

SPECIAL EDUCATION

The Individuals with Disabilities Education Act (IDEA) is our nation's special education law that makes available a free appropriate public education (FAPE) to eligible children and youth with disabilities throughout the nation and ensures special education and related services to those children and youth.

Infants and toddlers, birth through age 2, with disabilities and their families receive early intervention services under IDEA Part C. Children and youth ages 3 through 21 receive special education and related services under IDEA Part B.

The stated purpose of the IDEA is:

- to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- to ensure that the rights of children with disabilities and parents of such children are protected;
- to assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities;
- to assist States in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services;
- to assess, and ensure the effectiveness of, efforts to educate children with disabilities. (<https://sites.ed.gov/idea/about-idea/#IDEA-Purpose>)

In West Virginia, the WV Department of Education implements the Regulations for the Education of Students with Exceptionalities (Policy 2419), which oversees public education in WV's 55 counties.

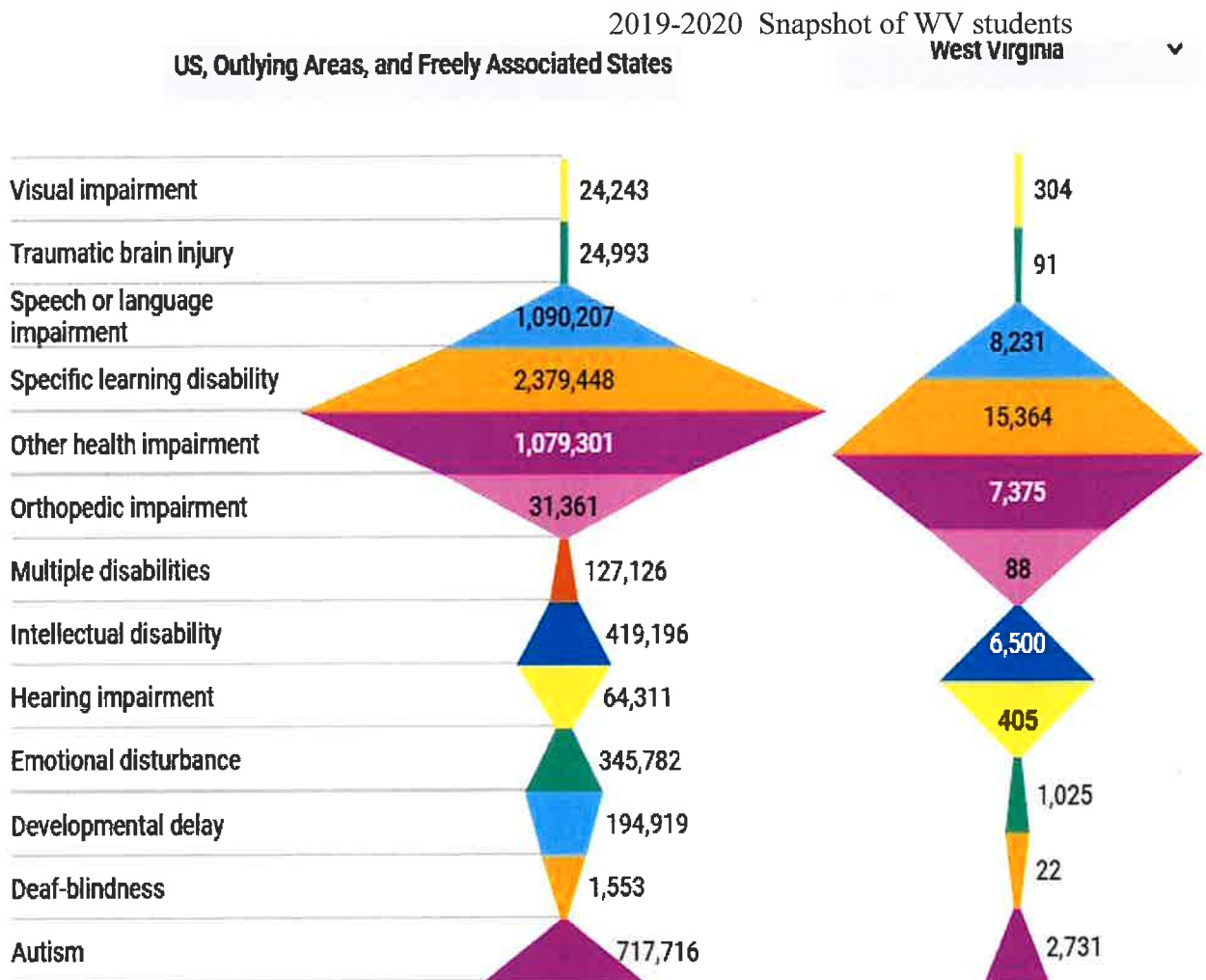
Special Education refers to a range of educational and social services provided by the public school system. Special Education is a service, not a place. Special education is instruction that is specially designed to meet the unique individualized needs of a child or youth with disabilities that impact their ability to access the general education curriculum.

By law, your child's placement will be in the least restrictive environment. Following the completion of your child's IEP, the IEP team will make a placement recommendation.

The placement decision is based on the services your child needs and takes several factors into consideration. By law, your child's placement will be in the least restrictive environment.

The least restrictive environment (LRE) is the requirement in federal law that students with disabilities receive their education, to the maximum extent appropriate with nondisabled peers and that special education students are not removed from the regular classes unless, even with supplement aids and services, education Placement should always be discussed at the end of the IEP meeting, not at the beginning. Parents are a key team member and can provide important information about their child. Parents know their child best. The least restrictive environment (LRE) can include the child's home, hospital, classroom, and other settings.

<https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1412/a/5>



Source: U.S. Department of Education, ED Facts Data Warehouse (EDW): "IDEA Part B Child Count and Educational Environments Collection," 2019-20. <https://www2.ed.gov/programs/osepidea/618-data/state-level-data-files/part-b-data/child-count-and-educational-environments/bchildcountandedenvironments2019-20.csv> All data for Wisconsin were suppressed due to data quality concerns. Data for Iowa was not available.

To meet the changing needs of all students with disabilities we support that all school policies be implemented with fidelity to the following: the IDEA 2004, Section 504 of the Rehabilitation Act, ADA, and WV Policy 2419.

WVPTI believes that consideration to the following areas will improve students with disabilities special educational needs:

- Support Parent /Caregiver/Family Engagement and Involvement.
- Provide accountability of all school personnel and administration.
- Assure responsibility that all school personnel (including substitutes) and administration shall review and implement all Individualized Education Program (IEP), Section 504 and Healthcare plans for students with disabilities and special health care needs.
- Support ongoing professional development for all teachers and paraprofessionals in the areas of Special Education, the IDEA, WV Policy 2419, Social-Emotional Learning (SEL) and COVID-19 Educational Resources.
- Provide focused monitoring that effectively and efficiently identifies root causes and solutions to ongoing issues of compliance, performance and complaints in our West Virginia Education System and schools.
- Ensure that Transition Services begin no later than the age of 14, and earlier if necessary, to ensure a successful transition for students with disabilities. These transition objectives must represent the student's interest and aptitude and must include transition goals for education or technical school, job preparedness, independent living skills in the student's selected community, self-determination skills, and information and resources for parents and caregivers.

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