

Department for the Blind and Vision Impaired

Education Services Guidance Document

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Note: The term “child” or “children” will be used throughout this manual to refer to those served directly by Education Services, with the understanding that “Child” may mean an infant or toddler, a student, or a young adult who has reached the age of majority. Additionally, for the purposes of this manual, the term “parent(s)” means the individual(s) who have legal responsibility for the child. As such, references to parent may include a legal guardian, another family member, or any individual(s) authorized to legally represent the child’s interests, as appropriate to the child’s situation.

Chapter 1: Overview of Education Services

The DBVI Education Services program assists infants, children, and students who are blind, vision impaired, and deafblind in reaching developmental milestones, navigating the education system and achieving educational goals, and maximizing opportunities to live productive lives. Beginning at birth and through high school, DBVI's Educational Services program provides an array of services and resources to assist children and students in achieving these goals.

The Education Coordinators in each region provide services to infants, children and students and training; coaching; consultation; and technical assistance to families, Early Intervention staff, Teachers of the Blind and Visually Impaired, Orientation and Mobility Specialists, and other school and associated service professionals. Services and resources can include, but are not limited to:

- Assessment of infants, home schooled students, and private school students
- Collaboration with Early Intervention staff
- Support in achievement of developmental milestones
- Consultation on educational programming
- Provision of adaptive materials and equipment as appropriate
- Support for Low Vision exams and prescribed Low Vision aids
- Informing students on Pre-ETS/Transition and Vocational activities and programs and assisting them in accessing those services
- Supplying information on community activities and resources
- Promoting DBVI sponsored events including virtual activities, regional activities and events, and Super Summer Camp

Chapter 2: Referral and Application

DBVI Education Services (ES) establishes and implements standards for the prompt and equitable handling of referrals of children for education services. The standards include timelines for making good faith efforts to inform these individuals of application requirements such that necessary information and documentation is gathered to determine eligibility for services.

Services Provided in Referral Status

Services provided to the child and parents in referral status are limited to those services necessary to facilitate the referral for Education Services. Services could include:

1. Providing information and responding to questions regarding Education Services and other DBVI programs and services;
2. Providing information regarding resources that may be available to the child or parents, including local and national consumer organizations and potential sources of acquiring an eye examination;
3. Providing information specific to vision loss/impairment, including resources for students who are deafblind;
4. Providing information regarding potential resources or options for children, students, and families for whom English is not their primary language.

Referrals for Education Services generally come through Teachers of the Blind and Visually Impaired (TVI) and Early Intervention Specialists. However, DBVI accepts referrals for children and students seeking Education Services from the child or student themselves, family, friends, other school divisions staff, the Virginia School for the Deaf and Blind, eye doctors, physicians, advocates, service providers, and other stakeholders. Referrals may also come through the Juvenile Justice System, foster care, residential programs, and for home-schooled or home-bound students.

A current eye report (dated within one year of referral) is required along with submission of the [Education Services Referral form](#) to make a referral. An eye report must contain the following information.

- Acuity (near and distance) with/without correction;
- Primary/Secondary Impairment;
- Diagnosis;
- Prognosis;
- Peripheral visual field (when needed); and;
- Recommendations.

The following criteria will be used by the agency to determine whether the eye examination report effectively documents the vision loss:

1. Visual acuity having not better than 20/200 central visual acuity in the better eye measured at 20 feet with correcting lenses (legally blind);
2. Visual acuity better than 20/200 but with the widest diameter of the visual field in the better eye subtending an angle of no greater than 20 degrees measured (at a distance of 33 centimeters using a three-millimeter white test object, a Goldman III-4e target, or other equivalent equipment) (legally blind);
3. Visual acuity between 20/100 and 20/200 vision in the better eye with best correction if the person has been unable to adjust satisfactorily to the loss of vision and if it is felt that the child needs the specialized services available through DBVI;
4. A field limitation to 30 degrees or less in the better eye combined with the inability of the person to adjust satisfactorily to the loss of vision and the need on the part of the child for specialized services available through the department (severely disabled);
5. In rapidly progressive eye conditions, which, in the opinion of a qualified ophthalmologist, will reduce distance vision to 20/200 or less in the better eye with best correction; or
6. For children whose vision is better than 20/70, substantial documentation is necessary to identify a functional vision impairment. Examples of additional evidence that could be considered include a school division eligibility committee report that determines the child to be "a child with a vision impairment", documentation from an eye care specialist, Neurologist, or related practitioner, with an eye care specialist and/or a functional vision assessment.

