	1184.4
049	Cumberland	5	$165,108.70	$33,021.74	$174.90	188.8	1016.2
051	Dickenson	2	$94,554.00	$47,277.00	$165.88	285	749
053	Dinwiddie	22	$1,112,320.89	$50,560.04	$174.98	288.95	1102.55
057	Essex	11	$627,374.62	$57,034.06	$189.83	300.45	770.09
061	Fauquier	69	$2,638,956.47	$38,245.75	$220.06	173.8	642.07
063	Floyd	3	$130,833.04	$43,611.01	$219.89	198.33	346.67
065	Fluvanna	19	$1,222,561.19	$64,345.33	$197.51	325.79	793.63
067	Franklin County	67	$2,371,581.89	$35,396.74	$149.97	236.03	744.76
069	Frederick	24	$1,030,123.11	$42,921.80	$171.52	250.25	635.71
071	Giles	3	$197,437.00	$65,812.33	$240.19	274	768.33
073	Gloucester	18	$640,078.30	$35,559.91	$136.59	260.33	796.28
075	Goochland	7	$459,063.59	$65,580.51	$193.29	339.29	1347.14
077	Grayson	3	$116,773.90	$38,924.63	$178.83	217.67	488
079	Greene	4	$216,962.83	$54,240.71	$207.62	261.25	872.75

083	Halifax	29	$1,601,614.44	$55,228.08	$183.63	300.76	872
085	Hanover	63	$3,157,623.66	$50,121.01	$186.25	269.11	904.89
087	Henrico	261	$13,075,572.45	$50,097.98	$182.37	274.7	936.96
089	Henry	7	$353,447.00	$50,492.43	$204.54	246.86	539.14
091	Highland	0	$0.00	$0.00	$0.00	0	0
093	Isle of Wight	2	$37,903.67	$18,951.83	$194.38	97.5	132
095	James City	16	$796,686.29	$49,792.89	$182.06	273.5	957.06
097	King & Queen	6	$331,126.00	$55,187.67	$183.96	300	810.83
099	King George	38	$2,119,042.04	$55,764.26	$216.60	257.45	720.82
101	King William	14	$670,700.27	$47,907.16	$178.90	267.79	1046.86
103	Lancaster	9	$450,619.46	$50,068.83	$173.98	287.78	1074.89
105	Lee	3	$110,592.90	$36,864.30	$146.48	251.67	371.67
107	Loudoun	55	$3,383,273.45	$61,514.06	$208.34	295.25	1053.09
109	Louisa	43	$2,233,330.60	$51,937.92	$192.59	269.67	787.16
111	Lunenburg	17	$839,475.37	$49,380.90	$155.20	318.18	318.18
113	Madison	3	$167,071.84	$55,690.61	$231.40	240.67	1575.33
115	Mathews	8	$286,443.94	$35,805.49	$148.65	240.88	440.38
117	Mecklenburg	40	$1,557,194.20	$38,929.85	$168.80	230.63	844.67
119	Middlesex	12	$612,576.57	$51,048.05	$182.75	279.33	1092.58
121	Montgomery	5	$318,220.79	$63,644.16	$215.01	296	1048.8
125	Nelson	13	$971,827.92	$74,755.99	$216.83	344.77	1010.62
127	New Kent	8	$388,209.86	$48,526.23	$166.40	291.63	893.63
131	Northampton	2	$86,063.00	$43,031.50	$193.40	222.5	917.5
133	Northumberland	2	$149,404.20	$74,702.10	$226.37	330	1360.5
135	Nottoway	6	$266,889.21	$44,481.54	$173.19	256.83	711.33
137	Orange	29	$1,420,525.41	$48,983.63	$200.10	244.79	891.28
139	Page	10	$371,805.59	$37,180.56	$158.22	235	559.9
141	Patrick	0	$0.00	$0.00	$0.00	0	0
143	Pittsylvania	53	$2,585,028.63	$48,774.13	$175.00	278.72	933.51
145	Powhatan	29	$1,402,095.66	$48,348.13	$167.75	288.21	956.62
147	Prince Edward	4	$246,462.00	$61,615.50	$179.64	343	1119
149	Prince George	34	$1,413,164.41	$41,563.66	$173.37	239.74	746.68
153	Prince William	183	$11,865,664.13	$64,839.69	$215.44	300.96	858.74
155	Pulaski	22	$1,068,050.96	$48,547.77	$186.98	259.64	744.73
157	Rappahannock	4	$204,691.25	$51,172.81	$169.03	302.75	950
159	Richmond County	5	$322,066.30	$64,413.26	$192.62	334.4	728.6
161	Roanoke County	102	$4,114,456.51	$40,337.81	$149.01	270.71	793.54
163	Rockbridge	50	$2,481,298.35	$49,625.97	$169.51	292.76	1093.36
165	Rockingham	46	$1,805,434.32	$39,248.57	$157.67	248.93	591.5
167	Russell	2	$58,920.00	$29,460.00	$164.58	179	520
169	Scott	0	$0.00	$0.00	$0.00	0	0

