



JIM HOGG COUNTY

INDEPENDENT SCHOOL DISTRICT

Special Education Operating Guidelines

2019-2020

Jim Hogg County ISD serves over 113 students eligible for special education and related services. The District is dedicated to providing exceptional individualized services in accordance with federal and state regulations, as well as school board policy. In collaboration with all stakeholders, including parents and guardians, the goal is to educate students with disabilities to reach their highest potential to become as independent as possible for employability and post-high school education opportunities.

The District is staffed with at least 2 teachers per campus to provide instruction and support to students. Special Education Teachers also take the role of case managers for students' Individual Education Plans and coordinate instructional services with campus staff to ensure of a Free and Appropriate Public Education. Campus teachers are supported by instructional assistants, an Educational Diagnostician, a Speech-Language Pathologist, a Licensed Specialist School Psychologist, and other related service contractors including an occupational therapist, a physical therapist, and a vision-impaired teacher for orientation and mobility.

In partnership, our beliefs are consistent with the high expectations and growth mindset in delivering high-quality instruction in positive learning environments where students are empowered and engaged in meaningful classroom instruction and related services. This shared responsibility maximizes our belief that all students are general education students first.

Our Mission

To ensure educators empower and engage students with disabilities with targeted, intentional, and high-quality instruction to maximize opportunities for employment, post-secondary education, and personal success.

Our Vision

To enable students to be prepared for personal success beyond high school.

Operating Guidelines

This document supports the JHCISD team to navigate the District's Special Education process. It is updated frequently to reflect changes in federal, state, and local policies and practices regarding students with disabilities. The Special Education Department is available for further clarification and assistance.

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Accessible Instructional Materials

What's Required

Section 504 of The Rehabilitation Act ([504]1973), the Americans with Disabilities Act ([ADA]1990), and the 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) all require schools to provide all students with disabilities equitable access to all instructional materials required in the K-12 classroom. These include materials that may be required by the state (e.g. textbooks), district (e.g. additional required readings), or classroom teacher (e.g. syllabus). Understanding this requirement and how to provide these materials in specialized formats (Braille, large print, or digital) in a timely manner is the responsibility of all classroom teachers.

What We Do

Instructional/educational materials typically are provided for students in one of five formats: physical objects (manipulatives), print/text based (text books), audio (video, audio books), digitized (software or web-based content). The method of providing AIM/AEM will vary depending on the individual need of the learner to access the material and the type of material.

Methods of providing AIM/AEM based on the individual need of the learner and/or type of material:

- For students not identified as a student with a disability under the ADA, Section 504 or the IDEA, schools can provide print/text based materials whether paper based, digital document (i.e. Microsoft Word document or Adobe pdf document, etc.).
- For students with a disability identified under the ADA, Section 504 or the IDEA, schools provide AIM/AEM following one or more of the following processes depending on the type of material:
 - Physical objects (manipulatives): To identify strategies for providing students with disabilities AIM/AEM involving physical objects, schools submit a request for Occupational Therapy (OT) screening.
 - Print/text based (textbooks)
 - Students with visual impairments are provided assistive technology devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for students with visual impairment. These access needs are documented in the student's individualized educational program (IEP).
 - Audio (video, audio books):

- Students with auditory impairments are supported with accommodations and/or assistive technology devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for students with auditory impairment and/or audiologist. These access needs are documented in the student's individualized educational program (IEP) or 504 plan.
- Students with physical disabilities limiting their ability to independently access school computers and web-based content are supported with accommodations and/or assistive technology devices providing them access to instructional/educational materials. These supports are specifically identified to meet their individual learning needs of the student through the ARD/IEP process.

AIM/AEM Decision Making Tools

The [National Center for Accessible Educational Materials](#) provides two resources to support school teams in making AIM/AEM decisions aligned to individual student strengths and needs.

The [AEM Navigator](#) facilitates a decision making team (ARD/IEP team or 504 committee) to identify the instructional materials the student may have difficulty accessing and the supports to consider for the student.

The [AEM Explorer](#) is a simulation tool allowing individuals to experience the support provided by various computer based tools and determine which tools may be beneficial for the student.

Accommodations, Modifications, Supplementary Aids and Services

What's Required

Supplementary aids and services, special education, and related services must be based on peer reviewed research to the extent practicable. The admission, review, and dismissal (ARD) committee must determine needed supplementary aids and services to be provided to the child, or on behalf of the child

([34 CFR 300.320\(a\)\(4\)](#), [20 USC 1414\(d\)\(1\)\(A\)\(i\)\(IV\)](#)19, [TAC 89.1050\(a\)\(1\)](#)).

The term "supplementary aids and services " means aids, services, and other supports that are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable the child with a disability to be educated with nondisabled children to the maximum extent appropriate ([34 CFR 300.42](#) and [20 USC 1401\(33\)](#)).

The ARD committee must determine needed program modifications or supports for school personnel that will be provided to the child to enable the child to: advance appropriately toward attaining the annual goals; be involved in and make progress in the general education curriculum, and be afforded an equal opportunity to participate in extracurricular and other nonacademic activities including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities; special interest groups or clubs sponsored by the local educational agency (LEA), referrals to other agencies that provide assistance to individuals with disabilities, and employment of children, including both employment by the LEA and assistance in making outside employment available

([34 CFR 300.117](#), [34 CFR 300.107](#), [20 USC 1414\(d\)\(1\)\(A\)\(i\)\(IV\)](#)).

The LEA is required to provide training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the IEP developed for the child receiving instruction from the educator

([TEC 21.451\(e\)](#) and [TEC 21.451\(d\)\(2\)](#)).

What We Do

Accommodations

An accommodation is a change in the teaching or testing procedures in order to provide students access to information and to create an equal opportunity to demonstrate content knowledge and skills.

An instructional accommodation does not change what the student is expected to master; therefore, curriculum content remains intact.

In Texas, an accommodation is defined as practices and procedures that are "intended to reduce or even eliminate the effects of student's disability, but do not reduce learning expectations".

Modifications

A modification is a change in what the student is expected to learn and/or demonstrate.

An instructional modification indicates what is being taught the - curriculum content - is altered.

As an example, students may not be required to learn all of the course objectives but only targeted objectives.

A curriculum modification reduces content and skills the student is required to learn.

In Texas, a modification is defined as "practices and procedures that change the nature of the task or target skill".

Accommodations and modifications should be individualized and routinely used during classroom instruction and testing. Data regarding the use of accommodations and modifications, such as observational reports and/or assignment/test scores with/without the use of accommodations should be collected and analyzed on a regular basis to determine (a) if the accommodations are being implemented as specified by the student's ARD Committee and (b) if the student is benefitting from the use of the accommodations and modifications.

Supplementary Aids and Services

Supplementary aids and services are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

Frequency, Duration, and Location of Services:

The student's IEP must include information about the amount of services that will be provided so that the level of commitment is clear to parents and other ARD Committee members. The ARD Committee is responsible for documenting in the student's IEP the projected date for the beginning of services and the anticipated frequency, location, and duration of those services. Requirements for documenting the provision of related services include:

- Frequency: Describes how often the child will receive the service(s), e.g., number of times per day or week. If the services is provided less than daily then the conditions for the provision of services must be clearly specified within the ARD documents using a weekly reference (ex: 1 hour per week, 30 minutes every two weeks)
 - Duration: Describes how long each "session" will last (number of minutes) and when the services will begin and end (starting and ending dates)
 - Location: Describes where the services will be provided (in the general education classroom or another setting such as a special education resource room)

Additional information regarding frequency, duration and location is available at:

[TEA Frequency, Duration, and Location](#)

Students with disabilities must have available an instructional day commensurate with that of students without disabilities. The ARD Committee will determine the appropriate instructional setting and length of day for each student.

Consideration of Special Factors:

The IEP should document consideration of special factors including:

- The communication needs of the student,
- In the case of a student with limited English proficiency, the language needs of the student as those needs relate to the student's IEP, and
- In the case of a student whose behavior impedes his/her learning or that of others, consideration of positive behavioral interventions, strategies, and supports to address that behavior.

Adapted Physical Education

What's Required

The reauthorization of the Individuals with Disabilities Education Act (IDEA) requires that physical education services must be made available to every student with a disability to ensure students receive a Free Appropriate Public Education (FAPE).

What We Do

Adapted Physical Education (APE) is an instructional service provided to support Jim Hogg County ISD's comprehensive physical education program. Its purpose is to provide an individualized physical education program in which the activities and instructional strategies or procedures are adapted to the specific strengths and deficits of students with disabilities. APE is designed to address the individual needs of a student as indicated in the student's annual goals and objectives included in his/her individual education program (IEP):

Jim Hogg County ISD's physical education curriculum focuses on the development of fitness for life. The district's instructional curriculum supports developing a knowledge of fitness and psychomotor skills through a variety of activities based on the Texas Essential Knowledge and Skills (TEKS) for Physical Education Section 28.002. Students with disabilities are provided full access to the same programs as their non-disabled peers. Emphasis is placed on age appropriate activities for achievement of physical, social, and cognitive development toward a wholesome lifestyle. Each student with a disability must be afforded the opportunity to participate in the general physical education program available to nondisabled students unless the student has significant deficiencies in the psychomotor areas that require specially designed physical education, as identified in the student's individual education program (IEP).

Request for Technical Assistance

- If the referral is prior to an ARD/IEP Committee meeting, the teacher or staff initiating a referral for Adapted Physical Education must contact the Educational Diagnostician assigned to the student's campus.
- The Educational Diagnostician will review the information and pertinent data regarding the need for Adapted PE.

Request for Consult/Evaluation

- Jim Hogg County ISD will also have an opportunity to receive consultation from the Region One ESC on any additional need and/or assistance regarding APE.

Request for Evaluation

- If an Adapted Physical Education evaluation needs to be requested for a student receiving Special Education services, the Educational Diagnostician will schedule an ARD/IEP Committee meeting to discuss the request for evaluation.
- If the ARD/IEP Committee determines that an APE evaluation is needed, parent consent will be obtained.

Evaluation Procedures

- Evaluation procedures are used to interpret the data collected from screening and evaluation instruments, observations, and review of records to assist the ARD/IEP Committee in determining a student's eligibility for APE services.
- An evaluation is completed within 60 days of obtaining the parent's written consent to evaluate.
- After the Request for Special Education Services/Evaluation form is received, the APE teacher will work in collaboration with the general education PE teacher to facilitate instructional activities.

ARD/IEP Committee Meeting Procedures

- An ARD/IEP meeting will be held within 30 days of the evaluation.
- The Adapted PE teacher will provide the Educational Diagnostician with a copy of the student's APE evaluation, eligibility and, if appropriate, draft IEP goals and objectives, to include in the Notice of Admission, Review, and Dismissal/Individualized Education Program(ARD/IEP) Committee Meeting.
- The ARD/IEP Committee will determine eligibility for APE services based on recommendations in the student's evaluation report and input from ARD/IEP committee members.
- If the student meets eligibility criteria to receive APE services, the ARD/IEP Committee will determine the service delivery model, the location, frequency, and duration of needed services.
- If the student does not meet eligibility criteria to receive APE services, the student will remain in their current setting.
- The ARD/IEP Committee may make recommendations to support the student in general physical education classes.

Re-Evaluation

- Re-evaluations are conducted every three years to determine continued eligibility for APE services.
- If a need for further evaluation is identified during the Review of Existing Evaluation Data (REED)/ARD/IEP Committee meeting, parental consent for evaluation will be obtained.
- The APE teacher will review previous evaluation results, goals and objectives, and current data from teachers.

- Upon receipt of the completed Request for Special Education Services/Evaluation form (indicating Evaluation) from the Educational Diagnostician, the Adapted PE Teacher will complete the previously-described Evaluation Procedures.

Criteria for Dismissal

- The student may be dismissed from APE services by the ARD/IEP Committee according to one of the following criteria:
 - The ARD/IEP Committee determines the student no longer requires modifications or accommodations to benefit educationally from APE services.
 - Results of an Adapted Physical Education evaluation indicate that the student no longer has a gross motor deficit requiring APE services.
 - The ARD/IEP Committee determines physical education is inappropriate for the student due to a physical or medical condition defined by a licensed physician.
 - The student meets annual goals and objectives as stated in the ARD/IEP, which may include graduation requirements for high school physical education.
 - The student no longer meets age eligibility criteria as defined by TEA.

Adaptive Equipment

What's Required

Students with disabilities, whether identified under the Individuals with Disabilities Education Act (IDEA, [2004]), Section 504 of the Rehabilitation Act (504, [1973]), or the Americans with Disabilities Act (ADA,[1990]), occasionally require adaptive equipment to enable them to achieve their highest level of independence with an activity or in the context of a setting. This adaptive equipment may be required across school and home settings and therefore be described as a personal use item, or may be required specifically for a student to access, participate in, and thus benefit from the instructional program provided at school.

What We Do

Special Education in Jim Hogg County ISD supports campus administrators to consider appropriate options to support students with disabilities to access, participate in, and benefit from instruction on the campus. There are three channels in which a student's need for adaptive equipment is typically identified: medical prescription; campus concern for the student's safety; or related service evaluation.

Medical Prescription

When a child's need for adaptive equipment is identified by a medical practitioner, a physician typically prescribes the equipment to meet the personal use needs of the student. The medical practitioner assists the family to identify the avenues for obtaining the equipment through private insurance, Medicaid, or a social service agency. This equipment is typically custom fitted to the student's specific needs related to the level of impairment the student experiences as a result of disability and the functional outcomes to be achieved by the equipment.

If a family needs support in obtaining the personal use adaptive equipment a student may require, assistance should be requested from the Special Education Department. This assistance will typically support the family in connecting with community resources and social agencies.

Some funding sources such as Medicaid require assessment by an occupational or physical therapist as part of the ordering process for certain medical equipment, such as wheelchairs, walkers, etc. If the student does not have a private therapist, the school therapist can assist the family by completing the assessment for personal equipment. The school therapist will not identify the specific equipment that is needed, but can provide assessment information that is required such as level of impairment and information about body structures and functions. The school therapist will not measure for personal equipment or recommend the specific personal equipment that the student may need.

Campus Identified Safety Concern

When a need for adaptive equipment is identified due to concern for a student's safety at school, this concern should immediately be brought to the attention of the campus Principal and the

student's parent/guardian/surrogate parent or the adult student. If the concern is one that is specific to the ability of the student to access the resources currently available on the campus, the solution is typically developed by a campus team and may involve modifications to the campus procedures, structures, or materials.

If a student's personal adaptive equipment (wheelchair, walker, etc.) is in need of repair or if the campus is concerned that the student's safety in the equipment is at risk, the campus Principal and parent should be notified. Emergent concerns regarding student's personal wheelchairs or ambulatory devices should be relayed to the physical therapist assigned to the campus. If unable to contact the physical therapist, the occupational therapist assigned to the campus should be contacted. The therapist is only able to make minor adjustments and repairs (such as tightening non-cable type brakes) to student's personal equipment, and this is done with parent or guardian permission. The therapist can identify needed repairs or adjustments and communicate these needs to the student's parent or guardian.

If there is a concern regarding the wheelchair that may impact the student's safety while transporting the student on the bus, the campus should contact the Transportation Department.

If there is concern about how to appropriately include the student in the campus evacuation plan, the campus Principal should seek assistance from the Office of Risk Management.