Documentation substantiating the vision loss may be accepted in lieu of a formal eye examination report. Substantiating documentation could include:

- Documentation from a Pediatrician documenting vision loss;
- Documentation from a Neurologist documenting vision impairment (e.g., Cortical Vision Impairment – CVI; Traumatic Brain Injury - TBI);
- Documentation from any other medical practitioner credentialed in the area of vision impairment or loss.

Services Provided in Application Status

Services provided for and/or arranged when a child is applying for Education Services are for the sole purpose of determining whether the child meets the criteria of eligibility for Education Services. Services, provided by an Education Coordinator, include:

1. Guidance and counseling;
2. Information and Referral;
3. Interpreter services for children who are Deafblind to ensure access to diagnostic/evaluative procedures, for the initial interview, and for any additional

- required communication necessary for the determination of eligibility;
4. Interpreter and/or translation services for children and parents for whom English is not their primary language to ensure access to diagnostic/evaluative procedures, for the initial interview, and for any additional required communication necessary for the determination of eligibility;
 5. Any other services deemed necessary for purposes of determining eligibility for Education Services.

Initial Interview with the Child and Parent/Guardians

In addition to the documentation received as part of the referral process, an initial interview is conducted. The purpose of the interview is:

1. To provide information regarding DBVI Education Services to the child and parents, as well as information regarding other DBVI programs and services;
2. To provide information regarding potential organizations (both national and local) and community resources to the child and parents;
3. To observe and interact with the child;
4. To collect any additional relevant information/documentation required for eligibility and planning purposes;
5. Through the informed choice process, to review the [DBVI General Application for Services](#) and other DBVI forms, including any necessary release of information forms, and to inform the child and parents of their rights and responsibilities, including appeal rights;
6. To obtain necessary signatures as required;
7. To address any questions/concerns from the child and/or parents; and;
8. To assess the educational needs of the child and parents, and to gather information necessary for eligibility determination and the initial development of an Education Services plan.

The initial visit/interview must be a face-to-face interview conducted by the Education Coordinator with the child and the parents.

Where the child is younger than 18 years old, the parent must sign all DBVI required forms. Children/young adults who are aged 18 or older must sign required forms themselves and DBVI must have a signed consent form from the child to share confidential information with the parent and other family members. The child's verbal consent is sufficient to allow parents or other family members participate in meetings with the Education Coordinator.

Children who are 18 years old or older and have been determined through a court proceeding to be incapacitated or incompetent due to their disability must have DBVI required forms or releases of information signed by either the parent, Guardian, or authorized representative.

Behavioral Observation of the Child and Family

Behavioral observation of the child and family is an integral piece of the initial interview in order to ensure an appropriate assessment of the child's needs for planning purposes. Observations could include the following, dependent on the child's age:

- Functional limitations related to the vision loss;
- Secondary disability or other medical/psychological issues/needs;
- The child's interaction with parents or other siblings;
- Behavioral observations (anxious, angry/upset, placid, depressed, etc.);
- Interpersonal and communication skills.

Voter Registration Material for Applicants

As required by State law, the Virginia Voter Registration Application form and the [Commonwealth of Virginia Voter Registration Agency Certification](#) form must be completed. With a few exceptions, any child who is 18 years old or who is 17 years old and will be eighteen years of age at the next general election shall be permitted to register in advance and also vote in any intervening primary or special election. Education Coordinators should ensure that both they and the child complete and signs the appropriate section of this form.

