



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

P. O. Box 2120
Richmond, Virginia 23218-2120
Fax Number: 804-371-8796

**2015 - 2016 APPLICATION TO OPERATE
A PRIVATE SCHOOL FOR STUDENTS WITH DISABILITIES
Private School Specialists**

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General Overview – “School for students with disabilities,” “school,” or “schools” means a privately owned and operated preschool, school or educational organization, no matter how titled, maintained, or conducting classes for the purpose of offering instruction, for a consideration, profit or tuition, to persons determined to have autism, deaf-blindness, a developmental delay, a hearing impairment including deafness, intellectual disability, multiple disabilities, an orthopedic impairment, other health impairment, an emotional disturbance, a specific learning disability, a speech or language impairment, a traumatic brain injury, or a visual impairment including blindness. (*§ 22.1-319 of the Code of Virginia*)

When an individual or corporation is in the early planning stages of opening a private school for students with disabilities, it is recommended that the Virginia Department of Education (Department) be contacted for preliminary consultation. The Department shall evaluate each application within 60 calendar days from the date received and advise the applicant in writing of approval or deficiencies. The applicant shall correct all deficiencies within 30 calendar days from the date of the written assessment of the application. The Department may grant an extension for a reasonable period of time. Before a license can be issued to an applicant, the Department shall conduct an on-site inspection or review photographs or videos of the school building and grounds to determine its suitability for the operation of a school for students with disabilities. (*8VAC20-671-120, 130*)

PROPOSED SCHOOL CONTACT INFORMATION

Name of School:	_____	Contact Person:	_____
Physical Address:	_____	E-Mail Address:	_____
Mailing Address:	_____	Web Address:	_____
Telephone Number:	_____	Fax Number:	_____

NAME OF PROPOSED SCHOOL _____

APPLICATION CHECKLIST: Each item on the checklist below must be addressed in the application or in an attachment to the application. Supporting documentation is required for all items on the checklist. Vague or incomplete applications without supporting documentation may returned to the sender.

8VAC20-671-100. Initial application.

To obtain a license to operate a school for students with disabilities, an application shall be filed with the Virginia Department of Education. A completed initial application shall include the following:

1.	Complete name with physical and mailing addresses of the school
2.	Name and address of owners, controlling officials, and managing employees
3.	Evidence that the applicant has assessed the community's need for a new school
4.	Evidence of the applicant's compliance with the applicable regulations of the State Corporation Commission when the school is owned by a partnership or corporation
5.	Narrative description of building and scale drawings or copy of all floor plans including room use and dimensions
6.	Certificate of occupancy with educational use group or other report from the appropriate government agency or agencies indicating that the location meets applicable zoning, building code, use permit, business license, fire safety, and sanitation requirements
7.	Copy of the deed, lease, or other legal instrument authorizing the school to occupy such location
8.	Proposed working budget for the year showing projected revenue and expenses for the first year of operation and a balance sheet showing assets and liabilities; a three-year financial plan; and documentation of sufficient operating capital or line of credit to carry the school through the first year of operation
9.	Original signed surety bond, irrevocable letter of credit, or certificate of deposit to protect the contractual rights of parents and students
10.	Schedule of tuition and other fees and the procedure for collecting and refunding tuition
11.	Copies of all proposed advertisements
12.	Description of the education program to include disability category or categories to be served, enrollment capacity, grade level(s), age range, gender, and course offerings
13.	Listing of instructional resources and equipment
14.	Description of related services
15.	School's policy manual
16.	Proposed staffing and organizational chart
17.	Job description for each position
18.	Parent/student handbook
19.	Statement regarding transportation services if the school provides transportation for students
20.	Statement regarding provision of student lunches
21.	Description of the behavior management program
22.	Any other information necessary to complete the application process

Submitted By:

Name of Authorized School Official: _____ Title: _____

Signature of Authorized School Official: _____ Date: _____

For Official Use Only Received by: _____	Date: _____
Date of Private School Preliminary Consultation with a VDOE specialist: _____	
School Site Review Conducted by: _____	Date of Site Review: _____
Application Approved? Yes ___ No ___ If no, reason must be given. _____	
Signature of VDOE Specialist: _____ Date: _____	
Directory and License Change required? Yes ___ No ___	Changed By _____

Regulations 8VAC20-671	
8VAC20-671-100	List The Name, Business Address And Contact Information of the Owner. Contact Person: _____ Physical Address: _____ E-Mail Address: _____ Mailing Address: _____ Web Address: _____ Telephone Number: _____ Fax Number: _____
8VAC20-671-100	Check type of ownership: (Please check one). 1. <input type="checkbox"/> Sole Proprietorship (list name and address of proprietor(s)). _____ 2. <input type="checkbox"/> Partnership: List all members and officers. _____ 3. <input type="checkbox"/> Corporation: List all members and officers. _____ 4. <input type="checkbox"/> Other: List all members and officers. _____ 5. <input type="checkbox"/> Does the owner currently operate other schools for students with disabilities? Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, list the name and physical address of all schools). _____ 6. <input type="checkbox"/> Will the proposed school be: <input type="checkbox"/> For Profit or <input type="checkbox"/> Non-Profit (501c3)

SCHOOL DEMOGRAPHICS

Anticipated opening date? _____

Check the type of school

1. Day Students Only
2. Residential Students Only
3. Residential Students and Day Students

Capacity and Enrollment Projection

Requested maximum capacity? _____ Projected enrollment for first year? _____

List ages to be served by the school: _____

Grade levels to be offered in the school: _____

Gender of students to be enrolled in the school: _____

Female Only Male Only Co-Educational

DISABILITY CLASSIFICATIONS

Check the categories of disabilities to be served by the school.	
<input type="checkbox"/> Autism	<input type="checkbox"/> Multiple Disabilities
<input type="checkbox"/> Deaf-Blind	<input type="checkbox"/> Orthopedic Impairment
<input type="checkbox"/> Developmental Delay	<input type="checkbox"/> Other Health Impairment
<input type="checkbox"/> Emotional Disability	<input type="checkbox"/> Speech or Language Impairment
<input type="checkbox"/> Hearing Impairment – Deafness	<input type="checkbox"/> Traumatic Brain Injury
<input type="checkbox"/> Intellectual Disability	<input type="checkbox"/> Visual Impairment – Including Blindness
<input type="checkbox"/> Learning Disability	

