WEST VIRGINIA CODE: §18-20-1A

§18-20-1a. Preschool programs for students with disabilities or developmental delays; rules and regulations.

(a) Each local educational agency (LEA) shall develop a coordinated service delivery plan in accordance with standards for preschool programs for students with disabilities or developmental delays and begin services where plans are already developed with IEPs in place by the student's 3rd birthday.

(b) Each local educational agency (LEA) shall establish and maintain a special educational program, including, but not limited to, universal Pre-K classes which integrate students with disabilities, special classes and services provided in out-of-school environments for all students with disabilities three through five years of age.

(c) As used in this section, the term "students with disabilities" means those eligible individuals who fall in any one of the disability categories as defined in federal or state special education regulations. Special education and related services for eligible students with a developmental delay will be provided as of the student's third birthday when eligibility is determined prior to the third birthday.

(d) This programming is available to all such students in the state, including in mental health facilities, residential institutions, and private entities who have entered into an agreement for collaborative programming with a local educational agency (LEA).

WV Legislature