Chapter 3: Eligibility Determination

DBVI shall ensure that eligibility requirements are applied without regard to age, gender, race, color, or national origin of the applicant, source of referral for education services, and the income level of an applicant or applicant's family.

Education Services Eligibility Criteria

Children seeking services from DBVI's Education Services are determined to be eligible if there is documented evidence consistent with the following criteria:

The definition of "visual impairment including blindness" is met in accordance with [8 VAC 20-81-10](#) and with [\(34 CFR 300.8\(c\) \(13\)\)](#):

1. There is an adverse effect on the child's development and/or educational performance due to one or more documented characteristics of visual impairment; and;
2. The child;
 - a. Demonstrates the characteristics of blindness or visual impairment, as outlined below; or;
 - b. Has any of the conditions, including, but not limited to, oculomotor apraxia, cerebral/cortical visual impairment, and/or a progressive loss of vision, which may in the future, have an adverse effect on educational performance, or a functional vision loss where field and acuity deficits alone may not meet the aforementioned criteria.
3. A child with blindness demonstrates the following:
 - a. Visual acuity in the better eye with best possible correction of 20/200 or less at distance or near; or;
 - b. Visual field restriction in the better eye of remaining visual field of 20 degrees or less.
4. A child with a visual impairment demonstrates the following:
 - a. Visual acuity better than 20/200 but worse than 20/70 at distance and/or near; or;
 - b. Visual field restriction in the better eye of remaining visual field of 70 degrees or less but better than 20 degrees. 8 VAC 20- 81-80.W.3.

5. Deaf-blindness' means simultaneous hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. [34 CFR §300.8 \(c\)\(2\); 8 VAC 20-81-10](#).

For purposes of determining eligibility for services for children aged 0-3, the Education Coordinator must conduct the necessary functional assessment resulting from the child's vision impairment if an infant and toddler specialist is not available.

Determination of Ineligibility

A determination of ineligibility for Education Services is made when:

- The child does not have a documented vision impairment;
- The child or family requests that their DBVI case be closed and/or the child or family refuses services

Chapter 4: Education Services Plan Development and Services

Education Services Plan Development

Education Services are provided through an Education Plan (Plan) which is developed based on child's service needs determined from the initial interview.

Plan goals are generally generic goals based on the service needs of the child and will include goals such as "Age-Appropriate Development" or "Continue as a Student in my School".

Education Services

DBVI's Education Services provides primarily consultation, family and school support, education, and information and referral. Specifically, the education services program can offer:

- Resources that will increase parents' awareness of the needs of infants who are blind or visually impaired, including referral for early intervention services.
- Information about independent living skills, communication skills, orientation and mobility, and visual development as they relate to infants with visual impairment, blindness, and deafblindness.
- Suggestions and guidance for parenting a child who is blind or visual impaired.

For children who are in school, the DBVI provides consultation, technical assistance, and training for families, early intervention professionals, and public-school staff who teach infants and children who are blind or visually impaired. Information includes, but is not limited to:

- Educational programs
- Adaptive materials
- Vocational planning
- Transition related programs
- Community resources
- Independent living
- Recreational planning

DBVI will:

1. Respond to requests for technical assistance or consultation from the family, the student, the school or other stakeholders in the community;
2. Assist in the dissemination of materials that may be available to the school, the family, and/or the child, including adaptive material through APH;
3. Provide adaptive aids and equipment; provide for necessary assessments (including funding if necessary);
4. Participate if requested for planning and/or attend the student's Individualized Educational Plan (IEP) meetings.
5. Provide necessary technical assistance, support, and consultation to teachers, family, and the child who is served in a private school or is home-schooled.

The Education Coordinator may purchase low vision examinations and aids and/or adaptive equipment for children where these services are deemed to be necessary to support the child's Plan goal. No comparable benefit search is required for this service. DBVI is not responsible for the purchase of electronic adaptive aids such as assistive technology.

