

Transfer Students – Previous Enrollment in Special Education

Record Keeping
Requirements

I. Operational guidelines for enrollment in special education

If a student, enrolled in a special education program, transfers into Newport News from another school division or from out of state, the students' parent should be directed to the Special Education department to seek enrollment.

A. When a student transfers from another school division in Virginia:

1. A Special Education supervisor or coordinator will place the student, with consultation and consent of the parent in a special education program consistent and comparable with the current IEP assuring that the student has available special education and related services; or
2. The appropriate supervisor will take all reasonable steps to promptly obtain the child's records;
 - a. If the records are not forthcoming from the previous school division the supervisor should contact the Virginia Department of Education for assistance in resolving the matter.
 - b. If Newport News Public Schools is unable to obtain the IEP from the previous school division or from the parent, NNPS is not required to provide special education and related services to the student. The student may be placed in a general education program and an evaluation may be conducted if it is determined that one is necessary.
3. The IEP Committee in the school in which the child is placed will be convened within 30 calendar days and will rewrite and implement the IEP with the consent of the parent; OR

- a. If the IEP Committee believes consideration should be given for a significant change in placement, it shall refer the student for evaluation using appropriate referral procedures and develop an interim IEP, with the parent’s consent, if necessary.
- b. If the parent or parents and the IEP Committee are unable to agree on interim services, the Division or the parent may initiate the dispute resolution options of mediation or due process to resolve the dispute.
- c. During the resolution of a dispute, the school division will provide the student with a free and appropriate education in consultation with the parent(s), including services comparable to those described in the child’s IEP from the previous school division.

IEP Addendum

- (1) An IEP Committee will review the existing evaluations and/or request new evaluations or the evaluations as appropriate for the eligibility review.
- (2) During the evaluation period the student will receive services in accordance with the existing IEP excluding those sections that are not in accordance with this section. The parent must be informed of these actions using the Letter of Intent procedures.

4. In the case of a child placed in a private residential school, absent parental consent or absent an appropriate program within the school division, the student will remain in the private residential school until the Eligibility Committee and IEP Committee have made a decision following the referral procedures.
- B. When a child with a disability transfers to Newport News Public Schools from another state:
1. A Special Education supervisor or coordinator will place the student, with consultation and consent of the parent, in a special education program providing comparable services consistent with the current IEP until a new IEP is developed and agreed upon by both parties.
 2. The appropriate supervisor will take all reasonable steps to promptly obtain the child's records.
- C. When a child with a disability who was placed in a private residential school under the Comprehensive Services Act transfers to Newport News, the school division's Coordinator of Special Placements must review the current placement and adopt or revise and implement the IEP within 30 calendar days of receipt of written notification of the child's transfer. The former Comprehensive Services Act team shall be responsible for paying for services until 30 calendar days after the new Comprehensive Services Act team receives written notification of the child's residence in the new locality from the former Comprehensive Services Act team.