SCHOOL FACILITIES AND SAFETY

1. Will there be other occupants in the building where the school is housed? (*Specify hours, services, and impact on the operation of the school.*) _____
2. Will other services be delivered in the school building or within the school setting by another subsidiary of the school’s owner (i.e., therapy, day treatment) (*Specify hours, services, and impact on the operation of the school.*) _____
3. Will the proposed school be housed on the grounds of a licensed residential facility? Name the facility and specify licensing agency. _____

Check all that apply to your school facility, campus, and grounds and identify the number if more than one is available (i.e., 10 classrooms, 2 playing fields)			
<input type="checkbox"/>	Art Room/Studio	<input type="checkbox"/>	Lunchroom
<input type="checkbox"/>	Automotive Shop	<input type="checkbox"/>	Multi-Purpose Room
<input type="checkbox"/>	Barbershop	<input type="checkbox"/>	Sensory Room
<input type="checkbox"/>	Cafeteria	<input type="checkbox"/>	Music Room
<input type="checkbox"/>	Classrooms	<input type="checkbox"/>	Outside Play Area
<input type="checkbox"/>	Clinic	<input type="checkbox"/>	Playing Fields
<input type="checkbox"/>	Computer Lab	<input type="checkbox"/>	Playground
<input type="checkbox"/>	Cosmetology Lab	<input type="checkbox"/>	Science Lab
<input type="checkbox"/>	Culinary Arts Lab	<input type="checkbox"/>	Student Nursing Lab (CNA)
<input type="checkbox"/>	Greenhouse/Horticulture	<input type="checkbox"/>	**Seclusion Room
<input type="checkbox"/>	Gymnasium	<input type="checkbox"/>	Sound Studio
<input type="checkbox"/>	Kitchen	<input type="checkbox"/>	Swimming Pool
<input type="checkbox"/>	Laundry	<input type="checkbox"/>	Textiles Lab
<input type="checkbox"/>	Library/Media	<input type="checkbox"/>	Time Out Area/Room
<input type="checkbox"/>	Life Skills (bedroom, living room)	<input type="checkbox"/>	Woodworking Shop
<input type="checkbox"/>	Locker rooms	<input type="checkbox"/>	Other (list) _____
Will the school provide physical education instruction off site? (specify)			
*Seclusion is prohibited except in emergency situations.			

SCHOOL DAY AND YEAR

1. Identify the number of hours in the school day (minimum 5.5 hours daily of academic instruction / 27.5 hours minimum average)
2. What type of bell schedule will the school follow? (*specify*) (i.e., regular, block, modified block, semester, or other (describe))
3. List the number of days in the school year (minimum of 180 school days)
4. Does the school plan to offer the following? If yes, describe below.

a. Extended School Year	Yes _____	No _____
b. Year Round School	Yes _____	No _____
c. After School Program	Yes _____	No _____
d. Summer Enrichment	Yes _____	No _____
e. Summer School	Yes _____	No _____
f. Summer Camp	Yes _____	No _____
5. Describe 4 a-f as appropriate. _____

Check the proposed levels of instruction and programs to be offered at the school.

Level	Preschool (ages 2 -5)	Elementary (K – 5)	Middle School (6 -8)	High School (9 – 12)	Post-Grad (Describe) Grades 12+
General Curriculum					
Adapted Curriculum					
Pre-Vocational					
Vocational					
*Virtual School					
*ISAEP					
Transition Program					
Career Prep/Academy					
Dual Enrollment					
*Requires a separate application to be submitted and approved by the department.					

Attach master schedules for all levels of programming (elementary, middle, and high school), indicating direct instructional time.

EQUIPMENT, INSTRUCTIONAL, AND LIBRARY MATERIALS

8VAC20-671-590	Provide a list of instructional materials and equipment necessary to support the instructional program.
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PROGRAM OF INSTRUCTION AND LEARNING OBJECTIVES

8VAC20-671-490	Describe how the school’s program reflects the written philosophy of the school. Outline the methods, procedures, and practices that reflect an understanding of and meet the applicable academic, vocational, therapeutic, recreational, and socialization needs of the students served.
8VAC20-671-490	Describe how services shall be delivered in accordance with a student’s IEP, IIP, or 504 Plan.
8VAC20-671-490	Describe the opportunities for students 14 years of age and over to gain knowledge and occupational readiness necessary for successful transition to postsecondary education, training, employment, and independent living.
8VAC20-671-490	Describe how the school will provide a program of instruction that clearly articulates learning outcomes for core subjects: English, mathematics, science, and history/social science.
8VAC20-671-490	Describe how the school will provide opportunities for students to participate in a program of health and physical fitness during the regular school year.
8VAC20-671-490	Specify how the school will provide students with opportunities to gain appreciation for art and music.
8VAC20-671-490	Identify how the school will provide an instructional program that promotes the individual student’s developmental growth and academic achievement at successive grade levels.
8VAC20-671-490	Specify how the school will equitably serve the needs and interests of all students, taking into consideration age appropriateness, cultural norms,

	physical abilities, and cognitive abilities.
8VAC20-671-490	Describe how the school will implement evidence-based practices to improve academic, behavior, and social outcomes for all students.
8VAC20-671-600	Provide descriptions of courses and curriculum outlines.
8VAC20-671-500	Specify how the school will ensure that students who are unable to read with comprehension the materials used for instruction will receive additional instruction in reading. (Grades K-12)
8VAC20-671-500	Describe how the school will design instruction and the school day for Grades K-3 where reading, writing, spelling, and mathematics shall be the focus of the instructional program.
8VAC20-671-500	Describe how the school will design instruction and the school day for elementary grades (Grades 4-5).
8VAC20-671-510	Describe how the school will design instruction and the school day for middle school grades (Grades 6-8).
8VAC20-671-510	Describe how the schools will provide students with opportunities for career and technical education. (Grades 6-8)
8VAC20-671-520	Describe how the school will design instruction and the school day for secondary school grades (Grades 9-12).
8VAC20-671-520	Describe how the school will provide a course of study that leads to graduation and postsecondary education, training, employment, and independent living. (Grades 9-12)
8VAC20-671-520	Identify how the school will provide instruction in economics and personal finance. (Grades 9-12)
8VAC20-671-520	Identify how the school will provide instruction in occupational readiness. (Grades 9-12)
8VAC20-671-520	Describe how the school will provide guidance and counseling to assist students in meeting graduation requirements.
8VAC20-671-540	Describe how the school has designed transition services with an outcome-oriented process for all students, that promotes movement from the private school to a public school the child would normally attend, movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
8VAC20-671-560	Describe how the school proposes to offer a Family Life Education Program.