The Education Coordinator can provide information and support for students and families in order to receive adaptive material and Braille textbooks (instructional materials) through the American Publishing House (APH).

In order to meet the APH eligibility criteria, the student must:

- Meet the Definition of Blindness (MDB): A central visual acuity of 20/200 or less in the better eye with correcting glasses or a peripheral field so contracted that the widest diameter of such field subtends an angular distance no greater than 20 degrees, or;
- Function at the Definition of Blindness (FDB), which is visual performance reduced by brain injury or dysfunction when visual function meets the definition of blindness as determined by an eye care specialist or neurologist, and;
- Be enrolled in a formally organized educational program of less than college level. School-aged students must be enrolled with the registering school or agency on the first Monday in January. Students 18 and older must be registered for at least three months of instruction during the preceding calendar year (an accumulation of 12 weeks).

Chapter 5: DBVI Programs and Services

DBVI may provide eligible other agency services to children when it is determined these services are necessary in order for the child to achieve their Education Services goals.

Low Vision Services

DBVI Low Vision Services may include low vision examinations and aids and/or adaptive equipment for children where these services are deemed to be necessary to support the child's ES plan goal.

Vocational Rehabilitation Services

The DBVI Vocational Rehabilitation program provides vocational rehabilitation services to eligible individuals who are blind, deafblind or vision impaired to assist them to prepare for, secure, retain, advance in, or regain competitive integrated employment that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Once an individual has been determined eligible for vocational rehabilitation services, an individualized plan for employment is developed that may include but are not limited to; training to assist individuals in adjusting to the loss of vision vocational and adjustment counseling; post-secondary school or vocational training; eye surgery and/or eye treatment for a limited number of individuals; adaptive equipment for training and/or employment; rehabilitation engineering services to modify training and/or job sites; customized and supported employment services. Job placement and follow-up services are also provided and are given major emphasis.

Pre-Employment Transition Services (Pre-ETS)

Pre-employment transition services are a sub-set of Vocational Rehabilitation Services and are designed to help students with disabilities begin to identify career interests that will be further explored through additional vocational rehabilitation services, such as transition services. Pre-employment transition services are available only to students with disabilities, whereas transition services may be provided to a broader population including both students and youth with disabilities. ([Per 34 CFR 361.48\(a\)](#))

Pre-Employment Services (Required Services)

The following information is a list of required pre-employment transition services available to students with disabilities, including those who have been determined eligible for VR services as well as those who are potentially eligible.

1. Job exploration counseling;
2. Work-based learning experiences, which may include in-school or after school opportunities or experience outside the traditional school setting

- (including paid work experiences) that is provided in an integrated environment to the maximum extent possible;
3. Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
 4. Workplace readiness training to develop social skills and independent living; and
 5. Instruction in self-advocacy, which may include peer mentoring.

Definitions of student and youth with disability

Student with a Disability means an individual with a disability who:

- Is still enrolled in secondary or enrolled in educational programs outside secondary school, including post-secondary education programs and has not exited, graduated, or withdrawn;
- Is at least 14 years old but less than 22; or is still receiving services under the Individuals with Disabilities Education Act and is not older than the maximum age established by the Virginia Department of Education; and
- And has a disability (i.e. receives services under an IEP or 504 Plan; or has a disability for purposes of section 504, or is otherwise determined to be an individual with a disability)

A Youth with a Disability means individual with a disability who:

- is not younger than 14 years of age; and
- is not older than 24 years of age.

Potentially eligible means: For purposes of pre-employment transition services, all students with disabilities, regardless of whether they have applied for or been determined eligible for the VR program.

Orientation and Mobility Services

Orientation and Mobility (O&M) training helps individuals who are blind, visually impaired, or deafblind to know where they are, where they want to go (orientation), and how to get there safely and independently by walking or using transportation (mobility).