Related Service Evaluation

When durable adaptive equipment is identified through an occupational therapy, physical therapy, or assistive technology evaluation, the adaptive equipment is provided through the Jim Hogg County ISD Special Education Department. This equipment is typically identified as assistive technology in the student's individualized educational program (IEP) and is recommended specifically to assist the student to access, participate in, and benefit from the instructional program. This equipment is durable and is designated for use only by the student for which it is assigned by the evaluator. While consumable instructional materials may also be included as suggested interventions from these evaluation processes, consumable instructional materials are the responsibility of the campus to provide for all students when necessary, including students with disabilities.

If a need for considering a student with disability's need for adaptive equipment to access, participate in, and thus benefit from the instructional program, the campus team should follow the procedures for requesting technical assistance by Occupational Therapy Services, Physical Therapy Services or Assistive Technology Services.

ARD – IEP Committee

What's Required

Each local educational agency (LEA) must establish an admission, review and dismissal (ARD) committee for each eligible child with a disability and for each child for whom an initial Full and Individual Evaluation is conducted [19 TAC 89.1050](#). The ARD/IEP Committee is the: (1) Eligibility team defined in federal law [IDEA 2004, 34 CFR 300.306](#). (2) Individualized education program (IEP) team defined in federal law [IDEA 2004, 34 CFR 300.321](#). (3) Placement team defined in federal law [IDEA 2004, 34 CFR 300.116](#). The term IEP means a written statement for each child with a disability that is developed, reviewed and revised in accordance with the [ARD/IEP committee framework](#). The ARD committee must review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals are being achieved. The ARD committee must determine the child's placement at least annually [34 CFR 300.116\(b\)\(1\)](#). The ARD/IEP Committee may meet more often than annually to revise the student's IEP, as appropriate, to address: (1) any lack of expected progress toward the annual goals, (2) the results of any reevaluation, (3) information about the student provided to, or by the parents, (4) anticipated needs of the student or (5) other concerns. A parent may request an ARD/IEP committee meeting (at a mutually agreeable time) at any time to discuss educational concerns such as placement, IEP goals and objectives, and the extent of services being provided to the student. The school must either grant the parent's request to have a meeting or contact the [Texas Education Agency \(TEA\)](#) to ask for assistance through mediation.

ARD/IEP Committee Membership: The [ARD/IEP committee](#) means a group of individuals composed of: [34 CFR 300.321](#); [19 TAC 89.1050](#)

- The parents of a child with a disability
- Not less than one regular education teacher of the child
- Not less than one special education teacher
- A representative of the local education agency (LEA)
- An individual who can interpret the instructional implications of the evaluation
- Other individuals who have knowledge or special expertise regarding the child
- The child with a disability, whenever appropriate
- A teacher who is certified in the education of children with auditory impairments for a child with a suspected or documented auditory impairment including suspected or documented deaf-blindness

- A member of the language proficiency assessment committee (LPAC) when determining participation in state and district wide assessments for a child with limited English proficiency, to address the child's language needs; and
- A representative from Career and Technical Education (CTE), preferably the teacher when considering initial or continued placement of a child in CTE.

See Legal Framework References to Attendance and Excusal: [ARD Committee Membership](#) and Legal Framework References to the: [ARD/IEP Committee](#)

What We Do

The ARD/IEP must be in effect at the beginning of each school year for every child with a disability. The ARD/IEP Committee includes the following participants (general composition):

- A representative from the school district who is qualified to supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general education curriculum, and who is knowledgeable about the availability of resources in the school district
- The student's current special education teacher or special education provider who must be appropriately certified or licensed
- The appropriate general education teacher(s) who is responsible for implementing a portion of the student's IEP for those students who are receiving, or who are expected to receive, instruction in general education
- The student, the student's parent(s), and/or a designated representative participates as follows:
 - A student 18 years of age or older who has not been judged by a court of law to be incompetent to manage personal affairs or who has not relinquished rights to parents in writing will participate in his/her ARD/IEP meeting.
 - A parent participates if the student is younger than 18 years of age, if the student is 18 years of age or older and has been judged by an appropriate court of law to be incompetent to manage personal affairs, or if an adult student has relinquished rights to his/her parent(s) in writing.
 - The district must be notified of a designated representative.
- Other professional certified specialists as required:
 - Speech-Language Pathologistt when students with speech impairments are being considered
- An individual who can interpret the instructional implications of evaluation results
 - A professional certified in the education of students with auditory impairments when students with auditory impairments are being considered

- A professional certified in the education of the visually impaired when students with visual impairments are being considered
- The Career and Technical Education (CTE) teacher who will instruct the student is a member when the committee is considering placement in a CTE program.
- The Life Skills or Work Based Learning teacher if work based learning is being proposed or discussed
- The appropriate related services personnel (occupational and physical therapists, in-home trainer, etc.) when necessary
- A professional representing the Language Proficiency Advisory Committee (LPAC) when a student with disabilities and limited English proficiency is being considered

Duties of the ARD/IEP Committee

The ARD/IEP Committee makes decisions concerning the educational program for students who are eligible to receive special education services. Among other responsibilities, the ARD/IEP Committee performs the following functions:

- Reviews data from the student's assessment
- Establishes eligibility for special education services
- Develops and reviews the IEP and the Functional Behavior Assessment/Behavior Intervention Plan (FBA/BIP), completes the transition information section of the ARD/IEP Committee Report document, and incorporates information in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services
- Provides an audio-taped copy of the student's ARD/IEP committee meeting in the parent's native language if the parent does not speak and understand English. Provides an interpreter in the parent's native language.
- Provide for educational placement in the least restrictive environment appropriate to meet the needs of the student
- Makes decisions regarding promotion or retention of students with disabilities receiving special education services
- Makes decisions about student participation in local and state assessments.

Duties of the Educational Diagnostician

- Coordinate scheduling of ARD/IEP committee meetings at a time mutually acceptable to the parent/adult student and other members.
- Provide the parent/adult student with written notice of ARD/IEP committee meetings at least 5 school days prior to the meeting.
- Ensure the Notice of Procedural Safeguards Booklet is provided to parent/adult student or guardian with the Notice of ARD/IEP committee meeting for an initial or evaluation ARD/IEP committee meeting and at least annually thereafter.

- Record the Notice of the ARD/IEP committee meeting and [Notice of Procedural Safeguards](#) booklet in the IEP/ARD software management system.
- Conduct the ARD/IEP committee meeting
- A campus administrator will take minutes
- Facilitate resolution of problematic ARD/IEP committee meetings.
- Monitor the input of information in an ARD/IEP data management system (SuccessEd).
- Ensure that proceedings of the ARD/IEP committee meetings are recorded.
- Ensure all issues are followed up.

ARD/IEP Committee Training

A representative of the central special education support staff will provide training for administrators in how to take effective deliberations at ARD/IEP Committee meetings and Public Agency Representative in an ARD/IEP meeting.

Guidelines for ARD/IEP Meetings

- ARD/IEP meetings should be conducted efficiently.
- ARD/IEP meetings will have a clear agenda. A sample agenda is attached.
- A copy of the draft IEP will be sent to parents, particularly the PLAAFP and goals.
- The campus staff, along with the Educational Diagnostician will need to determine if there is a need for a staffing prior to the ARD. The purpose of the staffing is to review any new assessments, the PLAAFP, proposed goals and objectives and discuss proposals for schedule of services, state assessment, transition, appropriate ARD supplements and any other items relevant to the student.
- Parents have a right to bring advocates to ARD/IEP meetings. All participants are expected to exhibit professional conduct during the meeting. Rudeness and abusive language cannot be tolerated and such behavior can be cause for discontinuing the meeting. When the parent notifies the staff that they are bringing an advocate to the meetings, follow the steps outlined in the attached Directions for Requesting Support for ARD Meetings.

Assistive Technology

What's Required

According to federal regulations each public agency must ensure that an assistive technology device and or an assistive technology service is made available to a student with a disability if such device or service is required as a part of the student's IEP. All ARD/IEP Committees are required by federal regulation CFR 300.324(a)(2)(v) to consider the student's need for assistive technology (AT) devices and services in the development of the IEP. This does not mean that the AT needs of a child with disability must be considered in every ARD/IEP Committee meeting, but it does mean that the AT needs of a child with disability must be considered every time the IEP is being developed.

The first step in considering a student's need for assistive technology is to understand that assistive technology is defined under federal and state legislation as both a device and a service.

Assistive technology device means any item, piece of high and low technology equipment or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities or increase the independence of a student with a disability so that he or she can participate more fully in all settings. On a case-by-case basis, the use of a school-purchased assistive technology device in a student's home or in other settings is required if the ARD/IEP Committee determines that the student needs access to those devices in order to receive **FAPE**. The term, assistive technology, does not include a medical device that is surgically implanted or the replacement of such device.

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- evaluating the needs of a student with a disability, including a functional evaluation of the student in the student's customary environment;
- purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children/adult students with disabilities;
- selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- training or technical assistance for a student with a disability or, if appropriate, that student's family; and
- training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that student.

Assistive technology devices and services are provided when necessary to assist a student with a disability to participate in and benefit from his/her educational program. The process of determining if a student requires assistive technology to participate in and benefit from instruction, begins with the ARD/IEP Committee or the campus-based special education team supporting the student at school. This committee should:

- review the student's present levels of performance and evaluation data to determine if there are any areas where the student needs additional support in order to access and progress in the curriculum.
- develop functional and/or instructional goals and objectives addressing any areas of need that were identified in step one.
- determine if any tasks that would be required to achieve the goals and objectives identified in step two are difficult or impossible for the student to complete.
- decide whether AT devices and/or services are needed to assist the student to complete any tasks that were identified in step three.

Adapted from **The Texas 4-Step Model: Considering Assistive Technology in the IEP Process (2009)**.

As a result of this consideration process, the ARD/IEP committee may decide:

- AT is needed for the student to receive FAPE and the ARD/IEP committee knows the specific AT devices and/or services that the student requires. These devices and/or services are documented in the student's IEP. The ARD/IEP Committee or campus-based special education team should identify and document on the IEP any equipment and/or product systems that are used to increase, maintain, or improve the functional capabilities of the student at school.
- AT is not needed at this time. The student is anticipated to progress in the educational program with the current supports and services provided either through general education or special education and related services. The ARD/IEP Committee must ensure that a student has access to technology available school-wide or in the student's classrooms (e.g. computer keyboard or mouse, felt pens, rubber grip pencils or pens) and if these are sufficient for the student to receive **FAPE**.
- more information is needed. In considering the student's need for AT, the ARD/IEP Committee identified tasks that were too difficult or impossible for the student to complete and determined that the student may require additional AT supports in order to complete these tasks. The ARD/IEP committee identified the specific information that is needed at this time to further address the student's need for AT.

Adapted from **The Texas 4-Step Model: Considering Assistive Technology in the IEP Process (2009)**.

What We Do

A request for special education services for assistive technology (AT) is the procedure available at all campuses. This process provides a means for a campus to readily access the input of the Special Education Department's AT Team. This service is not evaluation, but may lead to an evaluation if a need is identified as a result of the technical assist or consultation process or if a parent of a student with disability, as a participant in this process, requests to move into an evaluation.

A request for AT service is typically initiated for one of the following reasons:

- in considering a student's need for AT in the development of an individualized education program (IEP), the IEP team needs more information to complete the consideration process.
- in attempting to implement the recommendations of an AT evaluation, an IEP team member needs additional training.
- an IEP team member identifies a concern for a student's progress in the goals and/or objectives that include the use of an AT device.
- Transfer Student - A student transfers into the Jim Hogg County ISD from another school district or other instructional setting with an AT device documented in the student's IEP developed in the previous instructional setting.

To request an AT service, the IEP team member submits the Request for Special Education Services form and indicates a technical assist, consult/evaluation, or evaluation. The IEP team member should also indicate if it is in the area of: communication, written expression, and/or access.

By involving the appropriate Assistive Technology team member assigned to that campus in the initial technical assist process that includes the area of need that has been identified, the ARD/IEP committee receives more specific direction on how to proceed in the most efficient manner to appropriately address the needs of the student. This initial technical assist for AT will include information gained from the following:

- classroom teacher and support staff if applicable, and parent if indicated
- student produced work samples collected by the classroom teacher(s)

The process may also include:

- review of the student's present level of academic achievement and functional performance,
- observation of the environment(s) where the educational concern is presented.

Upon completion of the initial technical assist by the assigned Assistive Technology team member, one of the following will be determined:

- No additional support is indicated:

- The qualified AT team member will provide a written summary using the Request for Special Education Services form from the initial request. This summary is to be reviewed by the ARD/IEP committee in the next scheduled ARD/IEP committee meeting. The AT team member will verbally review the response to the technical assist with the classroom teacher and Educational Diagnostician submitting the request upon completion of the response.
- If further service is indicated:
 - The ARD committee should conduct a Review of Existing Evaluation Data (REED) and formerly request an assistive technology evaluation and submit along with the signed parent consent and the Request for Special Education Services form to the Assistive Technology Team Leader.

Evaluation

The evaluation of a student to determine the student's need for an AT device may be requested or initiated by one of the following means:

- result of an AT technical assist by an AT team member there is a recommendation for an AT evaluation,
- ARD/IEP Committee with the input of the AT team member determines an educational concern necessitating the AT evaluation,
- student moves into the district with documentation identifying the student as having been supported with an AT device as a part of their previous IEP and no current evaluation report is provided by the previous school district within 30 calendar days, or
- AT evaluation for a student currently supported with an AT device at school is approaching three years old.

The recommendations for supports made from the assistive technology evaluation may include:

- instructional modifications or accommodations
- instructional strategies
- assistive technology devices

The recommendations are implemented by the campus team supporting the student. Assistive technology team members will provide training for campus teams at the request of the campus. Assistive technology devices are provided through the Office of Special Education Services. Recommendations for assistive technology devices include to the greatest extent possible a range of supports including no tech and low tech supports to provide backup supports for the student when more advanced technology resources may be inoperable or inaccessible.

Assistive Technology in the IEP

When assistive technology is considered in the ARD/IEP process and determined to be necessary for the student to receive **FAPE**, the ARD/IEP Committee can provide the assistive technology as:

- Part of special education

- When assistive technology is provided as a part of the special education services a child receives, it is included as a condition to at least one of the child's instructional objectives demonstrating the need for this device to support the student to receive FAPE. It is implemented by the classroom personnel.
- A related service
- A supplementary aids and services
 - When assistive technology is provided as supplementary aids and services, it is identified as an accommodation the student uses to access the curriculum demonstrating the need for the device/service in order for the student to receive FAPE. It is implemented by the classroom personnel.

Auditory Impairment and Interpreting Services

Jim Hogg County ISD holds a memorandum of understanding and service agreement with the Laredo ISD for the Regional Day School Program for the Deaf.

What's Required

The local educational agency (LEA) must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled (34 CFR 300.114(a)(2)(i) and 20 USC 1412(a)(5)(A).

The LEA must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR 300.114(a)(2)(ii) and 20 USC 1412(a)(5)(A).

The LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services (34 CFR 300.115(a)).

The ARD committee must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

What We Do

Continuum of options:

- general education classroom with consultative support from a teacher of the deaf/hard of hearing
- general education classroom with direct instructional services from a teacher of the deaf/hard of hearing
- combination of general education and self-contained special education classes with consultative and/or direct instructional services from a teacher of the deaf/hard of hearing
- self-contained special education classroom with the consultative and/or direct instructional services from a teacher of the deaf/hard of hearing
- self-contained deaf education classroom at the various campuses
- residential placement - Texas School for the Deaf

Components of services for students with Auditory Impairment:

- determined by the ARD/IEP Committee based on assessment and classroom data

- based upon individual needs of student
- includes infants/toddlers as determined by the ARD/IEP Committee
- includes services from a qualified interpreter as determined by ARD/IEP Committee
- includes technology support including FM systems and Captioning

Personnel have knowledge and competencies in the following areas:

- extent to which significant hearing loss impacts access to the general education curriculum;
- extent to which significant hearing loss impacts communication and social skills;
- alternative methods of communication;
- specially designed instruction;
- accommodations and modifications
- technology supports including FM systems, cochlear implants and closed captioning.