MEDICATION AND HEALTH

8VAC20-671-710	Describe the proposed procedures for obtaining permission to administer medication in the school setting, maintaining medication administration records, monitoring the supply of medication, transferring medication, and alerting families of low supply of medication on hand or medication errors.
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SCHOOL NUTRITION

8VAC20-671-720	If providing food service, describe how the school ensures that the diet consists of nutritionally balanced meals, includes an adequate variety and
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	quantity of food for the age of students, and meets minimum requirements of the U.S. Dietary Guidelines?
	If students are required to bring their own lunch, describe how provisions are made to ensure a meal for all students.

FOOD SERVICE (check all that apply)

Meals and Snacks	Student/Family Provided	*On-site meal preparation	*Satellite of local public school pick-up /delivery	*Contracted vendor or catering company	Pick-up/delivery
Breakfast					
Lunch					
Snacks					

**Requires food safety inspection by the local Virginia Department of Health.*

STAFF DEVELOPMENT

8VAC20-671-350	Describe the school's proposed plan for staff development as required by regulation.
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PERSONNEL FILES

8VAC20-671-360	Describe how personnel files will be maintained as required by regulation.
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SCHOOL FACILITIES AND SAFETY

8VAC20-671-370	Describe how the school will maintain a physical plant that is accessible, barrier free, safe and clean.
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STUDENT APPLICATION AND ADMISSION

8VAC20-671-410	Describe the school's admission procedures.
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SCHOOL RECORDS

8VAC20-671-600	Describe how the school will maintain records as required by regulation.
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STUDENT CONDUCT

8VAC20-671-620	Describe how the school will provide a school wide environment that reinforces appropriate behavior and assists students in becoming actively engaged in their own learning, academic, and behavior success.
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BEHAVIOR INTERVENTION

8VAC20-671-630	Describe the behavior management program that the school proposes to use, including behavior techniques in the order of restrictiveness.
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TIME OUT AND MANAGING STUDENT BEHAVIOR IN EMERGENCY SITUATIONS

8VAC20-671-640, 660	Describe how the school will collect, report, and maintain behavior data related to the use of time out, restraints, and seclusion.
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8VAC20-671-660	Describe how the school will ensure that physical restraint or seclusion is allowed only in an emergency situation and only when it is necessary to protect the student or another person from imminent danger of serious physical harm after less intrusive interventions have been attempted and failed to manage that particular behavior and there is substantial explanation for why other interventions were deemed inadequate or inappropriate.
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TRANSPORTATION: (Check all that apply)

8VAC20-671-730	<p>Will the school be transporting students?</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> To and from home/school 2. <input type="checkbox"/> On school-sponsored field trips 3. <input type="checkbox"/> On school-sponsored instructional outings 4. <input type="checkbox"/> For community-based instruction 5. <input type="checkbox"/> To and from job and/or pre-vocational sites 6. <input type="checkbox"/> Doctor's appointments 7. <input type="checkbox"/> Other (specify)
	<p>School-Owned Vehicles</p> <ol style="list-style-type: none"> 1. Provide information regarding the type and number of vehicles that the school proposes to use to transport students (e.g., car, mini-van, etc.).
	<p>Personally Owned Vehicles</p> <ol style="list-style-type: none"> 1. Will staff, parents, or volunteers be asked to transport students during the school day using their own vehicles? If so, describe how the school will verify that all drivers meet the requirements outlined in 8VAC20-671-730.

MAINTENANCE OF STUDENT RECORDS

8VAC20-671-750	Describe how student records will be maintained as required by regulation.
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PROPOSED STAFFING (8VAC20-671-100)

PROPOSED PERSONNEL	EMPLOYED BY SCHOOL		
Position	Number		
School Operations/Leadership			
Administrator			
Instructional Leader			
Office Manager			
Administrative Assistant			
Teachers			
Facilities/Custodial Staff			
Instruction			
Teachers – Preschool			
Teachers – Elementary			
Teachers – Middle			
Teachers – High School			
Teachers – Electives			
Librarian			
Reading Specialist			

Math Specialist			
Paraprofessionals (Staff)			
Instructional Assistant			
Behavior Staff			
Teaching Assistant			
Other (specify)			
Counseling and Psychological Services			
Social Worker, LCSW, MSW			
Licensed Private Counselor (LPC)			
Psychologist			
Licensed Therapist			
Guidance Counselor			
Medication and Health			
Nurse			
Clinic Attendant			
Staff Trained in Medication Administration			
Behavior Support Services			
Board Certified Behavior Analyst (BCBA)			
Board Certified Assistant Behavior Analyst (BCaBA)			
BCBA-D (doctoral level)			
Behavior Specialist			
Qualified Mental Health Professional (QMHP)			
Related Service Providers	EMPLOYED BY SCHOOL	PROVIDED BY LEA Yes/No (Describe)	CONTRACT WITH PRIVATE PROVIDER Yes/No (Describe)
	Number	Number	Number
Licensed Therapist, Psychologist, Other			
Speech or Language Therapist			
Occupational Therapist			
Physical Therapist			
Hearing Services Provider			
Vision Services Provider			
Sign Language Interpreter			
Music Therapist			
Art Therapist			
Equine Therapist			
Horticulture Therapist			

**After staff is hired, submit a “Private Schools for Students with Disabilities Personnel Qualifications Form” to the Department (see attached)*

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

8VAC20-671-110. Applicant commitments.