Rehabilitation Teaching Services

The Rehabilitation Teaching program provides specially trained instructors who can assist an individual in learning to adjust to their vision loss by teaching them to function safely, comfortably, and confidently in their home and/or in the community. Areas of instruction include:

- **Orientation Training in the Home Environment** - Teaches basic techniques to orient without the use of a cane. Includes techniques for

walking with a sighted guide, protective techniques, trailing and locating dropped objects, room familiarization and orientation to specific indoor areas.

- **Personal Management (Activities of Daily Living) Skills Training –** Teaches personal care and hygiene, eating techniques, money identification, medical and health management, social obligations, personal grooming, and personal record keeping.
- **Home Management Skills Training -** Teaches adaptive techniques in food selection and preparation; cooking; clothing selection, organization, and care; use and care of home furnishing and appliances; childcare.
- **Communication Skills Training -** Teaches reading and writing Braille, keyboarding, typing, handwriting, use of timepieces and the telephone, familiarity with and use of electronic communication devices, methods of verbal and non-verbal communication, listening skills and record keeping.
- **Crafts, Recreation, and Adaptive Skills Training –** Teaches how to develop self-confidence and adaptive skills including family, social and community activities; educational pursuits; and recreational and leisure-time activities.
- **Adjustment Counseling –** Teaches an individual how to express feelings and thoughts regarding visual disability and specific problems related to it, and to assists them in examining and working through these feelings and attitudes that impede learning skills and effectively coping with problems.

DeafBlind Services

DeafBlind Services staff provides training, consultation, assessment, and technical assistance to each program of the agency to ensure that individuals who are deafblind can fully participate in the agency's programs and services.

An individual who is deafblind has a combined vision and hearing loss. People who are deafblind have all types and degrees of combined vision and hearing losses.

Rehabilitation Technology Services

DBVI Rehabilitation Technology Services help optimize employment outcomes of individuals who are vision impaired, blind, or deafblind. and may have multiple disabilities as well; provide technical support to DBVI and VRCBVI staff; individuals; and current or prospective employers of individuals who are vision impaired, blind, or deafblind. Rehabilitation Technology Services creates individualized solutions by employing the most currently available and most appropriate assistive technology, professional techniques and practices. Rehabilitation Technology Services works cooperatively with other DBVI services empower individuals who are blind, vision impaired, or and who may have multiple disabilities to achieve their greatest possible level of independence.

Rehabilitation services include:

- Technical support to individuals being served, DBVI field staff, VRCBVI staff, college and university professionals, and current and prospective employers of individuals who blind, vision impaired, or deafblind.
- Consultation with current and prospective employers of individuals who are blind, vision impaired or deafblind with vision impairments, as a technical resource where questions exist with regard to the modification of equipment on the work site.
- Coordination of services and technology to ensure that equipment and techniques employed are current and address the changing needs of the individual and that agency staff are trained in the effective use of the assistive technology as needed.
- Technology liaison to various committees and groups ensuring that these groups are fully aware of the latest implementation techniques and technology.

Business Relations Services

DBVI Business Relations Services assist individuals who are blind, vision impaired and deafblind reach their career goal of sustainable employment. Services include providing career related information; assisting individual in the job application process; assisting with resume development; and, assisting in developing interviewing skills. Services also include working with employers in recruiting a highly skilled, pre-screened pipeline of talent.

Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI)

The Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) provides residential orientation and adjustment training to individuals who are blind, vision impaired, or deafblind individual aged 14 and older during the summer program. The full training curriculum includes orientation and mobility, personal and home management, braille, keyboarding and access technology, academic instruction (GED) (if needed), conversations about blindness, vocational services, health education, wellness instruction and recreation, case management services, low vision services, and dormitory services. All classes emphasize the development of self-confidence and promote a positive attitude about blindness

The LIFE program is a 5-week residential training program during the summer for students between the ages of 14-18 years old who are returning to a high school academic program. The LIFE program provides basic training in the skills of blindness; advocacy skills; and independent living skills. It also provides students with opportunities to explore employment and college goals and to gain work experience and to network with successful mentors who are blind, vision impaired, or deafblind. Students work part-time in a community-based setting during the last three weeks of the LIFE program.

