

# ASK US!

## Attaining Services for Your Child with Special Needs

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*Many of the calls to the VaHomeschoolers Helpline are from parents looking to help their children with special needs. One of the most common areas of concern is how to go about receiving services through the local public school system. Two writers share their years of experience in this often confusing, intimidating process.*

**Q**uestion | I believe my homeschooled child has special needs. What services am I entitled to receive through my public school district?

**Answer** | The short answer is that there is no simple answer. The process has many steps and results can vary depending on where you reside and the services you seek.

The Individuals with Disabilities Education Act (IDEA) requires that all children with disabilities have access to a free and appropriate public education designed to meet their individual needs. The Child Find mandate requires each school division to locate, identify, and evaluate all children who may need special education services, even those enrolled in a private school, or those being homeschooled or home tutored within the school division.

It's important for families to understand that although the identification process can be required of the public schools under IDEA, homeschooled children with disabilities do *not* have a right to receive some or all of the special education and related services that public school children receive. Individual school districts determine what, if any, academic-related services will be provided to individual homeschooled

students. This is usually determined by funding formulas and district policies. To find out which services your individual district offers, the best place to start is the Office of Exceptional Education within your local district. Here are two likely scenarios.

### Scenario 1

Your child had an Individualized Education Program (IEP) while in school and now you've decided to homeschool.

This is usually the easiest way to get or continue services, because your child has already been identified and evaluated, and has documentation of services needed. Contact your child's case manager and convert your IEP to an Individualized Service Plan (ISP). An ISP is created by your IEP team and allows the continuation of services to a student outside of the public school. Do not expect your ISP to look exactly like your IEP; the services offered will depend on many factors, and districts can deny or decrease services to homeschooled students. The most common services provided in ISPs are speech and occupational therapy. These services are typically delivered at the school, but other arrangements can be made, depending on the flexibility of the school division, on the individual service provider, and on your student's availability.

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### The VaHomeschoolers Helpline

has provided help to families in Virginia for over 10 years. In the beginning, an incredibly generous board member set up a phone line in her home and fielded all the calls by herself. Over time, the Helpline has evolved into a group of volunteers who take turns responding to calls on our toll-free line (1-866-513-6173).

If you have homeschooled in Virginia for at least two years and enjoy helping others be successful in their homeschooling journey, please consider volunteering as a Helpline responder! The time commitment is usually no more than one week per quarter, and you have a great deal of flexibility as to when you answer calls. All volunteers on the Helpline are able to collaborate with each other, board members, and other longtime volunteers for support.

If you are interested in volunteering, please contact our Helpline Coordinator ([RobinMartin@VaHomeschoolers.org](mailto:RobinMartin@VaHomeschoolers.org)) for more information or our Volunteer Coordinator ([Volunteer@VaHomeschoolers.org](mailto:Volunteer@VaHomeschoolers.org)) to apply.

## Scenario 2

You suspect your school-aged home-schooled child may have a disability.

**1** Contact your assigned school and request a meeting to discuss special education eligibility; this is known as the “referral.” Your referral should be directed to the principal or the school’s special-education designee. It should include the reasons for the evaluation request and any efforts you have made so far.

**2** Schools have three business days from the receipt of the referral to decide whether they will refer for an evaluation, deny the request, or refer to a school-based team to review. For the team review, you may be asked to provide documentation to support your request for an evaluation. Only accept evaluations for services, not observations. Observations are often offered, but are not legally binding. If the team refuses to evaluate, then you must be given a written notice (“prior written notice”) of the decision; a full explanation of the reasons for the decision not to evaluate; and an explanation of parental procedural safeguards, including your right to challenge the decision through an opportunity to request mediation and/or a due process hearing.

**3** If the team decides to evaluate, you will be provided a copy of the parental procedural safeguards as well as the formal prior written notice. A meeting will be scheduled within 10 days to decide what will be included in the evaluation. Once the team selects and agrees to the different types of evaluations (based on the referral request, see sidebar), the entire process to evaluate must take no more than 65 business days. Any private assessments the parents have had completed can also be submitted to the team.

**4** At the conclusion of assessments, another meeting will be scheduled to discuss the results and determine eligibility for services under IDEA, in accordance with the Child Find mandate. A copy of all results must be made available two days prior

to the meeting and at no cost to the parents. If parents disagree with the outcome of the Child Find eligibility meeting and feel as though the school violated disability laws or their parental safeguards, they can file a written complaint or request a due process hearing to review their child-study procedures.

**5** If the student is found to have a disability, an ISP will be created within 35 days to designate what services, if any, will be offered by the school. An Individual Service Plan is a list of goals in areas directly related to the student’s disability; parents can choose to accept or decline any portion of the service plan.

Before agreeing to an ISP, you may want to consider the possible effects of doing so. As a way of measuring progress, data on the designated goals will be collected regularly by the service provider and placed in your student’s permanent file. At times, additional activities may be suggested to families to help facilitate progress (e.g., a speech pathologist may ask families to complete articulation exercises between sessions). There may be potential impact on expected progress timeframes if the family chooses not to complete them.

If a student is found eligible for services, they will need to requalify every three years for services to continue. A full evaluation is not typically done, unless someone suspects another disability or incorrect label. The team may choose to review progress to determine if services are still needed or should be altered.

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### Specific areas of evaluation for the Child Find meeting can include:

- Educational
- Psychological
- Sociocultural
- Speech/Language
- Developmental
- Hearing Screening
- Vision Screening
- Medical Report
- Occupational Therapy
- Physical Therapy
- Functional Vision