Each application for a license to operate a school for students with disabilities shall contain the following commitments:

1. To conduct the school in accordance with all applicable regulations of the Board;
2. To permit the Board or Department to inspect the school or classes being conducted therein at any time and to make available to the Board or Department, when requested to do so, all information pertaining to the activities of the school required for the administration of this chapter, including its financial condition;
3. To advertise the school at all times in a form and manner that is free from misrepresentation, deception, or fraud and to conform to provisions of the Board governing such advertising;
4. To ensure that all representations made by an agent of the school are free from misrepresentation, deception, or fraud and to conform to provisions of the Board governing such advertising;
5. To display the current license to operate prominently where it may be inspected by students, visitors, and the Board or Department; and
6. To maintain all premises, equipment, and facilities of the school in an adequate, safe, and sanitary condition.

Statutory Authority §§22.1 -16, 22.1-321, and 22.1-325 of the *Code of Virginia*

Date: _____ Title of Authorized Official: _____
Signature of Authorized Official: _____

Sworn to and Subscribed before me this Day of: _____ 20_____
My commission expires: _____ Notary Public _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

CERTIFICATION OF FINANCIAL COMMITMENT

I, _____ The authorized official of _____
(Officia''s Name) *(Name of Institution)*
certify, under penalty of perjury, that to the best of my knowledge and belief, the information presented in the attached financial statements is true and correct.

I further certify that the owning entity will assure the completion of teaching of students enrolled in the event either the owning entity or the institution incurs financial difficulty or closes.

I understand that furnishing false, misleading, or incomplete information to the Board or Department of failure to furnish any information requested and failing to maintain financial resources adequate for the satisfactory conduct of courses of instruction offered could be grounds for the denial, revocation, or suspension of a License to Operate which may be or has been issued to this institution.

(Date)

(Signature of Authorized Official)

(Printed Name of Authorized Official)

(Title)

STATEMENT OF NOTARY

I, _____ a Notary Public in and for the _____
(Print or type name) *(County, City, State, etc.)*
of _____ do certify that _____

personally appeared before me in the jurisdiction aforesaid and acknowledged the above requirements. I further certify that my commission expires _____

(Date)

(Notary Public)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

PROVISIONS FOR GUARANTY INSTRUMENT REQUIREMENTS

This packet contains the forms required for certification to license a private school for students with disabilities in Virginia under Title 22.1, Chapter 16, Section 22.1-319 through 22.1-335 of the Code of Virginia (2004), as amended, and the Regulations Governing the Operation of Private Day Schools for Students with Disabilities adopted by the Board of Education (2004).

Three types of guaranty instruments are recognized as meeting this requirement:

1. Surety bond;
2. Irrevocable letter of credit; or
3. Certificate of deposit.

The school is free to select which of the permitted methods it will utilize. Regardless of which is chosen, the use of either the actual forms contained in this packet or documents conforming exactly to their language is required for certification.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

SURETY BOND

KNOW ALL MEN BY THESE PRESENTS, That we _____ located at _____ (Name of Principal) _____ as Principal, and _____ (Address of Principal) _____ a corporation, partnership, or sole proprietor in the State of _____ Lawfully doing business in the State of Virginia, as Surety, are bound unto the State of Virginia for the benefit and protection of the students of said Principal, in penal sum of _____ Dollars (\$ _____) for which sum well and truly to be paid to the State of Virginia its certain attorneys or assign, said Principal and Surety bind themselves jointly and severally, our heirs, executors, administrators, successors, and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, Whereas, the above bounden Private School for Students with Disabilities, as that term is used in Section 22.1-319 of the Code of Virginia (1950) as amended, desires to operate its school at the place set forth above in the manner required by its express contract with its students, known as the student enrollment agreement. It is a condition of the grant of a license to operate to the Principal by the State Board of Education that the form and contents of the student enrollment agreement and the method of collecting and refunding tuition by the above bounden Principal be and is filed with The Board of Education as provided by the Acts of Assembly 2004, Chapter 16, Title 22.1-321, as amended.

NOW, THEREFORE, If upon and after the issuance of a license to operate expiring _____ for a Private School for Students with Disabilities pursuant to the express provisions of all student enrollment agreements with its students, and the provisions of all the laws of this State and the rules and regulations promulgated by the State Board of Education, then this obligation shall be void; otherwise, to remain in full force and effect.

AND THE Obligors, jointly and severally, for themselves, their heirs, executors, administrators, successors and assigns, do agree with the State of Virginia, for the benefit and protection of the students of said Principal, that upon violation of any contract with any student which, *inter alia*, may arise as a result of the suspension, revocation, or any other termination of the license to operate aforesaid under the provisions of the Acts of Assembly 2004, the State of Virginia may maintain action against this bond for its own benefit or for the benefit of such students

PROVIDED, HOWEVER, THE Surety shall not be liable in the aggregate for more than the penal sum of the bond, nor shall the penal sum of the bond be considered cumulative from year to year, and

PROVIDED, HOWEVER, THE Surety shall have the right to cancel this bond at any time by a written notice, stating when the cancellation shall take effect, and served on or sent by registered mail to The State Board of Education, at least ninety (90) days prior to the date that the cancellation becomes effective, but said Surety so filing said notice shall not be discharged from any liability already accrued under this bond or which shall accrue hereunder before the expiration of said ninety (90) day period. Any person who sustains a material loss covered by this Bond shall have the right in his own name to commence and maintain an action against the Principal and Surety on the such Bond for the recovery of the amount of the material loss resulting from such injuries, or any of them, together with court costs, including a reasonable attorney's fee fixed by the court, but the aggregate liability of the Surety shall in no event exceed the penal sum of the Bond. This obligation shall be effective concurrently with the "License to Operate," covering the fiscal year ending June 30 _____.