Library Resource Center

The Library Resource Center provides services to individuals who are print disabled and administers two different programs are administered. Library. Library services are provided free of charge to those eligible, through the [National Library Service for the Blind and Physically Handicapped](#) (NLS) network of the Library of Congress. DBVI works with affiliated sub-regional libraries in public libraries in [Alexandria](#), [Arlington](#), [Fairfax](#), [Fredericksburg](#), [Roanoke](#), [Staunton](#), and [Virginia Beach](#). The books and equipment are provided free to the affiliated libraries from The Library of Congress, and services are administered at the state and local level. Currently, 8,000 people who are print disabled are patrons of a lending collection of 80,000 titles recorded on cassette, digital cartridge, Braille, large print and descriptive movies. The library collection includes books and magazines covering a range of topics and reading levels. Required playback equipment and accessories are also furnished. Books and equipment are mailed to and from eligible persons using the “free matter for the blind” mailing privilege. The LRC is currently focused on the NLS transition to complete digital format, which will take place over the next three years.

A variety of Resource Center services are provided to blind and vision impaired and deafblind children and students from birth through the 12th grade, school divisions, and teachers in the Commonwealth. The Center houses an inventory of [adaptive equipment](#) that is distributed to blind, and vision impaired and deafblind infants, children and youth throughout the state. Inventory items range from technology such as Braille note-takers and specialized software, to Braille paper. The Resource Center also provides [Braille textbooks](#), workbooks and novels for use by blind and visually impaired students in their local school districts. Orders for books in adapted formats are placed through the Virginia Department of Education’s statewide ordering system, [AIM-VA](#), located at George Mason University. The LRC receives automated copies of orders for Braille. Textbooks are produced by the LRC or purchased from another state and loaned for the school year. Expanding methods of Braille production continues to be a major focus of this program.

Chapter 6: Education Services Case Closure

The cases of children served through DBVI's Education Services must be closed when:

1. The child who was determined eligible for services is no longer enrolled in a school program (including children who are home schooled).
2. The child who was determined eligible for services has reached the age of 23.
3. The Child was determined not eligible for Education Services.
4. The Child moves out of state, dies, is incarcerated, or otherwise is unable to participate in Education Services.
5. The Child or Parents determines they do not wish to pursue or to continue Education Services.
6. The Child or Parents is/are non-cooperative, fails to respond, or otherwise fails to participate in Education Services.

Chapter 7: Dispute Resolution

Children and/or their parents have the right to initiate dispute resolution proceedings if they disagree with the way DBVI is providing services to them and/or wish to appeal a decision regarding services. Education Services will be maintained during any dispute resolution or appeal process unless the child or parents requests otherwise. Children and their families will be provided with information regarding the [Client Assistance Program \(CAP\)](#).

Dispute Resolution between the Student or Parent and the Education Coordinator

Students and/or their parents with concerns or questions regarding their Education Services will be encouraged to contact their assigned Education Coordinator directly so that the relevant issues can be addressed quickly and informally. Where attempts to resolve the dispute between the student/parent and the Education Coordinator are not successful, the Education Coordinator will provide the student/parent with the contact information for their Regional Manager. The Director of Services for Children and Youth shall be notified as well of the issue, either by the Education Coordinator or the Regional Manager.

The Regional Manager is responsible for contacting the student/parent in an attempt to resolve the issue. Meetings with the student/parent to clarify their concerns is strongly encouraged, with participation by the Regional Manager, the Education Coordinator, and the Director of Services for Children and Youth, as appropriate. Disputes that cannot be resolved through the Regional Manager, including specific requests by the student/parent that have been denied, shall be referred to the Deputy Commissioner for Services for further action.

