

Terminating Services

I. Terminating or postponing the formal assessment process

- A. The assessment process may be terminated when:
1. The student moves from the school division before the assessment is completed (**Note:** The school division is responsible for maintaining timelines for the assessment/eligibility/IEP until the student officially withdraws);
 2. The parent aborts the assessment process by providing a written statement revoking permission to complete the assessment or
 3. There is evidence that overriding circumstances, such as severe medical problems, prevent valid assessment of the student's performance. If the assessment must be postponed for medical reasons, the principal/designee should obtain a statement from the parent or the attending physician to document the delay of timelines. The statement should define the expected duration of the postponement or the need to terminate the process.

Record Keeping
Requirement

II. Termination of special education and related services

- A. Each child with a disability must be evaluated in accordance with 8 VAC 20-80-54 before determining that the child is no longer a child with a disability. Evaluation is not required before the termination of eligibility due to graduation with a standard or advanced studies high school diploma or reaching the age of 22.
- B. The IEP team, or properly composed Eligibility Committee, shall terminate the child's eligibility for special education and related services.

1. Termination of special education services occurs if the team determines that the child is no longer a child with a disability who needs special education and related services and if parental consent is secured and Notice of Intent provided.
 2. A related service may be terminated during an IEP meeting. The IEP team making the determination shall include school division personnel representing the related services disciplines in person, by telephone, or by other similar electronic means. Parental consent shall be secured prior to the termination of related services and Notice of Intent provided.
 3. If the parent or parents revoke consent for the child to continue to receive special education and related services, the procedures in 8 VAC 20-80-56 must be followed to terminate the child's eligibility or use other measures as necessary to ensure that parental revocation of consent will not result in the withdrawal of a necessary free appropriate public education for the child.
- C. Termination of one or more special education services for a child is a function of the IEP Committee. Termination of related services occurs when the IEP Committee determines that the service(s) are no longer required in order for the child to benefit from special education.
1. When the referring source (teacher, parents, service provider, etc.) believes that a related service may no longer be required, he/she will direct the teacher to: convene an IEP meeting to discuss requesting an evaluation to

consider terminating the related service along with a statement of educational progress completed by the teacher(s).

- a. The committee will consider the need for additional assessment.
 - (1) If no assessments are needed, the committee will determine if the services are needed.

Notice of Intent Form

- (2) If assessments are needed, the Notice of Intent must be given and parental consent obtained on the addendum form and the procedural safeguards provided.
- 2. The teacher/case manager will then request, using the SE-3 Referral for Formal Assessment form, the component report(s) directly related to the service(s) to be terminated (i.e., OT report, PT report, counseling summary, speech evaluation, etc.
- 3. The SE-3 will be sent to the Supervisor of Referrals and Assessments along with:
 - a. The original IEP Addendum with parent signature authorizing the assessment;

Record Keeping Requirement

- b. The original notification letter scheduling the IEP Addendum meeting; and
 - c. The original Notice of Intent proposing the evaluation.

Record Keeping Requirement

4. Upon completion of the related service component(s), the IEP Committee will reconvene to review the component(s) and the current IEP to determine if the service continues to be required for the student to benefit from the special education program.
5. If the IEP Committee finds the service is no longer required for the student to benefit from the special education program, it will develop an addendum revising the IEP to reflect the termination of the related service. If the related service is to terminate, the parent must receive the Notice of Intent and agree to the change by signing the addendum.
6. The original signed addendum must be sent to the appropriate program supervisor/coordinator for review and filing.