Interpreting Services

What's Required

Interpreting services include interpreting/transliterating receptively and expressively for persons who are deaf or hard of hearing.

What We Do

- If the ARD/IEP Committee, which includes a member of the Program for the Deaf and Hard of Hearing, indicates a student needs interpreting services to benefit from instruction, a referral to the Program for the Deaf and Hard of Hearing Office will be initiated.
- Referrals may be made through a variety of sources:
 - ARD/IEP Committee,
 - parents,
 - teachers,
 - audiologists,
 - other professionals.
- Each student's need for related services is determined by the student's ARD/IEP Committee as part of the individualized education program (IEP) process.
- In addressing placement decisions, the ARD/IEP Committee should "consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode including opportunities for direct instruction in the student's language and communication mode."
- The ARD/IEP Committee should consider the student's language and communication needs when making the decision regarding which interpreting model is best for the student and in what situations an interpreter will be used and submit a request accordingly.
- Interpreting services employs a direct service model using one of several **Texas Education Agency** recognized options:
 - Oral Transliteration,
 - Cued Language Transliteration,
 - Sign Language Transliteration,
 - Sign Language Interpreting,

- Communication Access Realtime Transcription (CART),
- C-Print,
- TypeWell, and
- Deaf-Blind Interpreting.

RESOURCES

[C-Print Development and Training](#)

[Registry of Interpreters for the Deaf](#)

[Texas Court Reporters Association](#)

[Laurent Clerc National Deaf Education Center](#)

[National Institute of Deafness and Other Communication Disorders Information Clearinghouse](#)

Auditory Processing Disorder (APD)

What's Required

Auditory Processing Disorder is not a disability recognized by IDEA.

What We Do

Jim Hogg County ISD does not test in the area of Auditory Processing Disorder since it is not a recognized disability by IDEA. However, if the district receives an outside assessment diagnosing a student with Auditory Processing Disorder, the district will review this assessment as required by 504 and Special Education/IDEA and consider the recommendations in the report. The 504 and ARD committees may request assistance from Audiology. If the student is in 504, the 504 Coordinator may submit an Audiology Request Form to the General Education Audiologist requesting possible assistive technology and/or accommodations should the audiologists' testing reveal a need. The same process should be followed if the student is in Special Education; however, one would submit a Request for Special Education form to the Special Education Audiologist requesting possible assistive technology and/or accommodations. In addition to these requests, please follow these steps:

The student must meet these criteria:

1. Be at least 8 years old
2. Have normal hearing (having passed a hearing screening within the year)
3. Have English as his/her primary language
4. Have an IQ of 85 or higher
5. The student may not have a diagnosis of AU
6. Have a recent speech and language assessment (within the year)
7. Have intelligible speech
8. Be able to follow directions

Contact the Special Education Department for additional information and request for evaluation.

Autism

What's Required

Eligibility definitions:

Autism - A student with autism is one who has been determined to meet the criteria for autism as stated in 34 CFR, 300.8(c)(1). Students with pervasive developmental disorders are included under this category. The IEP team's written report of evaluation shall include specific recommendations for behavioral interventions and strategies.

What We Do

What are the service options for students with autism?

- general education classroom with consultative support from campus and district staff
- general education classroom with direct instructional services from a special education teacher
- a combination of general education and self-contained special education classes with consultative and/or direct instructional services
- self-contained special education classroom with direct instructional services
- specialized autism programs

How are services determined?

- determined by the ARD/IEP Committee
- based upon individual needs of student
- may include related services as determined by the ARD/IEP Committee
- includes technology support as determined by the ARD/IEP Committee
- may include strategies as determined by the ARD/IEP Committee through the autism supplement

What type of training is needed to work with students with autism?

- the extent to which deficits in social, communication, and behavior impact academics and progress in the educational setting
- specially designed instruction
- accommodations and modifications
- technology supports including communication systems

- social skills instruction
- positive behavior support strategies
- principles of structured teaching
- data collection methods and tools
- student work systems
- behavior management principles

Resources

[Autism Strategies](#)

[Community Resources for Parent with Students with Autism Spectrum Disorders](#)

Commensurate School Day

What's Required

§89.1075. General Program Requirements and Local District Procedures. [Excerpt] (d) Students with disabilities shall have available an instructional day commensurate with that of students without disabilities. The ARD committee shall determine the appropriate instructional setting and length of day for each student, and these shall be specified in the student's IEP.

What We Do

Students with disabilities must receive a commensurate school day. This means students with disabilities and their non-disabled peers:

- (a) have a school day with same beginning and end time, and
- (b) attend school for the same number of hours.

The school day for students with disabilities cannot be shortened due to administrative convenience such as the schedule of bus routes, or parents' convenience such as their work location or schedule.

An Admission, Review, and Dismissal/Individualized Education Program (ARD/IEP) committee may consider, review, and document a shorter school day based on the individual needs of the student.

This requirement applies to all students with disabilities ages 3-21 regardless of their disability, type of class, or program.

Conducting the Evaluation

What's Required

Either a parent of a child, or a state education agency (SEA), other State agency, or Local Education Agency (LEA) may initiate a request for an initial evaluation to determine if the child is a child with a disability [34 CFR 300.301\(b\)](#).

What We Do

Federal law requires that any standardized tests given to the student must be validated for the specific purpose for which they are used and must be administered by trained personnel in conformance with the instructions supplied by their producer. The Educational Diagnostician determines the degree of evaluation needed in each area depending on the eligibility criteria for the suspected disability. The area of language dominance is evaluated first to determine the language that will be used in further evaluation.

Evaluation instruments must not be culturally or racially discriminatory and must be administered in accordance with standardized procedures in order to prevent inappropriate evaluations for specific cultural groups. A variety of evaluation instruments and strategies are used to gather relevant functional and developmental information about the student, including information provided by the parent. All data is reviewed, interpreted, and compiled into a Full and Individual Initial Evaluation (FIIE) report. All evaluation personnel are responsible for adhering to all auditable dates for initial evaluations, re-evaluations, and transfers where the student has been in special education in another district.

Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those designed to provide a single general intelligence quotient. Tests are to be selected and administered so as to ensure that the test results of a student who has impaired sensory, manual, or speaking skills, will accurately reflect his or her aptitude or achievement level or whatever other factors the test purports to measure. Only tests approved by the Special Education Department will be used for evaluations.

Evaluation of the student covers all areas related to the suspected disability, including (where appropriate):

- health
- vision
- hearing
- social and emotional status
- general intelligence

- academic performance
- communicative status
- motor abilities

The evaluation must be sufficiently comprehensive to identify all of the student's special education and related service needs. The instruments used and strategies must provide relevant information that directly assists persons in determining the educational needs of the student.

Counseling and Psychological Services

What's Required

Counseling as a related service and psychological services may be provided to students with disabilities who have chronic severe behavioral, emotional, or social difficulties and additional school supports are required to help the student achieve annual goals.

Counseling services, according to IDEA, means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

Jim Hogg County ISD services may be provided by qualified social workers, Licensed Specialists in School Psychology (LSSPs), professional school counselors, or other qualified personnel such as interns supervised by licensed or certified professionals. Related services counseling is assisting students to benefit from specialized instruction provided in special education.

Parent counseling and training emphasize the importance of parents as active participants in their child's education. According to IDEA, parent counseling and training means: (a) assisting parents in understanding the special needs of the student, (b) providing parents with information about child development, and (c) helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or Individual Family Service Plan (IFSP). Parent counseling and training is identified by the Texas Education Agency (TEA) as one of the eleven strategies or options an ARD/IEP Committee may choose for a student with autism in order to facilitate carry-over of communication skills or behavior strategies in the home.

Psychological services as a related service, according to IDEA, includes:

- administering psychological and educational tests, and other assessment procedures
- interpreting assessment results
- obtaining, integrating, and interpreting information about student behavior and conditions relating to learning
- consulting with other staff members in planning school programs to meet the special educational needs of students as indicated by psychological tests, interviews, direct observation, and behavioral evaluations
- planning and managing a program of psychological services, including psychological counseling for student and parents
- assisting in developing positive behavioral intervention strategies

Psychological services as defined by IDEA include some services not defined strictly as psychological in nature and therefore can be appropriately provided by other trained personnel including the Educational Diagnostician, counselors, or applicable Region One ESC specialists. These would include gathering information about student behavior, behavioral program planning, educational testing, and developing behavioral intervention strategies.

In Texas, certain services are defined by the Texas State Board of Examiners of Psychologists (TSBEP) as 'psychological services' in the schools and therefore can only be provided by those individuals licensed as an LSSP by the TSBEP.

An ARD/IEP committee is responsible for determining the appropriateness of psychological services as a related service based on the individual educational needs of a student, regardless of the disability categories, and with the recommendations and expertise provided by the professionals involved in assessing these services. Parents are invited to participate in the ARD/IEP committee decision-making process. Related services are provided to an eligible student with a disability at no cost to the parent or guardian.

What We Do

- The referral for counseling or psychological services evaluation is initiated by the ARD/IEP Committee.
- The need for counseling or psychological services is examined in an evaluation. While this is often addressed in psychological evaluation once a student is already receiving special education services, an evaluation for counseling may be necessary to examine difficulties as they arise.
- If eligible for services, an IEP is developed to specify the goals/objectives, projected begin and end date, amount, frequency, duration, and location of the services.
- Progress reports explaining the student's progress toward the annual IEP goals will be provided to parents, teachers, and relevant school personnel on a regular basis.
- Any changes in the amount of services listed in the IEP must be made at an ARD/IEP meeting.
- Counseling or psychological services providers should be present at an ARD/IEP meeting when the need for the services is discussed or when the progress of the services is reviewed. Service providers may submit their findings in writing if the IEP Committee agrees to excuse them from the meeting.
- While a formal evaluation can be performed, it is not required to dismiss a student from counseling or psychological services as a related service however data for dismissal should be reviewed.
- Dismissal from counseling or psychological services should be based on data from a variety of sources, including teacher observations, parent input, mastery of IEP goals and objectives, performance on statewide assessments, disciplinary referrals, and any other relevant data.
- The decision to dismiss from a related service is determined by the ARD Committee and supporting documentation is included in the student's IEP document.

Counseling and Psychological Services as a Related Service in the IEP

When an ARD/IEP Committee determines the need for counseling or psychological services to support the student's special education program, a specially designed counseling or psychological services program is included as part of the student's IEP. The supports and services provided are documented on IEPs and indicated as part of the progress reporting system to parents and adult students. The goals for services:

- focus on school-related issues
- are behavior and/or learning based
- are minimally intrusive
- emphasize practical and immediate application rather than development of insight
- are necessary in order to make educational and/or behavioral progress

Counseling Services may be provided by:

- Licensed Specialists in School Psychology (LSSPs)
- Professional School Counselors
- Social Workers
- Other qualified professionals such as interns under the supervision of a certified or licensed professional.

Psychological Services may be provided by:

In Texas, certain services are defined by the Texas State Board of Examiners of Psychologists (TSBEP) as 'psychological services' and therefore can only be provided by those individuals licensed as an LSSP by the TSBEP.

Service Delivery

Counseling:

- Counseling is a complex helping process in which a trusting and confidential working relationship is established.
- Counselors interact with students individually or in small groups.
- The focus is on problem-solving, decision-making, and discovering personal meaning related to learning and development.

Psychological Services:

- Psychological services provided may include Ongoing Consultation
 - There are three levels: Monitoring, Generalization, Intervention
 - These are direct, indirect, or a combination;
 - Assigned according to assessment of intensity of need

- Psychological services providers consult and collaborate with parents, school personnel, medical professionals, and other professional service providers to develop and implement strategies to help students succeed.
- The focus is on assisting the school staff, students, and parents/family to solve problems related to learning and student behavior.

Resources

[American Counseling Association](#)

[American Mental Health Counselors Association](#)

[American Association for Marriage and Family Therapy](#)

[National Association of Social Workers](#)

[National Board for Certified Counselors](#)

[National Association of School Psychologists](#)

[Texas State Board of Examiners of Psychologists](#)

Development of the IEP

What's Required

The LEA must ensure that an IEP be in effect for eligible children with disabilities on their third birthday in compliance with the [ARD Committee](#) frameworks ([CFR 300.300.101\(b\)](#) and [19 TAC 89.1035\(a\)](#)). If a child's third birthday occurs during the summer, the child's ARD committee must determine the date when services will begin ([CFR 300.301\(b\)](#)). The ARD committee must comply with the [Least Restrictive Environment \(LRE\)](#) framework. Home instruction may be used for young children (ages three through five) when determined appropriate by the ARD committee ([19 TAC 89.63\(c\)\(2\)\(B\)](#)).

The IEP is a written statement for each child with a disability that includes the following information:

- a statement of the child's present levels of academic achievement and functional performance ([34 CFR 300.320\(a\)](#));
- how the child's disability affects involvement and progress in the general education curriculum ([34 CFR 300.320\(b\)](#));
- measurable annual goals, including academic and functional goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum;
- a description of how the child's progress will be measured and when the progress will be provided;
- a statement of the special education and related services and supplementary aids and services, program modifications or supports that will be provided to the child ([34 CFR 300.320 \(a\)](#));
- an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class;
- a statement of accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments;
- if the child must take an alternate assessment instead of a regular State or district wide assessment of student achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate;
- the projected date for the beginning of the services and the anticipated frequency, location, and duration of the services;
- for students age 14 and older, appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and,

where appropriate, independent living skills; and the transition services needed to assist the child in reaching those goals;

When developing the IEP, the ARD committee must consider [\(34 CFR 300.324\)](#):

- The strengths of the child;
- The concerns of the parents for enhancing the education of their child;
- The results of the initial or most recent evaluation of the child;
- The academic, developmental, and functional needs of the child.

Additional information can be found here: [US DOE Topical Brief on Individualized Education Plans \(IEP\)](#).

What We Do

The Individualized Education Program (IEP) is developed by the ARD Committee. The IEP must include certain information about the child and the educational program designed to meet his or her unique needs.

Present Levels of Academic Achievement and Functional Performance

What We Do

Developing the IEP begins with a careful analysis of the student's present levels of academic achievement and functional performance, including:

- How the child's disability affects that child's involvement and progress in the general education curriculum;
- For preschool children, as appropriate, how the disability affects the child's participation in age-appropriate activities

NOTE: There should be a direct relationship between the annual goals and the present level of academic achievement and functional performance.

Standards-Based Measurable Annual Goals

What's Required

A standards-based IEP is "a process and document that is framed by the state standards and that contains goals aligned with, and chose to facilitate, the student's achievement of state grade-level academic standards".

What We Do

Implications for Practice:

- Continue emphasis on knowledge of enrolled grade level curriculum to ensure drafting of goals which are aligned with enrolled grade level TEKS
- Draft annual goals and short term objectives/benchmarks (when appropriate) in standards-based format aligned to enrolled grade level TEKS
- Utilize TEA Curriculum Framework and Vertical Alignment documents as a resource for enrolled grade level curriculum standards

Because students with disabilities are included in the statewide assessment system, they must have access to the general education curriculum that is tested using this system. This access may be with or without accommodations and can include alternate assessments; however, due to these requirements, all students must have standards-based goals. Standards-based goals are defined as annual, measurable goals aligned to enrolled grade level TEKS or Pre-Kindergarten Guidelines.