SIGNED, SEALED AND DATED This _____ day of _____.
Witness: _____ (L.S)

(Principal)

(L.S)

(Surety)
Bond _____ (L.S)

(Attorney-in-fact)
of _____, 20 _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

SURETY BOND
ACKNOWLEDGEMENT OF PRINCIPAL

_____ of _____ to Wit:
I, _____ a Notary Public in and for the Private School
aforesaid, in the State of Virginia, do certify that _____ whose name is
signed to the above bond, bearing date on the _____ day of _____
personally appeared before me in my _____ aforesaid, and acknowledged
the same. I further certify that my term of office expires on the _____ Day of
_____, 20 _____. Given under my hand this _____ Day
of _____, 20 _____

AFFIDAVIT AND ACKNOWLEDGEMENT OF SURETY

STATE OF _____ of _____
to Wit: I, _____ a Notary Public in and for
the _____ aforesaid, in the State aforesaid, do certify that _____
personally appeared before me in my _____ aforesaid and
made oath that he is _____ of the _____ that he is duly
authorized to execute the foregoing bond by virtue of certain power of said company,
dated _____ and recorded in the Clerk's office of the _____ of _____
in Deed Book No. _____, Page _____, that said power of attorney has not been revoked; that
the said company has complied with all requirements of law regulating the admission of such
companies to transact business in the State of Virginia that it has paid-up cash capital of not
less than \$250,000; that the paid-up capital, plus the surplus and undivided profits of said
company is _____, that the penalty of the foregoing bond is not in excess of
per centum of said sum; that the said company is not by said bond incurring in the aggregate, on
behalf or on account of the principal names in said bond, a liability for an amount larger than
one-fifth of its paid-up capital, plus its surplus and undivided profits; the said company is solvent
and fully able to meet promptly all of its obligations, and said _____ thereupon, in
the name and on behalf or the said company, acknowledged the foregoing writing as its act and
deed.

(Date)

(Signature of Authorized Official)

(Title)

Sworn to and subscribed before me this _____ day of _____
20 _____
My Commission expires _____

IRREVOCABLE LETTER OF CREDIT

Number _____
Date of Issuance _____

Superintendent of Public Instruction
Virginia Department of Education
P.O. Box 2120
Richmond, VA 23218-2120

Dear Sir/Madam:

We, the _____ (name and address of issuing institution) hereby establish, at the request of _____ (customer), our IRREVOCABLE LETTER OF CREDIT, number _____ in favor of the Commonwealth of Virginia Department of Education, in the amount of _____ dollars (\$_____). This IRREVOCABLE LETTER OF CREDIT is issued as a condition of your granting the customer a "License to Operate" a private school for students with disabilities, pursuant to Title 22.1, Chapter 16, Section 22.1-319 through 22.1-333 of the Code of Virginia (2004) as amended.

The IRREVOCABLE LETTER OF CREDIT is valid until midnight _____ (date) provided, however, that this *Letter of Credit* will be automatically extended without amendment for one (1) year from the present or any future expiration date *thereof*, unless ninety (90) days prior to any such expiration date we elect not to renew this *Letter of Credit* for such additional one (1) year period. An annual renewal notice will be submitted to you. The notice required hereunder will be deemed to have been given when received by you. Funds under this *Letter of Credit* are available to you upon presentation to us of your written demand for payment, referring to the number of this *Letter of Credit* and accompanied by your statement that the Department of Education has declared that the security established by the customer as a condition to being granted a "*License to Operate*" has been forfeited.

We hereby agree to honor any and all demands for payment made in compliance with the terms of this *Letter of Credit*, up to the sum stated above. Payment hereunder shall be by our check payable in U.S. *Currency*, to the order of the Commonwealth of Virginia, Department of Education, at your address stated above.

We warrant that the issuance of this *Letter of Credit* will not constitute a violation of any statute or regulation which limits the aggregate amount of liabilities which we may incur at any one time from the issuance of letters of credit and acceptances. We agree that by making demand for payment hereunder, neither you, nor the Department of Education, nor the Commonwealth of Virginia makes any warranties to us, either expressed or implied.

This Letter of Credit Shall be governed by the "Uniform Customs and Practices for Documentary Credits, 1993 Revision, International Chamber of Commerce, Publication No. 500 (the UCP) and to the extent not inconsistent with the UCP, by the laws of the Commonwealth of Virginia".

Thank you,

Insert Name
Insert Title

Revised July 16, 2015
Name of Proposed School:

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VA 23218-2120

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

CERTIFICATE OF DEPOSIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned _____ of _____, as Obligor (*Private day school for students with disabilities*), is held and firmly bound unto the Commonwealth of Virginia in the penal sum of _____ Dollars (\$_____). This obligation is secured by and is to be satisfied out of one or more *Certificates of Deposit* as describe herein below:

Certificate Number _____
Issuing Bank _____
Address _____

The *Certificate of Deposit* described above is payable to the "Commonwealth Of Virginia", with the interest payable to the obligor. It is automatically renewed at the end of its term. The issuing financial institution is protected by the Federal Deposit Insurance Corporation (FDIC). The *Certificates of Deposit* will be kept in the custody of the Department of Education until its release by the Department of Education. It shall be forfeitable if the conditions of this obligation are not met.

THE CONDITIONS IF THE OBLIGATION ARE SUCH, that whereas the above named obligor did on the _____ day of _____, 20_____, file with the Virginia Department of Education an application to secure a " License to *Operate*" a private school for students with disabilities under Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (1950), as amended. The obligor will undertake operations in accordance with the code of this Commonwealth and the regulations of the Board of Education. The "*Certificate of Deposit*" is subject to forfeiture pursuant to conditions stated in the code and regulations. The "*Certificate of Deposit*" will be returned to the obligor, should said application be rejected. Now if the conditions in the code and regulations which allow for forfeiture of the *Certificate of Deposit* do not occur and if the obligor shall faithfully perform all the requirements of Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (2004), as amended, and shall comply with the Regulations Governing the Operation of Private Schools for Students with Disabilities adopted by the Board of Education (2004) and all amendments thereto, then this obligation shall be null and void; otherwise it shall remain in full force and effect. This obligation shall continue until midnight, June 30, 20____, unless it is renewed between the obligor and the Department of Education or until it is released by the Department of Education. Application for renewal or release of the obligations of this *Certificate of Deposit* must made to the Department.