171	Shenandoah	18	$694,321.20	$38,573.40	$143.37	269.06	804.56
173	Smyth	5	$178,203.00	$35,640.60	$136.45	261.2	588.4
175	Southampton	17	$622,449.00	$36,614.65	$139.81	261.88	650.12
177	Spotsylvania	89	$4,915,589.90	$55,231.35	$217.24	254.24	838.62
179	Stafford	77	$4,864,402.45	$63,174.06	$224.48	281.43	892.44
181	Surry	9	$341,090.50	$37,898.94	$152.14	249.11	621.89
183	Sussex	11	$349,089.35	$31,735.40	$162.82	194.91	576.27
185	Tazewell	1	$17,992.80	$17,992.80	$119.16	151	151
187	Warren	19	$995,452.65	$52,392.24	$168.07	311.74	1001.16
191	Washington	12	$476,238.30	$39,686.53	$155.38	255.42	748.67
193	Westmoreland	25	$1,414,899.15	$56,595.97	$196.16	288.52	1184.64
195	Wise	13	$534,175.95	$41,090.46	$137.82	298.15	822.85
197	Wythe	17	$848,479.83	$49,910.58	$177.92	280.53	1075.76
199	York	19	$845,890.10	$44,520.53	$159.15	279.74	830.11
510	Alexandria	60	$3,573,479.65	$59,557.99	$212.80	279.88	936.33
520	Bristol	8	$279,292.50	$34,911.56	$152.37	229.13	470.13
530	Buena Vista	20	$1,072,258.38	$53,612.92	$175.78	305	1190.6
540	Charlottesville	60	$2,985,246.34	$49,754.11	$191.31	260.07	885.6
550	Chesapeake	88	$3,472,622.13	$39,461.62	$143.60	274.8	925.85
570	Colonial Heights	22	$901,590.60	$40,981.39	$170.56	240.27	718.77
580	Covington	27	$1,076,454.89	$39,868.70	$156.62	254.56	1046.15
590	Danville	28	$1,537,394.38	$54,906.94	$189.57	289.64	1061.57
620	Franklin City	0	$0.00	$0.00	$0.00	0	0
630	Fredericksburg	26	$1,266,949.31	$48,728.82	$207.39	234.96	783.08
640	Galax	2	$123,299.26	$61,649.63	$208.28	296	417.5
650	Hampton	43	$1,603,875.90	$37,299.44	$147.65	252.63	766.16
660	Harrisonburg	18	$925,264.82	$51,403.60	$183.18	280.61	826.83
670	Hopewell	47	$1,950,450.80	$41,498.95	$176.62	234.96	234.96
678	Lexington	10	$443,720.96	$44,372.10	$145.91	304.1	804.6
680	Lynchburg	63	$2,257,456.29	$35,832.64	$140.30	255.4	702.56
683	Manassas City	11	$596,167.74	$54,197.07	$217.10	249.64	937.91
685	Manassas Park	10	$525,867.16	$52,586.72	$188.15	279.5	970.2
690	Martinsville	4	$321,498.00	$80,374.50	$230.46	348.75	1384.75
700	Newport News	100	$3,966,306.16	$39,663.06	$153.82	257.85	807.55
710	Norfolk	67	$2,479,993.90	$37,014.83	$139.51	265.31	702.84
720	Norton	1	$40,786.95	$40,786.95	$132.86	307	307
730	Petersburg	43	$1,961,356.35	$45,612.94	$164.57	277.16	879.23
735	Poquoson	2	$102,900.00	$51,450.00	$246.76	208.5	1487
740	Portsmouth	16	$648,609.87	$40,538.12	$147.24	275.31	577.88
750	Radford	1	$37,485.00	$37,485.00	$127.07	295	780
760	Richmond City	70	$3,144,816.84	$44,925.95	$187.90	239.1	886.39
770	Roanoke City	154	$5,782,781.06	$37,550.53	$161.86	231.99	722.03