The IEP must include a statement of measurable annual goals, which relate to:

- Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum AND
- Meeting each of the student's other educational needs that result from the student's disability.

Each measurable annual goal must contain each of the following components:

- **Timeframe:** Identifies the amount of time in the goal period and is usually specified in the number of weeks or a certain date for completion
- **Conditions:** Describe the specific resources that must be present for a child to reach the goal. The condition of the goal should relate to the behavior being measured
- **Behavior:** Represents an action that can be directly observed, measured and monitored
- **Criterion:** Identifies how much, how often, or to what standard the behavior must occur in order to demonstrate that the goal has been met

Every student receiving special education services must have at least one measurable annual goal.

- All students whose course content is modified and/or who take alternate assessments aligned to alternate assessment standards must have both annual goals and short-term objectives/benchmarks.

In the development of standards-based measurable annual goals for a student, the ARD Committee should:

- Specify the specially designed instruction that the student requires to achieve his/her annual goal(s)
- Develop strategies that will assist the student in achieving his/her annual goal(s)

- Draft measurable, intermediate steps (short-term objectives/benchmarks) for each annual goal to assist families, students, and educators in monitoring progress during the year, and, if appropriate, revising the IEP to address the student's instructional needs.

Disability Categories

What's Required

To assess children in all areas related to the suspected disability, including if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. For a child to be eligible for services under [IDEA](#), the child must qualify in one or more of the thirteen areas of disability as listed below [34 CFR 300.304\(c\)\(4\)](#) and [20 USC 1414\(b\)\(3\)\(B\)](#).

Definitions

(1) [Autism 300.8\(c\)\(1\)\(i\), 89.1040\(c\)\(1\), 1401\(3\)\(A\)](#) means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child's educational performance. The characteristics of autism are generally evident before age three, but, could be appear after age three. Characteristics often associated with autism are:

- engagement in repetitive activities and stereotypical movements
- resistance to environmental change or change in daily routines
- unusual responses to sensory experiences

The child may be considered to be a child with autism if the child has a developmental disability significantly affecting verbal communication, nonverbal communication; and social interaction. Children with pervasive developmental disorders are included under the disability category of autism. The child may not be considered to be a child with autism if the child's educational performance is adversely affected primarily because the child has an emotional disturbance.

(2) [Deaf-Blindness 300.8\(c\)\(2\), 89.1040\(c\)\(2\)\(A\), 1401\(3\)\(A\)](#) means concomitant 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.

(3) [Deafness or Auditory Impairment TEC 29.310\(c\), 300.8\(c\)\(3\), 300.8\(c\)\(5\), 89.104\(c\)\(3\), 1401\(\(3\)\(A\)](#) means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance.

(4) [Emotional Disturbance 300.8\(c\)\(4\), 89.1040\(c\)\(4\), 1401\(3\)\(A\)](#) means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.

A tendency to develop physical symptoms or fears associated with personal or school problems.

Note: The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

(5) Intellectual Disability 300.8(c)(5), 89.1040(c)(6), 1401(3)(A) means significantly sub average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

(6) Multiple Disabilities 300.8(c)(7), 89.104(c)(6)(A), 1401(3)(A) means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities do not include deaf-blindness.

(7) Orthopedic Impairment 300.8(c)(8), 89.1040(c)(7), 1401(3)(A) means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(8) Other Health Impairment 300.8(c)(9), 89.1040(c)(8), 1401(3)(A) means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, and Tourette syndrome and adversely affects a child's educational performance.

(9) Specific Learning Disability 300.309(a)(1), 89.1040(c)(9)(B)(ii) means a disorder in one or more of the basic psychological process involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Note: Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, intellectual disability, emotional disturbance, environmental, cultural factors, or environmental or economic disadvantage; or limited English proficiency on the child's achievement level.

(10) Speech or Language Impairment 300.8(c)(11), 89.1040(c)(10), 1401(3)(A) means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

(11) Traumatic Brain Injury 300.8(c)(12), 89.1040(c)(11), 1401(3)(A) means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech.

Note: Traumatic Brain Injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

(12) Visual Impairment (including blindness 300.8(c)(13), 89.1040(c)(12), 1401(3)(A) means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

(13) Non categorical 89.1040(c)(13) refers to a student between the ages of three through five who is evaluated as having an intellectual disability, emotional disturbance, or autism impairments may be eligible for services as non-categorical early childhood (NCEC).

Note: If a student is a child with a disability, who is determined by an ARD/IEP Committee to meet eligibility criteria for one or more disabilities but has no need for special education and related services, he/she is not considered disabled under IDEA 2004. Eligibility for services under Section 504 may be considered in these cases.

Discipline

What's Required

The Texas Behavior Support Initiative (TBSI) is the Texas Education Agency's (TEA) response to federal regulations such as the Individual with Disabilities Improvement Act and No Child Left Behind and state regulations, including [Senate Bill 1196](#), [TAC 89.1053](#) and the [TEC Chapter 37](#), regarding research-based practices and standards school districts may employ when addressing challenging student behaviors, as well as procedures and policies which must be addressed by local education agencies (LEA's).

What We Do

Traditional methods of addressing inappropriate student behavior include: parent conferences, a variety of consequences based on the school district's student code of conduct, peer-buddy supports and suspension of privileges; however, the Texas Behavior Support Initiative (TBSI) requires the use of positive behavior supports which are:

- systemic and individualized strategies based on research-based practices
- focused on teaching social and behavioral expectations
- culturally appropriate and
- designed to prevent recurring inappropriate behaviors of students with disabilities

The use of positive behavior supports is incorporated in Jim Hogg County ISD's Code of Conduct.

When a special education eligible student is struggling with behavior, we have alternative " process to ensure student behaviors are addressed and campuses receive support and guidance.

Resources

[Texas Behavior Support](#)

Discontinuing Special Education Services

What's Required

The ARD/IEP committee determines whether a child has a disability and by reasons of the disability, needs special education and related services (see [Region 18 ESC Framework](#)). Some of the things that must be considered when making the determination include the following:

- The full and individual evaluation (FIE) that determines if the student has a disability condition recognized under IDEA
- The age ranges that are served through special education are 3-21 years ([19 TAC 89.1035](#))
- Parental consent for services.

What We Do

Special education services shall be discontinued when one of the following occurs:

No Longer Eligible for Services

- If the ARD/IEP Committee determines a student does not have a disability condition under [IDEA](#) based upon an evaluation, or if the committee finds that the student does not need specially designed instruction provided through special education as a result of the disability, the committee will determine that the student is not eligible for special education services.
- Before discontinuing services, however, the school must give the parent(s) and/or adult student prior written notice (English, Spanish).

Services Through Age 21

- Special education services are available to all eligible students ages 3-21.
- A student receiving special education services who is 21 years of age on September 1 of a school year shall be eligible for services through the end of that school year or until graduation with a regular high school diploma, whichever comes first.
- Graduation with a regular high school diploma terminates a student's eligibility to receive special education services.

Revocation of Consent for All Special Education Services

- If, at any time after the school begins providing special education and related services to the student, the parent(s) and/or adult student choose to revoke consent for services, the school must discontinue providing special education and related services to the student.

- Before discontinuing services, however, the school must give the parent(s) and/or adult student prior written notice (English, Spanish).
- The Educational Diagnostician or Speech-Language Pathologist will meet with the parent to obtain a signed Prior Written Notice: Revocation of Consent for Jim Hogg County Independent School District Special Education Services from the parent(s) and/or adult student. The form will be filed in the student's special education folder.
- Prior Written Notice: Revocation of Consent for Jim Hogg County Independent School District Special Education Services (English, Spanish) is required and available in the special education management system.

Dyslexia

What's Required

"Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity [TEC 38.003\(d\)\(1\)](#). Because early intervention is critical, a program for early identification, intervention, and support for students with dyslexia and related disorders must be available in each district as outlined in the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders, 19 TAC 74.28(g), [TEC 38.003\(b\)](#) and [TEC 38.003\(c\)](#).

The board of trustees of a school district must ensure that procedures for identifying a student with dyslexia or a related disorder are implemented in the district 19 TAC 74.28(a) and [TEC 38.003\(c\)](#). A school district's strategies for screening dyslexia and related disorders must be implemented in accordance with the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders. A school district's techniques for treating dyslexia and related disorders must be implemented in accordance with the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders. Screening should only be done by individuals/professionals who are trained to assess students for dyslexia and related disorders 19 TAC 74.28(b).

What We Do

Dyslexia is characterized by difficulty:

- Reading words in isolation,
- Accurately decoding unfamiliar words,
- Oral reading difficulties (slow, inaccurate, or labored), spelling difficulties.

Support for students demonstrating these types of reading difficulties is provided through Response to Intervention (RTI), Section 504, and special education.

- RTI is the first step to address the needs of students demonstrating characteristics of dyslexia, dyslexia related disorders, or any academic need. (refer to the Texas Handbook on Dyslexia in the resources section below).
- Students do not have to be identified as receiving Section 504 or special education services in order to receive support through a campus RTI process.
- If a student fails to respond to intervention, the RTI team may consider the following options:
 - Modify the RTI plan
 - Consider a referral for evaluation through Section 504
 - Consider a referral for evaluation through Special Education

- Although no formal evaluation is required to participate in the RTI process, evaluation is required for any students considered for Section 504 or special education.
- There is a process through general education for evaluation for Section 504
- The Educational Diagnostician maintains the responsibility for the Dyslexia and related disorder identification for students referred to special education

Resources

- [Dyslexia Handbook Updated 2018](#)
- [TEA English Language Arts and Reading](#)

Early Childhood

What's Required

Each public agency must conduct a full and individual initial evaluation (FIIE) before providing special education and related services to a child with a disability ([34 CFR 300.301\(a\)](#)). To participate in the Preschool Program for Children with Disabilities, the child may be three, four or five years old, and not yet old enough to be enrolled in kindergarten. The child must be evaluated and meet eligibility criteria for at least one of the [IDEA](#) disability categories. Subsequently, an ARD Committee determines if the child needs special education and/or related services ([34 CFR 300.8\(a\)\(1\)](#)). The [Texas Education Agency \(TEA\)](#) recognizes the following disability categories:

- Auditory Impairment
- Autism
- Deaf-Blindness
- Emotional Disturbance
- Learning Disability
- Intellectual Disability
- Multiple Impairment
- Non-Categorical Early Childhood
- Other Health Impairment
- Orthopedic Impairment
- Speech Impairment
- Traumatic Brain Injury
- Visual Impairment

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability. Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction - to address the unique needs of the child that result from the child's disability; and to ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children ([34 CFR 300.39\(a\)](#)).

Each public agency must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the

nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily [\(34 CFR 300.114\(a\)\)](#).

Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum must include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions; and make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement [\(34 CFR 300.115\(b\)\)](#).

For Infant and Toddlers with vision or auditory impairments, services may be provided through Early Childhood Intervention (ECI) from birth until three years old. Eligible students receive services under an Individual Family Service Plan (IFSP).

What We Do

Provide services to eligible 3, 4, and 5-year-old children with disabilities in Preschool Program for Children with Disabilities

- For children referred prior to age three as a referral through an early intervention program while receiving services through ECI, special education services must be made available to the child on his or her third birthday if the child is found eligible.
- A child who is four years old on or before September 1st and meets district pre-kindergarten requirements may enroll in the district's pre-kindergarten program. Certain guidelines must be met for pre-kindergarten attendance.
- A student must be five years of age on or before September 1st to participate in the district's kindergarten program.
- If the child is to be evaluated by our Arena Assessment Team for Preschool Children, the child participates in a screening and parent completes appropriate referral paperwork, notice and consent. Based on the referral information, the assessment will be assigned to an arena assessment team or a speech-language pathologist. The evaluation team and/or the SLP completes the evaluation.

The evaluation must include:

- A comprehensive measure of intelligence,
- A measure of adaptive behavior,
- Age appropriate developmental/academic evaluation,
- A speech-language evaluation,
- A psychological evaluation if emotional or behavioral concerns are present,

- An assistive technology/augmentative communication assessment if determined to be necessary by the speech-language pathologist or Educational Diagnostician upon review of the referral paperwork, and
- Other Health Impairment (OHI) disability forms will be presented to the parent by the Diagnostician if relevant information is provided to determine its relevance.

The Speech-Language Pathologist completes the evaluation and report for a student with primary speech and language needs.

The Diagnostician compiles the evaluation report, which may include a recommendation for the ARD committee to use and consider when determining eligibility and placement. The lead PPCD teacher assures the space is available at the appropriate campus for the recommendation.

The Diagnostician schedules the initial ARD/IEP committee within 30 calendar days of the FIIE date and prior to the child's third birthday if the referral comes through ECI. Otherwise, the ARD must be held within 30 calendar days of the completion of the report.

The ARD/IEP is held at the home campus and the teacher of the proposed receiving school is invited so that the committee can review the results of the FIIE report. The recommendations for eligibility and programming placements are discussed and reviewed with parental input. The committee determines eligibility and programming.

Assessment personnel are responsible for:

- Developing the objectives and goals for the Individualized Educational Program (IEP) based on recommendations in the FIIE report.

Home Campus personnel are responsible for:

- Holding the ARD/IEP meeting at the home campus and inviting the members from the campus which has the recommended/proposed program
- Submitting a request for transportation if appropriate.
- Completing PEIMs information

Receiving Campus personnel are responsible for:

- Ensuring enrollment is complete
- Providing the program as specified in the ARD/IEP
- Completing and submitting the initial Child Outcome Summary Form (COSF)

Speech Therapy Services are provided by a licensed or certified Speech-Language Pathologist (SLP) and may be provided in a variety of ways. Speech Therapy may take place at the home campus or the attending campus. Speech Therapy may be at a centralized school location as part of the Communication Acquisition Program for Preschoolers (CAPP). Speech Therapy Services can be provided in Spanish by a certified Speech-Language Pathologist (SLP) at a school location as part of the bilingual program when deemed necessary by the assessment personnel and ARD committee.

Co-Teacher Services are provided when the special education PPCD teacher works collaboratively with the Pre-K or Kindergarten teacher to provide instruction in the general education setting in the community preschool setting or in a campus-based general education preschool program.

In Class Support Services are provided when a special education teacher or special education paraprofessional provides instructional support services for preschoolers with disabilities in the general education pre-kindergarten or kindergarten classes.

Self-Contained Services are provided by a special education teacher and special education paraprofessional(s) in a special education class.

It is important to note that when a PPCD placement is considered by the ARD committee, the default placement decision is a half-day, which is consistent with the general education preschool programming. There may be ARD Committee decisions for individual students which indicate services should be provided longer than a half-day.

Eligibility Determination and Documentation

What's Required

Upon completion of the administration of assessments and other evaluation measures a group of qualified professionals and the parent of the child determines whether the child is a child with a disability and the educational needs of the child [34 CFR 300.306\(a\)\(1\)](#).

What We Do

There is a two-part test for determining whether a student is eligible for special education services: (1) a student must have a disability, and (2) as a result of the disability, the student must need special education services to benefit from education. In Texas, an ARD/IEP Committee makes decisions about eligibility. Within 30 calendar days of completing the Full Individual Evaluation (FIE), the ARD/IEP Committee must meet to review the written report and determine whether the student is eligible for special education services. A copy of the evaluation report must be given to the parent at no cost.

