

---

# VIRGINIA STATE BUDGET

---

2019 Session

## Budget Bill - HB1700 (Chapter 854)

Bill Order » Office of Education » Item 129

Department of Education, Central Office Operations

Item 129	First Year - FY2019	Second Year - FY2020
<b>Special Education and Student Services (18200)</b>	<b>\$16,492,613</b>	<b><del>\$16,492,613</del> \$16,985,368</b>
Special Education Instructional Services (18201)	\$9,907,986	\$9,907,986
Special Education Administration and Assistance Services (18202)	\$1,043,459	\$1,043,459
Special Education Compliance and Monitoring Services (18203)	\$3,058,297	<del>\$3,058,297</del> \$3,551,052
Student Assistance and Guidance Services (18204)	\$2,482,871	\$2,482,871
Fund Sources:		
General	\$1,903,579	<del>\$1,903,579</del> \$2,396,334
Special	\$120,000	\$120,000
Federal Trust	\$14,469,034	\$14,469,034

---

Authority: Special Education Instructional Services: §§ [22.1-213](#) through [22.1-221](#), [22.1-253.13:1](#) through [22.1-253.13:8](#), [22.1-319](#) through [22.1-332](#), Code of Virginia; P.L. 108-446, Federal Code.

Special Education Administration and Assistance Services: §§ [22.1-253.13:1](#) through [22.1-253.13:8](#), Code of Virginia; P.L. 108-446, Federal Code.

Special Education Compliance and Monitoring Services: §§ [22.1-213](#) through [22.1-221](#), [22.1-253.13:1](#) through [22.1-253.13:8](#), [22.1-319](#) through [22.1-332](#), Code of Virginia; P.L. 108-446, Federal Code.

Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ [22.1-16.2](#), [22.1-17.1](#), [22.1-17.2](#), [22.1-199.4](#), [22.1-206](#), [22.1-207.1](#), [22.1-208.01](#), [22.1-209.2](#), Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.

A. The Department of Education, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the special education services funded under § [2.2-5211](#), Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local school divisions. In addition, the Department of Education shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § [2.2-5211](#), Code of Virginia.

B. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § [22.1-18.01](#), Code of Virginia.

C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

D. Out of this appropriation, ~~\$197,416~~ \$447,416 the first year and ~~\$197,416~~ \$447,416 the second year from the general fund is provided to the Department of Education to provide training, technical assistance, and on-site coaching to public school teachers and administrators on implementation of a positive behavioral interventions and supports program with the goal of improving school climate and reducing disruptive behavior in the classroom. Such training and other assistance may be provided as part of the Department's ongoing efforts to assist schools with implementation of a tiered system of supports that addresses both academic and behavioral needs.

E. Out of this appropriation, \$290,000 the first year and \$290,000 the second year from the general fund and \$290,000 the first year and \$290,000 the second year from federal funds shall be used for Multisensory Structured Literacy teacher training.

F. Out of this appropriation, \$492,755 the second year from the general fund is provided to support statewide training and assistance for local school divisions to implement the Board of Education's Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia.

G.1. The Department of Education shall serve as the lead agency to collect and report data that succinctly measures the progress and outcomes of students that are placed in private provider settings by such student's public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. In keeping with the November 1, 2018, Private Day Special Education Outcomes report's findings and recommendations, the data shall include at least student attendance rates, graduation rates, individual student progress improvement rates relative to student individual education plans, standardized test scores, return to public school setting percentages, suspension and expulsion rates, transition to enrolling in post-secondary education percentages, and parental and student perspectives.

2. The Department of Education, in collaboration with the Office of Children's Services, shall establish an implementation advisory group to assist in refining the outcome measures contained in paragraph G.1 of this item and the collection of any additional information that is beneficial in determining and measuring outcomes of such students in private day school settings that ensure a consistent set of comparable and compatible data relative to such data of students enrolled in the public schools in Virginia and who have an individualized education plan. The advisory workgroup shall include a representative number of various stakeholders that includes, but is not limited to, private day schools, local school divisions, associations that represent private providers, and others as necessary. The advisory group shall assist in the development of data collection protocols, requirements, and outcome reporting mechanisms. The relevant data shall be provided to the department annually by each private provider that receives state funding for the purpose of providing services as prescribed in such student's individualized education plan.

3. The department shall begin collecting outcome data for private day special education schools in the 2019-2020 school year, if possible, but no later than the 2020-2021 school year. If warranted, other state agencies shall provide appropriate support to facilitate the collection of such data. All public school divisions that have students enrolled in such a private provider facility shall include in their contract for services with the private provider a requirement for the department to receive the data necessary to satisfy the data collections and subsequent reporting requirements. The department shall report annually on the outcome data for students enrolled in special education private day schools to Chairmen of the House Appropriations, House Education, Senate Finance, and Senate Education and Health Committees by the first day of the regular General Assembly Session.

4. The Department of Education shall enter into a data sharing Memorandum of Understanding with the Office of Children's Services to allow linkage of specific student data to specific private day schools.

5. The Department of Education and the Office of Children's Services shall have authority to implement these changes

*effective July 1, 2019, and prior to the completion of any regulatory process undertaken in order to effect such changes.*