775	Salem	41	$1,803,359.63	$43,984.38	$173.43	253.61	749.39
790	Staunton	20	$890,315.32	$44,515.77	$150.57	295.65	788.95
800	Suffolk	18	$763,262.99	$42,403.50	$165.42	256.33	961.72
810	Virginia Beach	109	$4,715,318.00	$43,259.80	$153.67	281.51	732.63
820	Waynesboro	30	$1,350,483.70	$45,016.12	$162.43	277.13	909.53
830	Williamsburg	4	$60,601.36	$15,150.34	$130.61	116	374
840	Winchester	8	$198,477.20	$24,809.65	$139.58	177.75	492.38
1200	Greensville - Emporia	14	$777,976.83	$55,569.77	$182.75	304.07	794.79
1300	Fairfax - Falls Church	290	$19,297,058.02	$66,541.58	$214.82	309.75	1142.39
	Total	**4,016**	**$197,281,992.01**	**$49,124.00**	**$181.36**	**270.86**	**859.98**

Comparison Chart for Office of Children's Services (OCS) and Virginia Department of Education (VDOE)

Priority Areas	OCS	VDOE
Reporting (data, etc.)	• Collects student-specific data at the placement level (name of private school, costs) and CANS data. • Data is aggregated by placing locality. • Collects attendance data for billing and payment purposes.	Required data collections (student based): • Private school outcome data (reported annually to the General Assembly) • December 1 Child Count (annual collection on students receiving special education services and supports)
Licensure	CSA funds may only be used to support placements at private schools licensed by the VDOE to service students with disabilities OCS and VDOE Superintendent's Memo #107-21 (April 20, 2021)	• VDOE licenses private schools serving students with disabilities. • Schools may receive a conditional license (six months), an annual license, a provisional license (six months) or a triennial license per the

		Code of Virginia (§ 22.1-321). • VDOE attempts to ensure that each private school for students with disabilities receives an annual visit which may or may not be tied to formal licensing. • Currently, over 75% of the licensed private schools are on a triennial license. • Effective July 1, 2024, all schools licensed by VDOE must also be accredited through an agency approved by the Virginia Council for Private Education (VCPE).
Monitoring		• VDOE monitors licensed private schools in accordance with the *Regulations Governing the Operation of Private Schools for Students with Disabilities*. • Monitoring can consist of a desk audit, on-site reviews, fiscal accountability, staffing and program delivery, and the arbitration of complaints filed against private schools for students with disabilities.
Accountability		• In compliance with the *Code of Virginia*, (§ 22.1-

		321), the Board of Education has authorized the Superintendent of Public Instruction to issue licenses to operate schools for students with disabilities. • A school for students with disabilities means a privately owned and operated preschool, school, or educational organization, no matter how titled, maintained or conducting classes for the purpose of offering instruction, for a consideration, profit or tuition, to persons determined to have a disability as defined by the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (8 VAC 20-81). • No person shall open, operate, or conduct any school for students with disabilities in Virginia without a license to operate such school issued by the Board of Education (§22.1-323). • VDOE monitoring specialists in the Department of Special Education and Student Services conduct unannounced reviews of each school at least once

		during the effective dates of the school's license to operate. • Licenses may be issued for periods of up to three successive years.