Education Coordinator and School System Disputes

Given the role of the Education Coordinator with both the student/parent and the public school system, the potential exists for a request for the involvement of the Education Coordinator when disputes arise. The participation of the Education Coordinator in meetings or conferences involving the local school system and the student/parent for education planning is encouraged as schedules permit. However, the Education Coordinator may be asked to participate in meetings that are more formal in nature (such as a hearing) and are specific to resolving a dispute between the child and parents and the school system. In these situations, the Education Coordinator must not assume the role of an advocate, either for the child or the school system, nor shall legal advice of any kind be provided by the Education Coordinator. Referral to the Client Assistance Program (CAP) is appropriate. With an appropriate release of information, the Education Coordinator may participate in these proceedings in order to provide information regarding the child's vision impairment and the services that have been provided by DBVI.

Subpoenas or Judicial Orders issues to Education Coordinator must be submitted to the Deputy Commissioner for Services. The Director of Services for Children and Youth and the Regional Manager must be notified when and that a subpoena or Judicial Order has been received. Requests for records through a subpoena or Judicial Order may be honored with approval from the Deputy Commissioner for Services. The Education Coordinator may provide requested records with an appropriate release of information from the child or parents authorizing the release of records.

The Education Coordinator shall retain the subpoena (or a copy) in the child's case file and a copy of the DBVI written response.

Chapter 8: Electronic Signatures, Confidentiality, Documentation, and File Requirements

Education Services Electronic Signature Policy

Education Services staff may utilize agency approved electronic signature processes for the purpose of acquiring the individual's signature on documents where Education Services policy requires a signature from the individual. The use of the electronic signature process is intended to ensure Education Services are efficiently implemented and maintained when issues of time, travel, geographic location, or other reasons challenge the timely acquisition of a traditional "wet" signature, either in person or through the mail.

Electronic signatures are deemed to be a valid signature when:

1. The individual purposely and deliberately signs the document in question. That is, they understand and agree with the information contained in the document as demonstrated by their consent to use their electronic signature as a valid signature.
2. The email address that the individual uses for the electronic signature process is unique to them; that is, the email address is not a shared email address with others and the individual has control over access to the email address via a password, a PIN, or similar controls. The individual is responsible for updating the Education Coordinator should their email address change.
3. The document is retained as a record that is accessible for future access.

DBVI and the individual must both agree to utilize an electronic signature procedure for each and every document requiring the individual's signature.

Protection, Use, and Release of Personal Information

Federal and state law, regulations, and agency policy dictate that DBVI employees and contractors maintain the confidentiality of all children served by the agency. A signed release of information must be obtained before information may be shared; only the information specified on the release may be shared, and only with the individuals or entities designated by the child or parent on the release of information.

In any situation where it is determined that the child poses a danger to themselves or others, in response to an emergency where medical or police intervention is required, or in compliance with any subsequent court order, necessary information may be shared without consent.

Release of Information to Parents, Legal Guardians, or Authorized Representatives

The parents or legal guardians of children who are applying for or receiving Education Services who are under age 18 have the right to review the minor child's case record (including information about the child dropping out of school, sexual activity, etc.), discuss the child's Education Services, or make decisions about the child's Education Services (including signing DBVI documents for the child), without the child's informed written consent except:

1. Any information regarding outpatient diagnosis, treatment, care, or rehabilitation for alcohol or other substance abuse, mental illness, or emotional disturbances ([§ 54.1-2969 of the Code of Virginia](#)). However, the child's consent is not required for parental access to inpatient treatment, care, or rehabilitation since minors cannot check themselves into an inpatient treatment program, or for parental access to other types of information (e.g., child is sexually active, child has dropped out of school, etc.), or;
2. When parental rights have been terminated or a court has restricted or denied parental or representative access to the individual's confidential records, or;
3. When the individual is emancipated (e.g., married, court order, etc.), or;
4. Any information furnished in confidence to the Virginia Department of Social Services and an investigation is ongoing (e.g., on abuse or neglect charges) and any information Social Services provided to the Education Coordinator with a stipulation that release of the information is prohibited.

