

2003 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 305

Requesting the Department of Education to collect information regarding the ratios of students with individualized education plans in Virginia school divisions to the general student population. Report.

Agreed to by the Senate, January 31, 2003

Agreed to by the House of Delegates, February 19, 2003

WHEREAS, the delivery of educational services for disabled pupils is largely guided by federal law, specifically, the Individuals with Disabilities Education Act (IDEA), which requires the availability of federal moneys for states providing a "free and appropriate education" for children with disabilities; and

WHEREAS, the requisite "free and appropriate education" (FAPE) must (i) be provided at public expense, under public supervision, at no charge; (ii) meet state educational standards; (iii) include preschool, elementary, and secondary education; and (iv) be provided pursuant to an individualized education plan (IEP) tailored to meet the unique educational needs of the particular student; and

WHEREAS, the IEP is based on a written statement articulating the pupil's present educational level, annual goals, specific services to be provided, and objective evaluation criteria and is developed by the local school board as well as the teacher, parents, and, when appropriate, the student; and

WHEREAS, in the 1999-2000 school year, more than 157,000 students received special education services in Virginia public schools, and numbers of enrollments varied widely among school divisions; and

WHEREAS, examination of variations in enrollments of students with IEPs among Virginia school divisions and comparison of numbers of students with IEPs with the total general student population is necessary to more accurately assess any inconsistencies in application of standards for the issuance of IEPs; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Education collect information regarding ratios of students with individualized education plans in Virginia school divisions to the general student population. Such information shall include a summary of current federal and state law and regulation governing requirements and standards for the issuance of such plans and the identification and classification of students with disabilities.

All agencies of the Commonwealth shall provide assistance to the Department in collecting the information, upon request.

The Department shall submit to the Division of Legislative Automated Systems an executive summary and the data and related information collected on ratios of students with IEPs to the general student population no later than the first day of the 2004 Regular Session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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