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

P. O. Box 2120
Richmond, Virginia 23218-2120
Fax Number: 804-371-8796

Overview: The Student-Parent Handbook shall provide sufficient information regarding the school's academic, social, emotional, and behavioral components, program offerings, and services. It must convey an accurate and professional impression of the school by avoiding false, misleading, or exaggerated statements. Handbooks shall be updated annually and made accessible to students, parents, local education agencies (LEAs), representatives of placing agencies, and other interested parties.

STUDENT/PARENT HANDBOOK CHECKLIST

Item Number	Required Items	8VAC20-671	Handbook Page
1. ____	Title of publication	(Recommended)	
2. ____	Name and address of the school	8VAC20-671-10 - 40	
3. ____	Date of publication (including month/year)	8VAC20-671-10 - 40	
4. ____	Index or Table of Contents	(Reader Usability)	
5. ____	History of the school	(Recommended)	
6. ____	Written procedure for parents and students, for resolving complaints which shall include information on reporting such complaints to the Department.	8VAC20-671-10-160	
7. ____	A written statement outlining the objectives of the school including a description of the target population and the program offering.	8VAC20-671-10-210.4	
8. ____	Describe school's general physical facilities and equipment.	8VAC20-671-10-370.D and 590	
9. ____	Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior.	8VAC20-671-10-380	
10. ____	Describe the student application and admission process.	8VAC20-671-10-410	
11. ____	Describe how the school will address student attendance, tardiness, and early dismissal.	(Recommended)	
12. ____	Written statement of purpose, philosophy, and objectives.	8VAC20-671-10-440	

Item Number	Required Items	8VAC20-671	Handbook Page
13. _____	Include grading practices (grading scale, weight and percentages of assignments, projects, quizzes, tests). If participation and behavior are factored into academic grades, the handbook must explain.	(Recommended)	
14. _____	Describe graduation requirements.	8VAC20-671-10-450.C, 520.G.	
15. _____	Identify requirements for a diploma.	8VAC20-671-10-610.B	
16. _____	Process and procedures regarding administration of statewide assessments.	8VAC20-671-10-450.D	
17. _____	Describe how the school cooperates with public schools in the administration of SOL tests.	8VAC20-671-10-450.D	
18. _____	Process and procedures regarding development of Individualized Education Programs (IEPs).	8VAC20-671-10-460	
19. _____	Process regarding development of Individualized Instruction Programs (IIPs) for privately placed students.	8VAC20-671-10-470	
20. _____	Describe how the school shall provide a program of instruction that clearly articulates learning outcomes for core subjects: English, mathematics, science, and history/social science.	8VAC20-671-10-490.F	
21. _____	Describe how the school shall require students to participate in a program of health and physical fitness during the regular school year.	8VAC20-671-10-490.G	
22. _____	Describe how the school shall provide students with opportunities to gain appreciation for art and music.	8VAC20-671-10-490.H	
23. _____	Describe how the school will assign, collect, and evaluate make-up work.	(Recommended)	
24. _____	Describe the school's Individual Student Alternative Education Plan (ISAEP) program.	8VAC20-671-10-530	
25. _____	Describe the transition services designed within an outcome-oriented process for all students, as appropriate, that promotes movement from the private school to a public school the child would normally attend; movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported	8VAC20-671-10-540.B	

Item Number	Required Items	8VAC20-671	Handbook Page
	employment), continuing and adult education, adult services, independent living, or community participation.		
26. _____	Describe the process and procedures that the school will implement to address the following: 1) School-sponsored extracurricular activities shall be under the direct supervision of staff and organized to avoid interrupting the instructional program; 2) CPR and first aid certified staff shall accompany students on school-sponsored activities; and 3) Schools that take students on outdoor adventure activities and offer programs such as canoeing, skiing, camping, and rock climbing shall develop policies and procedures to ensure supervision, health and safety, and medical management.	8VAC20-671-10-550.A., B., and C	
27. _____	Describe the curriculum used for the Family Life Education Program and a statement that written parental consent is required.	8VAC20-671-10-560.A., B	
28. _____	Describe the school places students on work-study, on-the-job training, or any other form of employment which shall ensure compliance with the applicable laws governing the employment of children.	8VAC20-671-10-570	
29. _____	Describe how virtual courses will be offered through accredited providers and supervision responsibilities of school staff.	8VAC20-671-10-580.A., B.	
30. _____	Describe the equipment, instructional materials, and library media available to support the instructional program.	8VAC20-671-10-590	
31. _____	Insert a copy of the school's academic calendar.	8VAC20-671-10-600	
32. _____	Include the school rules and expectations relating to conduct.	8VAC20-671-10-620	
33. _____	Describe the school's behavior intervention policies and procedures	8VAC20-671-10-630	
34. _____	Provide written protocol regarding the use of timeout.	8VAC20-671-10-640	
35. _____	Provide a list of prohibitions.	8VAC20-671-10-650	
36. _____	Include the school's protocol regarding the use of restraint and seclusion in emergency situations.	8VAC20-671-10-660	

Item Number	Required Items	8VAC20-671	Handbook Page
37. _____	Describe the annual professional development and refreshers required of staff.	8VAC20-671-10-350.F	
38. _____	Describe the process when making referrals to Children’s Protective Services (CPS), including documentation, reporting, and required notifications.	8VAC20-671-10-690	
39. _____	Include information related to the requirement of a comprehensive physical examination and current record of immunization in each student record.	8VAC20-671-10-710.A, B	
40. _____	Describe the medication management procedures, including training, transporting, storing, administering, and disposal of medication.	8VAC20-671-10-710. E - K	
41. _____	Describe the school’s food service program.	8VAC20-671-10-720	
42. _____	Describe the transportation services provided by the school.	8VAC20-671-10-730	
43. _____	Define the criteria for discharge.	8VAC20-671-10-740	
44. _____	Describe the maintenance of student records.	8VAC20-671-10-750	