For parents of children who are applying for or receiving services and are 18 or older and are legally competent, informed written consent is required in order for the parent, guardian, or representative to review or obtain a copy of the child's Education Services case file, discuss the child's Education Services or make decisions on the child's behalf (including signing DBVI documents). Informed written consent is required for parental access to special education records when the individual is 18 years or older (per P.L. 105-17 Individuals with Disabilities Education Act, [Federal Regulation 34 CFR § 300.520](#)).

Non-Education Services DBVI Staff

Informed written consent shall not be required for other DBVI divisions and staff of DBVI.

Service Providers

Informed written consent shall be required from the child (or parent, guardian, or representative) in order for DBVI Education Services staff to provide information to any school division or service providers outside the agency.

Mandated Reporters

[Code of Virginia, Title 63.2.1509: Mandates the immediate reporting of suspected abuse, neglect, or exploitation of children](#)

If a DBVI staff member suspects that child applying for or receiving Education Services is about to confide abuse, neglect or exploitation of themselves, a child, or of another adult, the staff member must inform the child that the DBVI staff member is required by law to report complaints to the Department of Social Services but that all information relating to the complaint and any forthcoming investigation will remain confidential and will not be released without a judicial order. The staff member must note in the child's case file the date the report was made and list any documents DBVI provided to the Department of Social Services.

DBVI staff must report, within 72 hours, to Department of Social Services any suspected abuse or neglect of a child, even if the child shares the information with the staff member in confidence. The staff member may be subject to a state fine for failing to report the information within 72 hours of first suspicion. The DBVI staff member must report the information to the Social Services office in the locality where the individual resides, or where the alleged incident is believed to have occurred. Suspected child abuse and neglect may also be reported through the Social Services toll-free child abuse and neglect hotline. The report may be oral or in writing (per [§ 63.2-1509 of the Code of Virginia](#)).

DBVI must immediately report any suspected abuse, neglect, or exploitation of an individual, even if the individual shares the information with the staff member in confidence, to the appropriate protective services hotline or the Department of Social Services office in the locality where the individual resides or where the abuse, neglect or exploitation is believed to have occurred. The DBVI staff must note in the case file the date the report was made and list any documents DBVI provided to the Department of Social Services. Any Education Coordinator who has reason or cause to suspect that an individual has died as a result of abuse or neglect must immediately report this suspicion to the appropriate medical examiner and law enforcement agency.

The Education Coordinator may be subject to a fine for failing to immediately report the information upon reason to suspect and will be subject to a criminal conviction for making or causing to be made a false report ([per § 63.2-1606 of the Code of Virginia](#)).

Even with informed written consent, DBVI shall not release any information that the Department of Social Services has indicated shall not be re-released ([per § 63.2-105 of the Code of Virginia](#), and [34 CFR § 361.38](#)).

Chapter 9: Education Services Staff and Virginia Teaching Licenses

The Department of Education's (DOE) re-licensing process is detailed in the DOE publication, the [Virginia Recertification Manual](#).

The responsibility for re-license is placed on the license holder and the Employing Educational Agency. As an Employing Educational Agency, the Department for the Blind and Vision Impaired (DBVI) has the following responsibilities:

1. Each employee holding a renewable Virginia license needs an "advisor."
2. Advisors should have a copy of the Virginia Recertification Manual.
3. There should be a variety of re-license options available within the resources of the agency (e.g., College Credit, Professional Conference, and Publication of an article or book, other professional development opportunities).
4. The Education Coordinator is responsible for maintaining and submitting all required documentation required for re-licensure to the Director of Services for Children and Youth (or their designee) in a timely manner such that the documentation may be reviewed and submitted to the Department of Education prior to the re-licensure deadline.
5. The Director of Services for Children and Youth or their designee will certify and forward the license holder's completed Individualized Re-license Record to the Virginia Department of Education, Office of Professional Development and Teacher Education after January 1 but before June 1 of the tenth year of the license holder's current validity period.