A child must not be determined by the ARD/IEP Committee to be a child with a disability if the determinant factor for such determination is:

- Lack of appropriate instruction in reading, including in the essential components of reading instruction as defined in the [Elementary and Secondary Education Act \(IDEA\)](#) which means explicit and systematic instruction in (a) Phonemic awareness, (b) Phonics, (c) Vocabulary development, (d) Reading fluency, including oral reading skills, and (e) Reading comprehension strategies
- Lack of appropriate instruction in math
- Limited English proficiency

Not all struggling learners have a disability. In these situations, the campus-based support team may meet and recommend other services or programs in general education to help the student. In the Response to Intervention (RTI) process, the campus-based support team may recommend additional interventions available to non-disabled students.

If the evaluation shows that the student has a disability, the ARD/IEP Committee must then decide whether the student needs special education services to benefit from education. If the student does not have an educational need for special education services, he or she is not eligible for any such services.

If it is determined, through an appropriate evaluation under the full and individual evaluation frameworks, that a child has one of the disabilities but only needs a related service and not

special education, the child is not a child with a disability under the Individuals with Disabilities Education Act.

Extended School Year Services

What's Required

"Extended school year services (ESY) services" means special education and related services that ([34 CFR 300.106\(b\)](#)) are provided to a child with a disability ([34 CFR 300.106\(b\)\(1\)](#)) beyond the normal school year of the public agency ([CFR 300.106\(b\)\(1\)\(i\)](#)) in accordance with the child's individualized education program (IEP) ([CFR 300.106\(b\)\(1\)\(ii\)](#)) at no cost to the child ([CFR 300.106\(b\)\(1\)\(iii\)](#)).

The provision of ESY services is limited to the educational needs of the child and must not supplant or limit the responsibility of other public agencies to continue to provide care and treatment services pursuant to policy or practice, even when those services are similar to, or the same as, the services addressed in the child's IEP ([19 TAC 89.1065\(8\)](#)).

No child will be denied ESY services because the child receives care and treatment services under the auspices of other agencies ([19 TAC 89.1065\(8\)](#)).

In determining the need for and in providing ESY services, the local educational agency (LEA) may not ([CFR 34 300.106\(a\)\(3\)](#)) and ([19 TAC 89.1065\(1\)](#)) limit ESY services to particular categories of disability ([CFR 300.106\(a\)\(3\)\(i\)](#) and [19 TAC 89.1065\(1\)\(A\)](#)) or unilaterally limit the type, amount, or duration of ESY services ([CFR 300.106\(a\)\(3\)\(ii\)](#) and [TAC 89.1065\(1\)\(B\)](#)).

The need for ESY services must be determined on an individual basis by the admission, review and dismissal (ARD) committee ([19 TAC 89.1065\(1\)](#)). Each LEA must ensure that ESY services are available as necessary to provide free appropriate public education (FAPE) ([CFR 300.106\(a\)\(1\)](#)) and ESY services must be provided only if a child's ARD committee determines, on an individual basis, that the services are necessary for the provision of FAPE ([34 CFR 300.106\(a\)\(2\)](#)). If the LEA does not propose ESY services for discussion at the annual review of a child's IEP, the parent may request that the ARD committee discuss ESY services ([19 TAC 89.1065\(5\)](#)).

The ARD committee must determine the need for ESY from formal and/or informal evaluations provided by the district or the parents ([19 TAC 89.1065\(2\)](#)). For a child enrolling in the LEA during the school year, information obtained from the prior LEA as well as information collected during the current year may be used to determine the need for ESY services ([19 TAC 89.1065\(7\)](#)).

The ARD committee must identify the critical areas addressed in the current IEP objectives, if any, in which the child has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period of time ([19 TAC 89.1065\(2\)](#)).

- A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences during the first eight weeks of the next regular school

year ([19 TAC 89.1065\(4\)](#)): Placement in a more restrictive instructional arrangement ([19 TAC89.1065\(4\)\(A\)](#)); Significant loss of acquired skills necessary for the child to appropriately progress in the general curriculum ([19 TAC89.1065\(4\)\(A\)](#)); Significant loss of self-sufficiency in self-help skill areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services ([19 TAC89.1065\(4\)\(A\)](#)); Loss of access to community-based independent living skills instruction or an independent living environment provided by non-educational sources as a result of regression in skills ([19 TAC89.1065\(4\)\(D\)](#)); or Loss of access to on-the-job training or productive employment as a result of regression in skills ([19 TAC89.1065\(4\)\(E\)](#)); and

- "Severe or substantial regression" means that the child has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services ([19 TAC89.1065\(2\)](#)).

What We Do

Extended School Year (ESY) services are considered for all students with disabilities. The need for ESY must be determined on an individual student basis by the ARD Committee.

Components of ESY Services:

- The student qualifies for ESY services if, in one or more critical areas addressed in the student's current IEP, that he or she has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be regained within a reasonable period of time.
- The term "severe or substantial regression" means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.
- A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences to the student during the six weeks of the next regular school year:
 1. placement in a more restrictive instructional arrangement,
 2. a significant loss of skills needed to progress in the general curriculum,
 3. a significant loss of self-help skills, and therefore requires more direct services and support,
 4. loss of access to non-educational community-based independent living skill instruction or an independent living environment as a result of losing skills, or
 5. loss of access to on-the-job training or productive employment due to losing skills.
- If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results may be expected to result in immediate physical harm to the student or to

others, ESY services may be justified without consideration of the period of time for regaining such skills.

- In any case, the period of time for regaining a critical skill shall not exceed six weeks. If the ARD/IEP Committee determines that the student is in need of ESY services, then the IEP must include goals and objectives for ESY services from the student's current IEP in the ARD/IEP Extended School Year Supplement.
- For students who qualify under Autism Spectrum Disorders, ESY is included as one of the possible services offered through the Autism Supplement that is reviewed by the ARD committee.

NOTE: If an ARD Committee believes that a situation warrants an exception to these guidelines, guidance should be sought from the Special Education Director.

Field Trips

What's Required

§104.34 Educational setting

(a) Academic setting. A recipient to which this subpart applies shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever a recipient places a person in a setting other than the regular educational environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the person's home.

Code of Federal Regulations 358

(b) Nonacademic settings (including field trips). In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §104.37(a)(2), a recipient shall ensure that handicapped persons participate with non-handicapped persons in such activities and services to the maximum extent appropriate to the needs of the handicapped person in question.

Campus personnel organizing field trips should avoid making "blanket" decisions that exclude students with certain disabilities from field trips. A "blanket decision regarding students with a certain disability is not justification for exclusion. Educational decisions regarding opportunities for students with disabilities to participate in extracurricular activities (i.e., field trips) must be made in conformance with the regulations of Section 504 and Title II (e.g., decisions reflect determinations made by a group of persons - including persons knowledgeable about the child, the meaning of the evaluation data and the placement options - rather than unilateral determinations).

What We Do

Jim Hogg County ISD provides students with disabilities an equal opportunity to participate in field trips and other extra-curricular activities. Prohibiting or limiting the participation of a student with a disability in field trips may constitute unlawful discrimination under Section 504 and the ADA.

All students with disabilities must be provided the same opportunity to participate in field trips as non-disabled peers unless it is determined by an ARD/IEP or Section 504 committee that the student should not attend the field trip for a clearly justifiable reason. The decision for a student not to participate on a field trip should be made on an individual basis. The burden of proof for demonstrating the student should not participate in a field trip is on the district.

Participation in field trips cannot be denied based on the following criteria:

1. Lack of funds
2. Medical conditions (Unless the field trip activity presents an unacceptable risk to the student's health or safety)
3. Parent is unable to attend the field trip (Clovis (CA) Unified School District, 52 IDELR 167 (OCR 2009))

If a student with disabilities requires supports and services while on a field trip the district is required to provide these accommodations to ensure participation. Students with disabilities and their families should receive notice about the planned field trip when all other students and their families receive the notice.

Should it be determined that a student with a disability cannot attend a field the trip, the decision to exclude the student from participation and the reasons for the exclusion must be considered and agreed upon by an ARD/IEP or Section 504 committee. The ARD/IEP document or Section 504 Accommodation Plan will serve as the Notice of Proposal to exclude the student from the field trip, if this decision is necessary.

Full and Individual Initial Evaluation

What's Required

Each public agency must conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability under this part [34 CFR 300.301\(a\)](#). The initial evaluation must consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child [34 CFR 300.301\(c\)\(2\)](#). The initial evaluation must be conducted within 45 school days of receiving parental consent for the evaluation [34 CFR 300.301\(c\)\(1\)](#).

What We Do

- Conduct an initial full and individual evaluation before the initial provision of special education and related services for a student with a disability.
 - Evaluation instruments must not be culturally or racially discriminatory and must be administered in accordance with standardized procedures in order to prevent inappropriate evaluations for specific cultural groups. A variety of evaluation instruments and strategies are used to gather relevant functional and developmental information about the student, including information provided by the parent. All data is reviewed, interpreted, and compiled into a Full and Individual Initial Evaluation (FIE) Report.
- A written report of a full individual and initial evaluation of a student for purposes of special education services shall be completed not later than the 45th calendar day following the date on which the school district receives written consent for the evaluation, signed by the student's parent or legal guardian. The ARD/IEP committee meeting shall be completed no later than 30 calendar days following completion of the FIE.
- The Educational Diagnostician determines the degree of evaluation needed in each area depending on the eligibility criteria for the suspected disability.
 - The area of language dominance is evaluated first to determine the language to be used in further evaluation.
 - Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those designed to provide a single general intelligence quotient.
 - Tests are selected and administered to ensure that the test results of a student who has impaired sensory, manual, or speaking skills, will accurately reflect the student's aptitude, achievement level, or whatever other factors the test purports to measure. This should not be a reflection of the student's impaired sensory,

manual, or speaking skills (except where those skills are the factors that the test purports to measure).

- No single procedure should be used as the sole criterion for determining whether the student is a student with a disability or for determining an appropriate educational program for the student.
- Evaluation of the student covers all areas related to the suspected disability, including (where appropriate):
 - health,
 - vision,
 - hearing,
 - social and emotional status,
 - general intelligence,
 - academic performance,
 - communicative status, and
 - motor abilities.
- The evaluation must be sufficiently comprehensive to identify all of the student's special education and related service(s) needs. The instruments used and strategies must provide relevant information that directly assists persons in determining the educational needs of the student.
- All evaluation personnel are responsible for adhering to all auditable dates for initial evaluations, re-evaluations, and transfers where the student has been in special education in another district.

Glossary of Terms

A glossary of terms is available under the following websites:

- [Texas Project FIRST](#)
- [Legal Framework](#)

Grade Placement Committee and Graduation

What's Required

Senate Bill (SB) 673 (Scooter's Law) and [TEC 28.025 \(f\)](#) ensures that students who receive special education services but who have not yet completed the requirements of their IEPs have the opportunity to participate in a graduation ceremony upon completion of four years of high school. Upon completion of IEP graduation requirements, a student may participate in a second ceremony if the district's local graduation policy allows a student to participate in two graduation ceremonies.

What We Do

- Graduation requirements vary depending upon the year that the student entered ninth grade.
- Make sure to take the ninth grade entry date into consideration when determining the student's graduation option (for specifics, see Graduation Options for Students with Disabilities Entering Ninth Grade Before 2011-2012).
- It should be noted that students receiving special education services are no longer permitted to be exempted from the state assessment program and must take the assessment instrument that the ARD/IEP Committee has determined is appropriate. Information regarding the state assessment instrument and the alternate assessment instruments is available on the [TEA website](#).
- A student who is dismissed from special education services must perform satisfactorily on the required state assessment, as only students receiving special education are eligible to participate in the Accommodated or Alternate versions of the assessment instruments.
- ARD/IEP Committees should carefully consider whether a student is capable of passing the statewide exit-level assessment before dismissing the student from special education services.
- An ARD/IEP Committee should have confidence that a student who is dismissed from special education will be able to successfully complete all of the requirements for high school graduation, including satisfactory performance on the statewide exit-level assessment.

The state's goal is that all Texas children finish high school with the skills designed to meet their unique needs and prepare them for further education, employment, and independent living. Because graduation is a change of placement, the ARD/IEP Committee decides whether a student has met graduation criteria.

- Graduation ends the school's obligation to provide services to the student with the exception of graduation under Option (b)(3) (Option C).

- When a student graduates under Option (b)(3)(Option C), the ARD committee will determine needed educational services upon the request of the student or parent(s) to resume services, as long as the student meets the age eligibility requirements.
- Under this option an evaluation is not required, but the school must give the student a summary of performance to include an evaluation or Review of Existing Evaluation Data (REED).

A student receiving special education services who is 21 on September 1 of a school year will be eligible for services through the end of that school year or until graduation, whichever comes first. The student who graduates due to aging out and meeting his or her IEP requirements must be given a summary of performance.

Resources

Texas Project First

Health and Medical Services

What's Required

The IDEA 1997 definition of school nurse services has been expanded and renamed school health services and school nurse services referenced in 34 CFR 300.34 (d) 13 and part of IDEA 2004. According to federal regulations, the expanded definition clarifies that "school nurse services" are provided by a qualified school nurse, and "school health services" may be provided by a qualified school nurse or other qualified person. School health services and school nurse services are designed to enable a student with a disability to receive FAPE as described in the student's IEP.

What We Do

Referral for Evaluation

- The nurse assists in coordinating communication between the school, home and medical provider.
- The nurse gathers the necessary medical/health information to facilitate the student's safe inclusion in the school program.
- The nurse attends and / or provides input regarding a student's medical needs for staffing and ARD meetings.

Evaluation Criteria/ Process

- The evaluation of a student's health needs involves a multidisciplinary process.
- The nurse obtains written permission from the parent in order to contact the medical provider to discuss the student's health care needs and initiate an individualized health care plan if appropriate.
- The nurse obtains a physician order for any medication, medical treatments or procedures to be performed at school.
- The extent of information gathered by the nurse will be determined by the student's health care needs.
- Based upon this information, the nurse identifies those health issues that are relevant to the student's educational progress and coordinates the delivery of school health services.
- The nurse plans and coordinates training and education of staff including campus personnel, transportation staff and district staff to ensure that the student's health needs are being met throughout the school day.

Nursing Services Delivery Models

- Campus nurse

- Trained paraprofessional staff including clinic aides and special education aides in Life Skills units who are trained to perform daily medical procedures and are monitored and supervised by the campus nurse.
- Private duty nurses provided by the family

Special Education and Related Supplemental Nursing Services

- Supplemental nursing services are provided for students with disabilities who are identified as medically fragile. These students are served in the Therapeutic Intervention Program (TIP) Unit where a registered nurse can support these students with demanding medical needs while at school.

Homebound Services

What's Required

This instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside.

(A) Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four weeks (need not be consecutive) as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in subsection (b) of this section.

(B) Home instruction may also be used for services to infants and toddlers (birth through age 2) and young children (ages 3-5) when determined appropriate by the child's individualized family services plan (IFSP) committee or ARD committee. This arrangement/setting also applies to school districts described in Texas Education Code, §29.014.

What We Do

Procedures for Special Education Homebound Instruction:

1. All students referred for homebound instruction must be residents of the Jim Hogg County ISD and enrolled in their school of attendance. Students will remain enrolled on the campus of attendance and continue to receive instructional assignments and grades from the home campus.
2. The Educational Diagnostician is the initial contact person in the referral process.
3. The Educational Diagnostician or school nurse will:
 - Conduct a brief interview with the parent
 - Obtain the signed medical consent to Release/Exchange Information for
 - Fax a copy of the signed Consent to Release Information form and the Assessment to Determine Eligibility form to the Treating Physician.

