

VIRGINIA ACTS OF ASSEMBLY - 2025 SESSION

CHAPTER 469

An Act to amend the Code of Virginia by adding a section numbered 22.1-217.4, relating to students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

[S 1034]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-217.4 as follows:

§ 22.1-217.4. Students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

A. As used in this section, "augmentative and alternative communication" or "AAC" means any method or tool other than oral speech that an individual uses to communicate, including gestures, facial expressions, writing, and speech-generating devices.

B. In accordance with the definition of "assistive technology service" in 8VAC20-81-10, subsection F of 8VAC20-81-100, and subsection F of 8VAC20-81-110 of the Virginia Administrative Code, a school division shall document on the individualized education program of a student with a disability who needs or uses AAC, beginning prior to the provision of instruction or direct support to the student, including in any extended school year period, the student's AAC and communication access and support needs, including, as appropriate, individualized training as an assistive technology service for each school division employee or contractor who provides instruction or direct support to such student, to support the student's use of AAC and to ensure that curricula and instruction are designed or adapted as necessary to accommodate the student's unique communication access needs. In any case in which the individualized education program of such a student indicates the need for such training and the school division employee or contractor who will provide instruction or direct support to such student is known prior to the start of the school year, such individualized training shall occur prior to the start of the school year. In any case in which the individualized education program of such a student indicates the need for such training and (i) the student enrolls in a new school division during the school year; (ii) the student's initial individualized education program starts during the school year; (iii) the student transfers to a different school, classroom, or educational setting within a school division during the school year; or (iv) a different school division employee or contractor who will provide instruction or direct support to such student transfers into the student's classroom or educational setting during the school year, such individualized training shall occur as soon as possible after such occurrence.