VIRGINIA DEPARTMENT OF EDUCATION

**REGULATIONS FOR GOVERNING PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES
8VAC20-671-10 et seq.**

POLICIES AND PROCEDURES REVIEW

Name of School:		Administrator:	
School Self-Monitoring Review	Name(s) of school staff:	Date(s):	
<input type="checkbox"/> Initial Application <input type="checkbox"/> On-Site Licensure Review	Name(s) of VDOE Specialists:	Date(s):	
Regulation	Responsibilities of the licensee	C	NC
210.2	Develop and implement a written decision-making plan that shall include provision for a staff person with the qualifications of the school administrator or education program director to be designated to assume the temporary responsibility for the operation of the school in the absence of the school administrator. The plan shall include a current organizational chart.		
210.4	Develop a written statement of the objectives of the school including a description of the target population and the program offerings.		
210.5	Develop and implement written policies and procedures to monitor and evaluate the effectiveness of the education program on a systematic and ongoing basis and implement improvements when the need is determined.		
210.7	Develop a written policy prohibiting the consumption of tobacco products, illegal drugs, and alcohol or being under the influence of intoxicating or hallucinogenic agents while on campus and at school-sponsored student activities.		
210.13	Develop and implement an accessible policy and procedures to handle school related complaints from students, parents, and employees. Schools are required to provide written notification of the right to file a complaint with the Department's private school licensure office.		
210.14	The school shall have a written policy and procedure that the school does not discriminate according to state and federal law.		
Regulation	Fiscal accountability		
220.C	There shall be written policies and procedures that address the day-to-day handling of the school's funds.		

Regulation	Personnel policies and procedures	C	NC
270.A	The licensee shall have written personnel policies and procedures that include, but are not limited to, job qualifications, job descriptions, supervision, evaluation, dispute resolution and termination.		
270.A.1	The licensee shall develop and implement written policies and procedures that persons appointed or designated to assume the responsibilities of each position possess the education, experience, skills, and abilities specified in the job description.		
270.B	The licensee shall maintain a current organizational chart of all full-time and part-time positions.		
Regulation	Job descriptions		
290	There shall be a written job description for each position that includes job title; duties and responsibilities; job title of the immediate supervisor; and minimum education, experience, skills, and abilities required for entry-level performance of the job.		
Regulation	Staff supervision		
340	The licensee shall develop and implement written policies and procedures regarding the supervision of employees, full-time and part-time, and all other staff including volunteers and student interns working in the school building or on the school grounds.		
Regulation	School facilities and safety		
370.K	There shall be a written policy regarding safeguards for school-sponsored activities including adventure and wilderness activities.		
Regulation	Contingency plan		
380.B.1	Written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior. Contingency plans should be developed with the assistance of state or local public safety authorities. Such plans shall be outlined in the student handbook and reviewed with staff and students during the first week of each school year.		
380.B.3	A written procedure for responding to violent,		
	disruptive, or		
	illegal activities by students on school property or during a school-sponsored activity.		
380.D.3	Written emergency management policies outlining specific responsibilities for provision of:		
380.D.3	administrative direction and management of response activities;		
	coordination of logistics during the emergency;		
	communications;		
	life safety of students, employees, contractors, student interns, volunteers, and visitors;		
	property protection;		
	community outreach; and recovery and restoration.		
380.D.4	Written emergency response procedures for:		
380.D.4	assessing the situation;		
	protecting students, employees, contractors, student interns, volunteers, and visitors;		
	protecting equipment and education records;		
	and restoring services.		

380.D.5	Emergency procedures, which shall address:	C	NC
380.D.5	communicating with employees, contractors, volunteers, student interns, and community responders;		
	warning and notification of students;		
	providing emergency access to secure areas and opening locked doors;		
	conducting evacuations to emergency shelters or alternative sites and accounting for all students;		
	relocating students and staff, if necessary;		
	notifying family members and legal guardians;		
	alerting emergency personnel and sounding alarms; and		
	locating and shutting off utilities when necessary.		
380.I	The procedures and responsibilities reflected in the emergency procedures shall be communicated to all students within seven days following admission or a substantive change in the procedures.		
Regulation	Weapons		
390	The licensee shall develop written policies and procedures governing the prohibition of weapons on school property. The staff and students shall annually be informed of the policies and procedures regarding the prohibition of weapons.		
Regulation	Searches		
400.A	A school that does not conduct pat downs shall have a written policy prohibiting them.		
400.B	A school that conducts pat downs shall develop and implement written policies and procedures that shall provide the following:		
	1. Pat downs shall be limited to instances where they are necessary to prohibit contraband;		
	2. Pat downs shall be conducted by personnel of the same gender as the student being searched;		
	3. Pat downs shall be conducted only by personnel who are specifically authorized to conduct searches by the school's written policies and procedures; and		
	4. Pat downs shall be conducted in such a way as to protect the subject's dignity and in the presence of one or more witnesses.		
Regulation	Student application and admission		
410.A	The school's written admission policy shall include:		
410.A	1. A description of the population to be served;		
	2. A description of the types of services offered;		
	3. Admission procedures;		
	4. Exclusion criteria that identify behaviors or conditions the school will not accept; and		
	5. A description of how educational services will be delivered.		
Regulation	Standard school year and school day		
420.C	Each school shall have policies and procedures that address make-up days when the school is unable to meet the required instructional time.		
Regulation	Extracurricular and other school activities, and recess		
550.C	Schools that take students on outdoor adventure activities and offer programs such as canoeing, skiing, camping, and rock climbing shall develop policies and procedures to ensure supervision, health and safety, and medical management.		