The physician's office should return the Physician Statement of Medical Information form directly to the Educational Diagnostician at the student's school of attendance. In the event there are questions or inconsistencies that may affect the eligibility determination, the nurse or Diagnostician should consult directly with the physician's office to clarify the information.

4. The campus administrator will assign a homebound teacher to participate in the ARD/IEP meeting.

5. The Admission Review and Dismissal (ARD/IEP) committee must consider the physician's information as one of the factors in the committee's decision making process when determining home-bound instructional services; however, the licensed physician's information is not the sole consideration in the committee's decision-making process. The ARD/IEP team will meet to determine the need for homebound instruction. If eligible, a placement IEP meeting will be held to establish beginning/end dates for homebound services and a plan for reintegration of the student to the school. Homebound instruction is a temporary service and is discontinued in consultation with the physician, or upon the expiration of the documented need for homebound services.
6. An ARD committee will be held to plan for the student's return to school.

Identification

What's Required

All children with disabilities residing in the State, regardless of the severity of their disabilities, and who are in need of special education and related services, must be identified, located, and evaluated. In addition to children enrolled in the public schools, the child find duty extends to children who are homeless or wards of the State or are who are attending private schools [34 CFR 300.111.\(a\)\(1\)\(i\)](#) and 20 USC 1412(a)(3)(A).

For private schools, each district must locate, identify, and evaluate all children with disabilities who are currently enrolled by their parents in private, including religious, elementary schools and secondary schools located in the district 20 USC 1412(a)(3) (A). conduct timely and meaningfully consult with representatives of private schools; and maintain and provide to TEA the number of children evaluated, determined and served under this framework. 34 CFR 300.131(c), and [20 USC 1412\(a\)\(10\)\(A\)\(i\)\(V\)](#)

What We Do

In coordination with the Early Childhood Intervention (ECI), we provide services for children ages 0-2 who are deaf, hard-of-hearing, or visually impaired.

Infants and Toddlers

- A meeting will be held with the school district and ECI program six months prior to the child's third birthday to transition from ECI to school services, Head Start, or other educational settings.
- Through weekly home visits, the teacher models, supports, and advises the parents in the instructional areas of hearing aid management, parent-child communication, listening skills, and language development for students with auditory impairments. Instructional materials are brought to the home to make the program effective for the family.
- This plan includes activities and techniques that address the impact of the visual impairment on the child's development.
- The teachers of the visually impaired demonstrate these activities to the caregiver which can then be continued in the home between sessions.
- For children referred prior to age three, special education services must be made available to the child on his or her third birthday if the student is found eligible.
- Not all children served by the ECI program will qualify for special education services.

Referral Process for Children Served Through ECI

A meeting will be scheduled by the PPCD Team to help the family make the transition from ECI services to special education services 90 days before a toddler receiving ECI turns three years old, if appropriate.

Referral Process for Children Not Served Through ECI

- The child's parents or guardian should contact the home school's Educational Diagnostician or Speech-Language Pathologist to initiate a special education referral for an evaluation of the child's needs.
- The Educational Diagnostician or Speech-Language Pathologist meets with the parents or guardian to complete the referral packet or to provide Prior Written Notice (English, Spanish).
- The Educational Diagnostician will send the Request for Services to the PPCD Assessment Team who will complete the evaluation and the report.
- The evaluation will be completed within 45 days of initial parent consent.
- The ARD/IEP meeting will be held within 30 days of the completion of the written Full Individual Evaluation.

Child Find Procedures for Private Schools

- Students who attend private schools located Jim Hogg County ISD are eligible for referral, evaluation and determination of eligibility for special education regardless of the child's district of residence.
- In Texas, home schools are considered private schools.
- For students presently attending a private school, the referral source should request an evaluation by contacting the Educational Diagnostician or Speech-Language Pathologist.
- The evaluation will be completed within 45 school days of initial parent consent.
- The ARD/IEP meeting will be held within 30 days of completion of the Full Individual Evaluation.

Resources

- [Child Find: U.S. Department of Education](#)

In-Home and Community-Based Training and Parent/Family Training

What's Required

For a Texas student with autism eligible for special education and related services, the ARD/IEP Committee must consider all eleven peer reviewed, research-based educational programming practice strategies under § [89.1055\(e\)](#) of the Texas Administrative Code (TAC). In-home/community-based training or viable alternatives is one of the eleven strategies an ARD/IEP Committee may consider for a student with autism, for example, to facilitate maintenance and generalization of social/behavioral skills from home to school, school to home, home to community, and school to community. In-home and community-based training (IH/CBT) is a related service that must be considered as one of eleven strategies on the Autism Supplement for a student with autism eligibility, and when needed, addressed in the IEP.

Parent/family training and support is a strategy defined as training and support provided by qualified personnel with experience in Autism Spectrum Disorders (ASD) that, for example-

- Provides a family with skills necessary for a child to succeed in the home/community setting
- Includes information regarding resources- for example, parent support groups, workshops, videos, conferences, and materials designed to increase parent knowledge of specific teaching/management techniques related to the child's curriculum
- Facilitates parental carryover of in-home training, for example: strategies for behavior management and developing structured home environments and/or communication training so that parents are active participants in promoting the continuity of interventions across all settings

Consideration of any strategies included in the autism supplement in no way implies a requirement to implement a particular strategy. It is the responsibility of the Admission, Review, and Dismissal (ARD)/ IEP committee to determine which of the strategies, if any should be included in a student's IEP.

What We Do

The following procedures will be followed in determining a student's need for in-home/community based training and/or parent/family training and support services.

- The student's ARD committee discusses the possible need for in home/community-based and/or parent/family training and support services during the annual ARD committee meeting.
- If the ARD committee determines that the services are not needed, the committee must document the reasons services are not needed on the autism IEP supplement.

- If the ARD committee determines that services are needed, the tiered intervention process (described below) will be initiated.

Integration of Services

In-home/community based training and Parent/family training services are considered separate entities, integrating in-home and/or community based training with parent/family training services enables parents to develop a range of skills important for supporting their child's education in the areas of behavior/social skill development, communication training, and self-care skills in a sustained and meaningful way.

The In-Home Community-Based Training (IH/CBT) consists of three tiers:

Tier One Interventions: Viable Alternatives including Parent Training and Standard Interventions

Tier Two Interventions: Evaluation

Tier Three Interventions: Direct Services

Tier One Interventions: Viable Alternatives including Parent training and Standard Interventions

1. Parents are invited to district-sponsored group meetings that address issues relevant to parents of children with autism spectrum disorder.
2. Parents are provided with online training resources and community resources.
3. Shared information through daily communication is maintained.
4. Parent teacher conferences to address critical skill areas (behavior, self-help, communication, social skills) are made available.
5. Parents invited to observe in school settings to learn specific behavioral intervention strategies.
6. District-or campus-level staff create and provide (a) an individualized visual schedule, (b) a toileting task analysis (if needed), (c) a functional communication system (when necessary and appropriate) to be implemented in the home, and (d) data collection forms and directions for using them are provided.
7. Campus staff will identify and describe expected behaviors and interventions to be implemented across school and home environments by, for example, creating a "behavior folder" to travel with the student to and from the home and campus.

A home visit to discuss behavior concerns and/or strategies is conducted by the classroom teacher.

Tier Two Interventions: Evaluation

If, after an appropriate time of up to nine weeks of Tier One interventions, the student's ARD committee determines that in-home/community-based and/or parent/family training and support is still needed, the committee requests an in-home/community-based and parent/family training and support evaluation.

1. The Notice of Consent and Consent for Evaluation will be obtained from the parent.
2. Required paperwork is submitted to the Special Education Department for Autism Services and Behavior Programs and Supports.
3. The in-home/community and parent training evaluation will be completed within timelines.

The completed evaluation report is sent to the campus contact for Autism Services and Behavior Programs and Supports.

The student's ARD committee reviews the evaluation. If services are recommended, the ARD committee will:

1. Determine in-home/community-based training goals and objectives (based on data in the evaluation report)
2. Determine the format and amount of services necessary to address the goals and objectives (based on data in the evaluation report)
3. Complete the autism IEP supplement
4. Document in-home training as a related service

The campus contact will submit relevant ARD documents to the Special Education Department for additional support.

Tier Three Interventions: Direct Services

1. In-home/community-based and/or parent/family training services are provided to the student and/or family.
2. The following activities will be completed for each home visit.
 1. The in-home trainer will complete documentation.
 2. The parent will sign the documentation form for the visit.
 3. A copy of the documentation form will be sent to the district Special Education Department following each home visit.
3. Direct services will involve facilitating generalization from the school environment to the home environment. These services include, but are not limited to:
 1. Modeling instructional techniques in various environments,
 2. Creating and implementing behavior management systems in the home setting,
 3. Suggesting environmental modifications to promote more effective functioning for the child and family,
 4. Integrating parent/family training services to enable parents to develop skills important for supporting the child in the areas of behavior/social skill development, communication training, and self-care skills.
4. When the recommended number of sessions has been completed, the in-home trainer will
 1. Complete a final summary of progress,

2. Review the summary with the parents,
 3. Submit the final summary of progress to the Educational Diagnostician and case manager for review at the student's next ARD committee meeting.
5. The final summary of progress will be shared at the student's next ARD committee meeting.
1. If the student's goals and objectives have not been mastered, the in home/parent trainer may make recommendations for continuing services for a specified number of sessions for ARD committee consideration.
 2. If the student's goals have been mastered and the committee suspects a continued need for either in-home or parent training services, the committee may request another in-home/community-based and/or parent/family training and support evaluation.

Independent Educational Evaluation

What's Required

A parent has the right to an Independent Educational Evaluation (IEE) at public expense if the parent disagrees with an evaluation obtained by the LEA (34 CFR 300.502(b)(1)). Public expense means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent consistent with the provisions of the Individuals with Disabilities Education Act (IDEA) regarding the use of IDEA Part B formula amounts in general. A parent is limited to only one IEE at public expense each time the LEA conducts an evaluation with which the parent disagrees (34 CFR 300.502.(b)(5)).

What We Do

Parents have a right to request and obtain an Independent Educational Evaluation or IEE at any time during their child's education and to have the IEE considered by the school district in any decision made with respect to providing a free, appropriate, public education (FAPE).

- An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the student's education.
- Submit a request for an IEE if he/she disagrees with the evaluation results (a) of testing conducted by JHCISD staff or (b) because the student was not assessed in a particular area. It is typical, but not a requirement, that a request for an IEE occurs in an ARD Committee meeting following an initial evaluation or reevaluation.
- When the parent presents the school with a parent initiated evaluation or an IEE, the data is given to the Diagnostician for consideration by the Admission Review and Dismissal Committee (ARD).
- After the ARD Committee has reviewed the data, the ARD committee will report and take any action deemed appropriate by the district.

While the parent has a right to obtain an IEE at his/her own expense, federal law provides a parent with the right to one IEE at public expense if the parent disagrees with the school district's evaluation. A parent may request a publicly funded IEE for each evaluation completed by the district. When a parent notifies the district that he or she disagrees with an evaluation and requests an IEE, the district must respond within a reasonable time, either by agreeing to provide the IEE or by initiating a due process hearing to show that the school district's FIE is appropriate.

If request for an IEE is granted, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school uses when it initiates an evaluation. The school may not impose any other conditions or timelines related to obtaining an IEE.

LIFE Skills/ Applied Academics

What's Required

Each school district shall provide services to students with disabilities in order to meet the needs of those students in accordance with 34 CFR §300.26. Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible students receiving special education services.

What We Do

LIFE/Applied Academics

The Jim Hogg County Independent School District LIFE Skills programs span the instructional ages from Kindergarten to age 22. These classrooms serve learners with significant cognitive disabilities whose needs are best met through an instructional focus on prerequisite skills that are often learned through real life application of the grade-level TEKS.

The LIFE Skills/Applied Academics class is designed to meet the educational needs of students with significant cognitive disabilities who require direct, intensive, individualized instruction to acquire, maintain and generalize skills. Instruction is focused on functional skills that are considered critical to the quality of life. Areas addressed include:

- functional academics
- self-help, domestic
- vocational
- communication
- social
- behavior

The LIFE Skills/Applied Academics classrooms are organized around the principles of structured teaching to maximize student independence and to allow teachers to deliver direct instruction of student IEPs on an individual and small group basis. Attention is given to appropriate and purposeful inclusion of students in the general education setting as well.

The LIFE Skills/Applied Academics program uses a team approach to address the unique needs of each student. Depending on student need, service providers from a variety of disciplines plan and implement the overall educational program. Support from district staff is available to assist teachers in behavior management, structured teaching, autism and other areas.

Mainstream/ In-Class Support Services

What's Required

Each school district shall provide services to students with disabilities in order to meet the needs of those students in accordance with 34 CFR § 300.26. Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible receiving special education services.

What We Do

Mainstream/In-Class Support Services

Special education services are frequently provided through in-class support services in the general education classroom. This allows JHCISD to provide specially designed instruction to students with disabilities that (a) addresses the unique needs of the student that result from his/her disability and (b) ensure the student's access to the general curriculum.

Monitoring student progress in and of itself does not constitute a special education service. A student with a disability served solely in the general education classroom (mainstream) must have:

- An IEP specifying the special education and related services that enable the student to access the general curriculum and to make progress toward his/her individual goals and objectives; and
- Qualified special education personnel involved in the implementation of the student's IEP through the provision of direct, indirect and/or support services (a) to the student in the general education classroom and/or (b) in collaboration with the student's general education teacher.

Occupational Therapy

What's Required

Occupational Therapy

(i) Means services provided by a qualified occupational therapist; and (ii) Includes - (A) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation; (B) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and (C) Preventing, through early intervention, initial or further impairment or loss of function (§ 300.34, Federal Regulations).

"Occupational Therapy is the therapeutic use of everyday life activities (occupations) with individuals or groups, for the purpose of enhancing or enabling participating in roles, habits, and routines in home, school, work place community and other settings. Occupational therapy practitioners are concerned with the end result of participation and thus enable engagement through adaptations and modifications to the environment or objects within the environment when needed." (Occupational therapy practice framework: domain & process, 3rd Edition (2014). American Journal of Occupational Therapy (AJOT). 68 (Supplement 1). S44.

What We Do

Referral Process

When a campus or parent concern arises for a student in special education that involves occupational performance or participation in motor, process or social interactions (AJOT, 2014, S.44) *as they relate to the student's educational needs*, the campus will consider whether a referral to occupational therapy is warranted. There are several circumstances under which a referral to occupational therapy may be generated.

1. Students may be currently receiving special education services and demonstrate a lack of progress on a goal in an area that may require the addition of occupational therapy in order to allow the student to make satisfactory progress on that goal.
2. Students may move in to the district with occupational therapy as part of their individual education plan.
3. Students may be undergoing an initial full and individual evaluation to determine eligibility for special education and the assessment team identifies the need for information from occupational therapy to assist in making the eligibility determination.
4. It is determined at the Review of Existing Evaluation Data meeting that updated assessment from occupational therapy is needed.

1. For students currently receiving special education services: The campus team will:

- Determine the need for an occupational therapy consult/evaluation.

- If yes, generate a referral for an occupational therapy consult/evaluation.
 - If no, move to the next step in the referral process as follows:
- Review the student's progress in the identified IEP Goals and Objectives.
- Use measurable data to determine if there are barriers limiting the student's progress in the identified goals and objectives or if there are additional areas of difficulty for the student not previously identified.
- Consider campus based supports, including the pre-referral intervention strategies that are available to campus personnel.
- When the school has tried the pre-referral intervention strategies for a period of 4-6 weeks, data shows that the strategies have not resulted in adequate improvement in performance, and the barriers limiting student progress involve performance skills in the areas of motor, process or social interaction, the campus team may request technical assistance from the campus occupational therapist.
- Consultation with the teacher and can be scheduled during the teacher's conference period with no student observation needed. Recommendations may be given that are general in nature; strategies suggested are those that could benefit a similar group of students and are not specific to the student receiving the tech assist.
- In responding to the request for technical assistance the OT practitioner may do any or all of the following:
 - Review information such as work samples, report cards, outside evaluations, district evaluations, teacher observations, and previously attempted strategies.
 - Collaborate with the student's teacher(s) regarding the student's history and progress in relation to the identified educational concern.
 - Observe the student in the educational setting during the time and in the environment(s) where the problem(s) occurs.
- Upon completion of the technical assist:
 - If no additional support is indicated: The therapist will describe any observations/considerations and suggestions or follow-up that are recommended, review this information with the instructional team, and provide this form to the Educational Diagnostician or Speech-Language Pathologist to file in the state folder.
 - If an occupational therapy an evaluation is indicated: The campus will follow steps to procure parent permission for a consult/evaluation.

2. For students who move into the district with occupational therapy as part of their individual education plan:

- The Educational Diagnostician will notify the therapist(s) of the move-in utilizing the Request for Special Education Services form.
- The student will be provided services via the determinations of an ARD for 30 school days according to the provisions in the IEP from the previous school district.
- The therapist will use this time to collect data needed to determine recommendations for occupational therapy services in the new setting.
- Please Note: Due to the Texas OT licensure rules that govern occupational therapy practice, the therapist must have the following in order to provide occupational therapy services:
 - a current evaluation in hand (accurate/within last 3 years)
 - goals that indicate OT support
 - OT time, frequency and duration specified on the services page
 - for students with a medical condition (as defined in Texas OT Rule), a physician referral.

Without these, the therapist can only provide general technical assistance. If a current and adequate OT evaluation does not come with the student's paperwork, please request and hold a REED to obtain parent permission for an OT consult/evaluation.

3. For students who are currently undergoing a full and individual evaluation to determine eligibility for special education:

- On occasion, the evaluation team may determine that information from occupational therapy is needed in order to assist the team with making the eligibility determination.
- If it is determined that occupational therapy is needed to participate in the initial full and individual evaluation, the Educational Diagnostician or Speech-Language Pathologist will send a referral to occupational therapy.

4. For students who are undergoing a re-evaluation process and it is determined that an updated occupational therapy evaluation is needed:

- The Educational Diagnostician or Speech-Language Pathologist will procure parent permission for an occupational therapy consult/evaluation and send a referral to occupational therapy utilizing the Request for Special Education Services form.

Evaluation Process

Occupational Therapy evaluation is a process "focused on finding out what a client wants and needs to do; determining what a client can do and has done; and identifying supports and barriers to health, well-being and participation. The evaluation consists of the occupational profile and an analysis of occupational performance."(AJOT, 2014, p.S13).

Service Delivery Models

- Student specific services are provided in an integrated model to facilitate the implementation of the individualized educational program (IEP) in the natural environment at school (including classrooms, hallways, cafeterias, gym, playground, etc.) Student specific OT services are available for all students receiving special education services if an educational need is identified by the ARD Committee. OT services are provided as an integrated support. Integrated OT service time may be used to work with the student in classroom or other school environments to determine appropriate strategies, interventions and adapted equipment, and to train instructional staff on how and when to use strategies, interventions and adapted equipment. The OT provider will participate with the collaborative team on the campus to assess the effectiveness of interventions and to revise/adapt interventions as needed.
- Technical assistance may be provided to students who are in either special education or general education. Technical assistance is provided in the form of general recommendations for instructional strategies that may benefit groups of students with needs similar to the student for whom technical assistance is being requested.
- An occupational therapist is contracted by JHCISD and is available for evaluation and therapy.

Out of District Programs

What's Required

Texas Administrative Code § 89.61. Contracting for Residential Educational Placements for Students with Disabilities. Residential placement. A school district may contract for residential placement of a student when the student's admission, review, and dismissal (ARD) committee determines that a residential placement is necessary in order for the student to receive a free appropriate public education (FAPE).

The school district has the following responsibilities when making a residential placement:

Before the school district places a student with a disability in, or refers a student to, a residential facility, the district shall initiate and conduct a meeting of the student's ARD committee to develop an IEP for the student in accordance with 34 Code of Federal Regulations, §§300.320-300.325, state statutes, and Commissioner of Education rules.

What We Do

When a student who is already served in a self-contained classroom/program shows increasingly severe challenging behaviors that pose a threat to the safety of the student and/or other people despite the consistent implementation of the Behavior Intervention Plan and other intervention supports, a staffing is scheduled to review students programming, consider other possible interventions, review current data, and discuss the continuum of supports. The staffing would include the following members: Program Administrator, program staff, LSSP, Educational Diagnostician, and Special Education Director.

If warranted, the Administrator schedules parent conference to discuss outcome of staffing and to receive input from parents. Non Public School Administrator is contacted and an Admission, Review and Dismissal meeting is scheduled to review IEPs, discuss program, placement and options of continuum of supports.

Once the ARD committee has agreed on an out of district placement, it will determine a reintegration plan and implementation timeline. JHCISD will initiate the transfer process and facilitate a site visit for the parents to the Non Public School campus. Scheduled site visits with student and Non Public School staff will be initiated 6 weeks or more often as needed for continued support of student.

Based on individual student needs while attending Non Public School campus, the JHCISD will coordinate staffing meetings and/or ARD meetings to discuss the student's IEP progress, programming and reintegration plan.

Parent Concerns

What's Required

From time to time, disputes may arise between the parent(s) and the school district relating to the identification, evaluation, or educational placement or the provision of a [Free Appropriate Public Education \(FAPE\)](#), for a student with a disability. The [Texas Education Agency \(TEA\)](#) encourages and supports the resolution of any dispute at the lowest level possible and in a prompt, efficient, and effective manner. The possible options for resolving disputes include, but are not limited to:

- meetings of the student's admission, review, and dismissal committee;
- meetings or conferences with the student's teachers;
- meetings or conferences, subject to local school district policies, with campus administrator(s), the special education director of the district (or the shared services arrangement to which the district may be a party), the superintendent of the district, or the board of trustees of the district;
- requesting an independent IEP facilitator from TEA to facilitate an ARD committee meeting with parties who are in dispute. TEA sets conditions that must be met which are found in the [Notice of Procedural Safeguards](#);
- requesting mediation through the [TEA](#) in accordance with the [Individuals with Disabilities Education Act \(IDEA\)](#), and 34 CFR 300.506(b);
- filing a complaint with the [TEA](#) in accordance with 34 CFR 300.153(b); or
- requesting a due process hearing through the [TEA](#) in accordance with [IDEA](#) and 34 CFR 300.507.
- upon the filing of a request for a due process hearing, the parent(s) and the school district shall also be provided with an opportunity to resolve the dispute through the mediation process established by 34 CFR 300.510(a).

What We Do

Local resolution is a voluntary process that should be the first option, giving parents and the district the chance to resolve any concerns.

- As a first step, the parent(s) should contact their child's school and speak to the principal or special education team lead or department chairperson regarding a concern.
- If contacting the campus personnel is not providing a solution to the problem, the parent(s) should contact the Special Education office and discuss the concern that is occurring on campus and the individual will direct them to the appropriate staff member to discuss their concern. The special education office may be reached at (281) 396-2630.

- If the special education contact that is provided to you is not able to assist with a solution, the parent(s) should contact the Special Education office to speak with the Special Education Director of Programming at (281) 396-2077 or the Special Education Director of Compliance at (281) 396-2647.
- If all efforts to reach a solution with the district are unsuccessful, the parent(s) or other interested party can file a complaint with the [Texas Education Agency](#).

The parent(s) may also file a due process with TEA to resolve the issue(s) before a special education hearing officer

- If the parties resolve any issues, the parents should contact TEA either verbally or in writing to request that the complaint/due process be withdrawn or that certain issues be dismissed.
- If there are any remaining issues that were not resolved, TEA will evaluate whether it must investigate those issues.

Resources

Legal Framework

[Texas Project FIRST](#) (Families Information Resources Support and Training) is a project of the Texas Education Agency and is committed to providing accurate and consistent information to parents & families of students with disabilities.

The [Partners Resource Network \(PRN\)](#) is a non-profit agency that operates the statewide network of federally funded Parent Training and Information Centers (PTI's) in Texas. The mission of PRN is to empower parents of children and youth with disabilities in their roles as parents, decision makers, and advocates for their children and to promote partnerships among parents and professionals.

TEA Toll Free Parent Information Line: 1-800-252-9668. This toll free message line is reserved for parents and other family members who have questions about student rights and regulatory requirements as they relate to special education complaint investigations, mediations, and due process hearings. Calls are returned by trained professionals during normal business hours. For Individuals who are Deaf or Hard of Hearing: TTY Number: (512) 475-3540 Relay Texas 7-1-1. Division of Federal and State Education Policy 1701 North Congress Avenue | Austin, Texas 78701-1494 Telephone: (512) 463-9414 | Fax: (512) 463-9560 E-mail: sped@tea.state.tx.us

The [A Guide to the ARD Process Booklet \(English, Spanish\)](#) is produced to implement Texas Education Code (TEC) Section 26.0081 requiring the Texas Education Agency (TEA) to create a comprehensive, easily understood document which explains the individualized education

program (IEP) process for a student in a special education program. Additionally, the *ARD Guide* incorporates a parent's rights and responsibilities concerning the ARD/IEP process. The ARD/IEP Guide is intended to be a companion document to, not a replacement for, the Procedural Safeguards, which identifies parents' rights and responsibilities in federal law. The purpose of the *ARD/IEP Guide* is to encourage a common understanding for parents, school personnel, and communities of the IEP process for a student with disabilities.

Physical Therapy

What's Required

Physical Therapy

(9) Physical therapy means services provided by a qualified physical therapist. (§300.34, Federal Regulations).

"Physical therapists are health care professionals who help individuals maintain, restore, and improve movement, activity, and functioning, thereby enabling optimal performance and enhancing health, well-being, and quality of life." The Physical Therapist Scope of Practice (2015). American Physical Therapy Association.

As providers of Physical Therapy in the school system, Physical Therapists provide services under Part B of the Individuals with Disabilities Education Act (IDEA). Under IDEA physical therapists, "work collaboratively with a student's IEP team and participate in screening, evaluation, program planning, and intervention. As a member of the IEP team, physical therapists design and implement physical therapy interventions - including teaching and training of family and education personnel and measurement and documentation of progress - to help the student achieve his/her IEP goal. Physical therapists assist students in accessing school environments and benefiting from their educational program." Fact Sheet on Providing Physical Therapy in Schools under IDEA 2004 (2009). American Physical Therapy Association, Section on Pediatrics.

What We Do

Referral Process

When a campus or parent concern arises for a student in special education that involves a student's positioning, mobility or gross motor performance *as it relates to the student's educational needs*, the campus will consider whether a referral to physical therapy is warranted. There are several circumstances under which a referral to physical therapy may be generated.

1. Students may be currently receiving special education services and demonstrate a lack of progress on a goal in an area that may require the addition of physical therapy in order to allow the student to make satisfactory progress on that goal.
2. Students may move in to the district with physical therapy as part of their individual education plan.
3. Students may be undergoing an initial full and individual evaluation to determine eligibility for special education and the assessment team identifies the need for information from physical therapy to assist in making the eligibility determination.
4. It is determined at the Review of Existing Evaluation Data meeting that updated assessment from physical therapy is needed.

1. For students currently receiving special education services: The campus team will:

- Determine whether the need for a physical therapy consult/evaluation.
 - If yes, generate a referral for a physical therapy with the campus administration and/or Special Education Department.
 - If no, move to the next step in the referral process as follows:
 - Review the student's progress in the identified IEP Goals and Objectives.
 - Use measurable data to determine if there are barriers limiting the student's progress in the identified goals and objectives or if there are additional areas of difficulty for the student not previously identified.
 - Consider campus based supports, including the pre-referral intervention strategies that are available to campus personnel.
 - When the school has tried the pre-referral intervention strategies for a period of 4-6 weeks, data shows that the strategies have not resulted in adequate improvement in performance, and the barriers limiting student progress involve performance skills in the areas of positioning, mobility or gross motor functioning the campus team may request technical assistance from the campus physical therapist.
 - Consultation with the teacher and can be scheduled during the teacher's conference period with no student observation needed. Recommendations may be given that are general in nature; strategies suggested are those that could benefit a similar group of students and are not specific to the student receiving the tech assist.
 - In responding to the request for technical assistance the PT practitioner may do any or all of the following:
 - Review information such as work samples, report cards, outside evaluations, district evaluations, teacher observations, and previously attempted strategies.
 - Collaborate with the student's teacher(s) regarding the student's history and progress in relation to the identified educational concern.
 - Observe the student in the educational setting during the time and in the environment(s) where the problem(s) occurs.
 - Upon completion of the technical assist:
 - If no additional support is indicated: The therapist will describe any observations/considerations and suggestions or follow-up that are recommended, review this information with the instructional team, and provide this form to the Educational Diagnostician or Speech-Language Pathologist to file in the state folder.

- If a physical therapy an evaluation is indicated: The therapist will recommend an occupational therapy consult/evaluation. The campus will follow steps to procure parent permission for a consult/evaluation.

2. For students who move into the district with physical therapy as part of their individual education plan:

- The Educational Diagnostician will notify the therapist(s) of the enrollment.
- The student will be ARDed for 30 school days according to the provisions in the IEP from the previous school district.
- The therapist will use this time to collect data needed to determine recommendations for physical therapy services in the new setting.
- Please Note: Due to the Texas PT licensure rules that govern physical therapy practice, the therapist must have the following in order to provide physical therapy services:
 - a current evaluation in hand (accurate/within last 3 years)
 - goals that indicate PT support
 - PT time, frequency and duration specified on the services page
 - a physician referral

Without these, the therapist can only provide general technical assistance. If a current and adequate PT evaluation does not come with the student's paperwork, please request and hold a REED to obtain parent permission for a PT consult/evaluation.

3. For students who are currently undergoing a full and individual evaluation to determine eligibility for special education:

- On occasion, the evaluation team may determine that information from physical therapy is needed in order to assist the team with making the eligibility determination.
- If it is determined that physical therapy is needed to participate in the initial full and individual evaluation, the Educational Diagnostician or Speech-Language Pathologist will send a referral to physical therapy.

4. For students who are undergoing a re-evaluation process and it is determined that an updated physical therapy evaluation is needed:

- The Educational Diagnostician or Speech-Language Pathologist will procure parent permission for a physical therapy consult/evaluation and send a referral to the physical therapist.

Evaluation Process

"Physical therapists engage in an examination process that includes taking the individual's history, conducting a standardized systems review, and performing selected tests and measures to identify potential and existing movement-related disorders." Guide to Physical Therapist Practice 3.0. Alexandria, VA: American Physical Therapy Association; 2014. School-based PTs may evaluate students with disabilities to determine the need for services in the educational

setting. As a related service to special education, physical therapy services may be recommended to the individualized education program (IEP) team if the expertise of a PT is required for students to access the general education curriculum, to participate in their educational environment, and to benefit from their specially designed educational program.