Regulation	Equipment, instructional materials, and library media	C	NC
590.C	Each school shall establish written policy on the use of computers, including the use of the Internet and email.		
Regulation	Diplomas		
610.B	Each school that offers a diploma upon graduation shall have written policies and procedures that address the following:		
610.B	1. The requirements for a diploma shall be those in effect when the student enters the ninth grade for the first time.		
	2. The requirements for a diploma shall be based upon completion of program requirements that demonstrate academic rigor.		
Regulation	Student conduct		
620.B	Each school shall have written policies and procedures that address standards of student conduct and procedures for enforcement to include:		
620.B	attendance,		
	truancy,		
	suspension,		
	expulsion,		
	alcohol,		
	drugs,		
	weapons,		
	fighting,		
	bullying,		
	sexual and disability harassment,		
	pornography, and other areas as appropriate.		
Regulation	Behavior intervention		
630.A	Each school shall develop and implement written policies and procedures that emphasize positive behavior interventions.		
Regulation	Time-out		
640	Policies and procedures shall be written that govern the conditions under which a student may self-select or be placed in time-out and the maximum length of time a student may be in time-out. The conditions for time-out and length of time a student may be in time-out shall be based on the student's chronological and developmental levels. The school's policy and procedures shall include:		
640	1. Each student is entitled to be completely free from any unnecessary use of time-out.		
	2. A door to a time-out room shall not be locked nor secured in a manner that prevents the student from opening it.		
	3. A student in time-out shall be able to communicate with staff.		
	4. Staff shall check on the student at least every 15 minutes and more often depending on the nature of the student's disability, condition or behavior.		
	5. The use of time-out and staff checks on the student shall be documented.		
	6. Staff shall review procedures when a student consistently chooses to		

	stay in time-out beyond the determined time limit to determine that it has not become reinforcement.		
Regulation	Managing student behavior in emergency situations	C	NC
660.A	Each school shall have written policies and procedures made available annually to students, parents, and placing agencies that include, but are not limited to:		
660.A	1. Methods for preventing student violence, self-injurious behavior, and suicide, including de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.		
	2. A statement that corporal punishment and abusive techniques and interventions are not authorized, permitted, or condoned.		
	3. A statement that behavior management techniques are applied in order of their degree of intrusiveness or restrictiveness and the conditions under which they may be used by trained personnel.		
Regulation	Videotaping		
670.A	Schools shall have written policy and procedures regarding videotaping students while in school and any school-sponsored activity, including those used for staff training.		
Regulation	Suspected child abuse and neglect		
690.A	Written policies and procedures related to child abuse and neglect shall comply with the requirements of § 63.2-1509 of the Code of Virginia and distributed to all staff members. Policies and procedures shall include:		
690.A	1. Handling accusations against staff; and		
	2. Reporting immediately, but no later than 24 hours after having a suspicion of a reportable offense of child abuse and neglect to the local department of social services child protective services unit of the county or city wherein the abuse or neglect was believed to have occurred or to the Department of Social Services toll-free child abuse and neglect hotline and for cooperating with the unit during any investigation.		
Regulation	Medication and health		
710.H	The provider shall develop and implement written policies and procedures regarding:		
710.H	1. Managing medication errors to include the following:		
	administering first aid;		
	contacting the poison control center;		

	notifying the prescribing physician;		
	taking action as directed;		
	documenting the incident;		
	reviewing medication errors and staff responses; and		
	reporting errors to the parent and placing agency.		
	2. Handling adverse drug reactions;		
	3. Revising procedures as events may warrant;		
	4. Disposing of medication and medical supplies such as needles, syringes, lancets, etc.;		
	5. Storing of controlled substances;		
	6. Distributing medication off campus; and		
	7. Documenting medication refusals.		

Regulation	Student Discharge		
740.A	Each school shall have policies and procedures that address conditions for which a student may be discharged from the school.		
Regulation	Maintenance of student records		
750.A	The school shall have written policy and procedures for the management of all records, print and non-print, regarding confidentiality, accessibility, security, retention, and disposition.		



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION

PRIVATE SCHOOLS FOR STUDENTS WITH DISABILITIES

P. O. Box 2120
Richmond, Virginia 23218-2120
Fax Number: 804-371-8796

GENERAL INDEX OF SCHOOL FORMS, AND OTHER DOCUMENTS

Below is a list of forms, reports, and other documents often used in Private Schools for Students with Disabilities. This list is not exhaustive and prospective schools may consider developing forms to meet the unique needs of the school and student population to be served. Include copies of all sample forms or blank templates that the school plans to use with the application packet.

1. _____ Acceptance Letter
2. _____ Application for Admission
3. _____ Behavior Management Program Consent Form (student, parent/guardian/LEA)
4. _____ Calendar (i.e. Including school contact information and operating hours)
5. _____ Complaints to Child Protective Services
6. _____ Computer Use Agreement
7. _____ Confidentiality Form (see Visitor Sign-In Form)
8. _____ Consent to Administer Medication (from parent and doctor)
9. _____ Consent to Exchange Information
10. _____ Consent to Photograph or Videotape
11. _____ Contracts with Parents/Guardians, LEA, and other agency representatives
12. _____ Documentation of Emergency Preparedness (i.e. weekly fire drills for first month)
13. _____ Emergency Preparedness Plan
14. _____ Emergency Drill Forms (i.e. earthquake, fire drill, intruder/lockdown, and tornado drill)
15. _____ Enrollment and/or Placement Agreements
16. _____ Field Trip Permission Form
17. _____ Grading Scale
18. _____ Individualized Instruction Plan (IIP)
19. _____ Incident and Serious Incident Reports
20. _____ Internet or Technology Use Consent/Agreement Form
21. _____ Request for Student Records
22. _____ Medical History Form
23. _____ Medication Administration Log and Transfer of Medication Log (for school use)
24. _____ Medication Error Form (school use)
25. _____ Parent, LEA, and other Agency Contact Logs
26. _____ Permission to Photograph or Videotape
27. _____ Permission to be transported by school staff
28. _____ Progress Reports for Individualized Instruction Plan (IIP)
29. _____ Related Services Documentation Forms (hours and dates of service delivery)
30. _____ Report Cards (interim, quarterly) and Transcripts
31. _____ Staff Professional Development Calendar of Training and Certification documents
32. _____ Student Record Access Form (to be placed in the front of student file)
33. _____ Time Out and Seclusion Records
34. _____ Toileting/Diapering Consent Form
35. _____ Vehicle Safety and Inspection Forms
36. _____ Visitor Sign-In Form (see Confidentiality Form)
37. _____ Volunteer Approval and Documentation