Service Delivery Models

- Student specific services are provided in an integrated model to facilitate the implementation of the individualized educational program (IEP) in the natural environment at school (including classrooms, hallways, cafeterias, gym, playground, etc.) Student specific PT services are available for all students receiving special education services if an educational need is identified by the ARD Committee. PT services are provided as an integrated support. Integrated PT service time may be used to work with the student in classroom or other school environments to determine appropriate strategies, interventions and adapted equipment, and to train instructional staff on how and when to use strategies, interventions and adapted equipment. The PT provider will participate with the collaborative team on the campus to assess the effectiveness of interventions and to revise/adapt interventions as needed.
- Technical assistance may be provided to students who are in either special education or general education. Technical assistance is provided in the form of general recommendations for instructional strategies that may benefit groups of students with needs similar to the student for whom technical assistance is being requested.
- A physical therapist is contracted by JHCISD for evaluation and therapy.

Programs and Placement

What's Required

The IDEA guarantees that a student with a disability will be educated in the Least Restrictive Environment (LRE).

This means that to the maximum extent appropriate, a student with a disability must be educated with students who do not have disabilities. Therefore, removal of a student from the regular educational environment may only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Federal law requires that a school district must ensure a continuum of placements is available to meet the needs of students with disabilities (34 CFR 300.115I(b)).

What We Do

When developing the IEP, the ARD/IEP Committee must determine the placement of a student served through special education. Placement considerations:

- placement must be in the least restrictive environment (LRE), which means to the maximum extent appropriate, the student will be educated with students who do not have disabilities;
- placement is not the specific physical location or site where the services will be delivered.

Special education services are provided on a continuum as follows:

- general education with consultation services from special education
- general education with instructional modifications and/or accommodations with supplementary aids and services from special education
- special education instructional services less than 21 percent of the school day
- special education instructional services at least 21 percent of the school day and less than 50 percent of the school day
- special education instructional services at least 50 percent and no more than 60 percent of the school day
- special education instructional services more than 60 percent of the school day.

Educational Placements

Please locate specific information regarding programs under the "Table of Contents" such as Early Childhood, Mainstream/In-Class Support Services, LIFE Skills/Applied Academics, Therapeutic Intervention Program, and Resource Room.

Re-evaluations

What's Required

The LEA must ensure that a re-evaluation of each child with a disability is conducted ([34 CFR 300.303\(a\)](#) and 20 USC 1414(a)(2)(A).

- If the LEA determines the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation ([34 CFR 300.303\(a\)\(1\)](#) and 20 USC 1414(a)(2)(A));
- If a re-evaluation is requested by the child's parents or teacher ([34 CFR 300.303\(a\)\(2\)](#)); or
- Before determining that the child is no longer a child with a disability ([CFR 34.300.305\(e\)](#) and 20 USC 1414(c)(5)(A)).

A re-evaluation is not required (but a [SUMMARY OF PERFORMANCE](#) is required) before the termination of a child's eligibility due to ([34 CFR 300.303\(a\)\(2\)](#) and 20 USC 1414(c)(5)(B)(i)):

- Graduation from secondary school with a regular diploma ([34 CFR 300.305\(e\)\(2\)](#) and 20 USC 1414(c)(5)(B)(i)): or
- Exceeding the age eligibility for a free appropriate public education under state law ([34 CFR 300.305\(e\)\(2\)](#) and 20 USC 1414(c)(5)(B)(i)).

A re-evaluation must occur:

- Not more frequently than once a year, unless the parent and the LEA agree otherwise ([34 CFR 300.303\(b\)\(1\)](#) and 20 USC 1414(a)(2)(B)); and
- At least once every three years, unless the parent and the LEA agree that a re-evaluation is unnecessary (34 CFR 300.303(b)(2) and 20 USC 1414(a)(2)(B)).

What We Do

BEGINNING OF THE SCHOOL YEAR

- The Education Diagnostician and Speech-Language Pathologist are responsible for compiling the list of students needing re-evaluation within the school year.
- The Education Diagnostician and Speech-Language Pathologist schedules a REED meeting one semester prior to the due date of the three-year re-evaluation date so that the evaluation can be completed within the timeline.

DATA COLLECTION

- The Education Diagnostician or Speech-Language Pathologist is responsible for collecting previous evaluations and information provided by the parents (English, Spanish), current classroom-based, local, and/or state assessments, classroom-based observations and related service providers, and health information provided by the school nurse.
- General education and/or special education personnel forms may be completed by multiple sources.
- Any personnel with relevant information concerning the student will be asked to complete, sign, and date the form.
- The person completing the form should address those competencies about which they have direct knowledge and/or observation.
- Information from parents should be sent home for completion by the parent(s)/guardian(s).
- The school nurse completes the health information form (all relevant health information should be addressed).

REVIEW OF DATA

- The Education Diagnostician or Speech-Language Pathologist convenes a REED (Review of Existing Evaluation Data) meeting to review the student's current eligibilities and current progress.
- Based on the available data, the determination of the need for a formal evaluation is made by the REED committee with the same membership as an ARD committee.
- If the decision is to formally evaluate, the parents will be asked to complete the information forms, sign the Notice and Consent for Evaluation.
- If the decision is to continue the current disability identification without any additional formal evaluation information, the Education Diagnostician or Speech-Language Pathologist will complete the REED document and it will become the new Full and Individual Evaluation Report. The appropriate Documentation of Disability forms will be completed and attached. This information is placed in the student's special education eligibility folder.
- The Education Diagnostician or Speech-Language Pathologist will schedule an ARD/IEP committee meeting, at which time the Education Diagnostician or Speech-Language Pathologist will review the re-evaluation data.
- The FIE will need to be finalized by the FIE due date.

ARD/IEP COMMITTEE

- The ARD/IEP Committee must include persons needed to establish eligibility for specific disabilities.
- For VI students, a representative of the Programs for the Visually Impaired must be present.
- For AI, a representative from the Program for the Deaf and Hard of Hearing must be a part of the ARD/IEP Committee.
- In determining whether or not additional data is needed, the committee should consider the following:
 - The specific disability: Certain disabilities may change over time and require formal evaluation to substantiate developmental changes.
 - Every three years, the REED committee will consider whether full, partial assessment, or a documented review of existing evaluation data should be completed. Depending on the student needs, formal and full evaluations could be completed more often but not more than once a year unless parent and school agree.
 - Age of the student: Each case should be considered on an individual basis.
 - Emotional/behavioral factors: Behavioral considerations should be documented in various settings for all students. Specific documentation and appropriate and current evaluations will impact future decisions if a Manifestation Determination Review (MDR) is needed.
 - Special education services and supports provided: Special education services and supports that are in place and the effect of eliminating, reducing, or changing those services should be considered.
 - Instructional demands of grade level standards: A major consideration should be the degree to which the student is able to meet the instructional demands of grade-level standards without special education and related services.

PARENTS

- The parent/guardian's right to request a formal evaluation always overrides the committee's decision to continue the disability identification.
- The parent has the right to request a formal evaluation to determine whether the student continues to be a student with a disability.

Referral Process for Initial Evaluations

What's Required

Each public agency must conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability [34 CFR 300.301\(a\)](#). The initial evaluation must be conducted within 45 school days of receiving parental consent for the evaluation. The purpose of the evaluation is to determine if the child is a child with a disability [34 CFR 300.8\(a\)\(1\)](#) under the Individuals with Disabilities Education Act ([IDEA](#)) and to determine the educational needs of the child [34 CFR 300.301\(c\)\(2\)](#) [Timeline | Child-Centered Special Education Process](#) .

[Jim Hogg County ISD Board Policy](#)

What We Do

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individual(s) listed below to learn about the school's overall general education referral or screening system for support services. This system links a student to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine if the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.

Special Education Referrals:

If a parent makes a written request for an initial evaluation for special education services to the director of special education services or an administrative employee of the school district, the district must respond no later than 15 school days after receiving the request. At that time, the district must give the parent a prior written notice of whether it agrees to or refuses to evaluate the student, along with a copy of the Notice of Procedural Safeguards. If the school district agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of being a child with a disability and in need of special education. However, a verbal request does not require the district or charter school to respond within the 15-school-day timeline.

If the district decides to evaluate the student, it must complete the student's initial evaluation and evaluation report no later than 45 school days from the day it receives a parent's written consent to evaluate the student. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent.

There is an exception to the 45-school-day timeline. If a district receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply.

Upon completing the evaluation, the district must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the district in a companion document titled Parent's Guide to the Admission, Review, and Dismissal Process.

Contact Person for Special Education Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for special education services is:

Contact Person: Dr. John Eric Salinas, Director of Special Programs.

Section 504 Referrals:

Each school district must have standards and procedures in place for the evaluation and placement of students in the district's Section 504 program. Districts must also implement a system of procedural safeguards that includes notice, an opportunity for a parent or guardian to examine relevant records, an impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

Contact Person for Section 504 Referrals:

The designated person to contact regarding options for a student experiencing learning difficulties or regarding a referral for evaluation for Section 504 services is:

Contact Person: Dr. John Eric Salinas, Director of Special Programs

Residential Facilities

What's Required

Local education agencies (LEAs) serving students with disabilities residing in residential facilities (RFs) located within the LEA's geographic boundaries and/or jurisdictions are subject to the RF monitoring system. In accordance with 19 Texas Administrative Code (TAC) § 97.1072, the RFM system provides for standards and procedures for monitoring the special education programs provided to students with disabilities residing in RFs. The RFM system has been established to improve performance and compliance with federal and state special education requirements for a unique and vulnerable population of students who often have limited access to family members who can advocate for their educational needs. The definition of a RF, for the purposes of the RFM system, is a facility that provides 24-hour custody or care of students who reside in the facility for detention, treatment, foster care, or any non-educational purpose. A RF does not include traditional foster homes licensed by the Texas Department of Family and Protective Services (TDFPS) as Foster Family Homes (Independent).

Jim Hog County ISD is required to provide notice to the educational decision maker and caseworker regarding events that may significantly impact the education of a foster care student, including:

- Requests or referrals for special education evaluation
- ARD Committee meetings
- Manifestation determination reviews
- Any disciplinary actions for which parental notice is required
- Citations issued for Class C misdemeanor offenses on school property or school-sponsored activities
- Reports of restraint and seclusion and
- Use of corporal punishment

What We Do

Jim Hogg County ISD does not have a Residential Facility within its attendance zones. Therefore, the district does not enroll students who are currently placed in an RF outside of the attendance zone.

Resource

What's Required

Each school district shall provide services to students with disabilities in order to meet the needs of those students in accordance with 34 CFR § 300.26. Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible students receiving special education services.

What We Do

Special education instruction and related services are sometimes provided to a student with a disability in a setting other than the general education classroom. Special education resource is a classroom where a special education program can be delivered to a student with a disability. This setting may be utilized when it is necessary to meet the needs of the student with a disability in a setting other than the general education classroom due to the need for extensive modification of the presentation of materials, methods of response of the student, setting, accommodations and/or the timing and scheduling of the materials.

Due to the necessity of such extensive accommodations the student's ARD Committee may determine that the needs of the student cannot be met in the general education environment and that services (full or partial) should be provided in special education resource.

Decisions to place a student in a resource setting are based on the individual needs of the student, as determined by the student's IEP. A student receiving this level of support will generally receive some instruction in special education resource and some instruction in the general education classroom with modifications and/or accommodations.

Response to Intervention

What's Required

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of the district's overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to scientific, research-based intervention; and other academic or behavior support services. If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student for a full and individual initial evaluation ([19 TAC 89.1011](#)). This referral for a full and individual initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student.

What We Do

Response to Intervention (RTI) is a multi-tiered system of support designed to provide every student with high quality instruction. The emphasis of the RTI process is on prevention and early identification of students in need of academic and/or behavioral support. Academic and behavioral interventions are provided at increasing levels of intensity in accordance with each student's individual needs. Collaborative, interdisciplinary teams made up of administrators and teachers work together to problem solve and match students to the appropriate instructional and/or behavioral interventions. These teams monitor student progress and frequently review student data to evaluate each student's response to the interventions provided.

Jim Hogg County ISD's RTI process is composed of three instructional tiers. Tier I is experienced by all students in the general education classroom and is characterized by differentiated core instruction and school-wide behavior management practices. If a student needs academic or behavioral support beyond what is typically provided at Tier I, the student will be referred to the RTI Collaborative Team for placement in Tier II interventions. At RTI Tier II, students receive targeted instructional or behavioral support designed to meet their unique needs and facilitate their success in the general education classroom. Students who do not respond to Tier II interventions may be referred to RTI Tier III where they will experience more intensive interventions.

If you have questions regarding the RTI process, please contact Dr. John Eric Salinas, Director of Special Programs.

Section 504 and ADA

What's Required

Section 504 of the Rehabilitation Act of 1973 provides that —No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance... Authority: 20 U.S.C. 794

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation. The current text of the ADA includes changes made by the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009.

Child Find

Jim Hogg County ISD is responsible for identifying and evaluating students who within the intent of Section 504 of the Rehabilitation Act of 1973 need special services or programs in order that such students may receive the required free appropriate education.

A student who may need specialized instruction or programs within the intent of Section 504 is one who:

- Has a physical or mental impairment that substantially limits one or more of life's major activities; or
- Has a record of such impairment; or
- Is regarded as having such impairment.

Students may be eligible under the provisions of Section 504 even though they do not require services pursuant to the Individuals with Disabilities Education Act. Parents who believe that they have a child who may qualify for special services or programs under Section 504 should contact the Campus 504 Coordinator/ Assistant Principal at the home campus. In addition, parents who believe that they have a child who may qualify for special education services or programs under the Individuals with Disabilities Education Improvement Act (IDEA) should contact the home campus office for more information.

Test Accommodations for College Board and ACT Tests

Accommodations for these tests require a separate process from test accommodations which may be offered in a student's IEP or Section 504 plan within Jim Hogg County ISD. Even if your

student has accommodations specified within his or her Jim Hogg County ISD- developed IEP or Section 504 plan, there is no guarantee he or she will be allowed them during the administration of the College Board and ACT tests. The allowance for test accommodations are determined solely by the College Board and ACT testing services. Families are ultimately responsible for obtaining these accommodations. Although Jim Hogg County ISD will assist with the applications as a courtesy for all students with IEPs and 504 plans for families who timely follow the application process, families have the ability to submit their requests directly to the College Board and ACT test services. Families will receive notification directly from the College Board or ACT testing services on the accommodations granted. It is important for families to adhere strictly to the specified or recommended timelines for submitting all requests for accommodations and to provide whatever documentation is specified. This includes making requests to the appropriate campus staff within designated timelines as well as the timelines requested by the College Board or the ACT test services offices. Failure to timely submit the requested information to either the testing services or campus staff may result in your student's inability to be allowed accommodations on his or her test.

Social Work Services

What's Required

With the enactment of P.L. 94-142, the Education for All Handicapped Children Act in 1975, school social work was identified as a related service and social workers were given the additional specific role of assisting pupils with disabilities. As stated in 1991 by the National Information Center for Children and Youth with Disabilities, "Social Work Services are provided in order to address the whole welfare of the student with a disability in his or her life at home, in school, and in the community."

The compatibility of social work and special education services is summarized in the following statement: "The principles of special education legislation complement the basic philosophy and code of ethics of the social work profession. The social work profession is founded on democratic and humanitarian ideals. It is committed to protecting the right of individuality, self-respect, and the opportunity for development, without discrimination. Legislation that grants infants and youths the right to an appropriate education in the least restrictive environment is consistent with these ideals."

Social work service in schools includes:

- Preparing a social or developmental history on a student with a disability is done informally by getting background information on students from reports, parent conversation, direct observations, etc.;
- Group and individual counseling with the student and family;
- Working with those problems in a student's living situation (home, school, and community) that affect the student's adjustment in school;
- Mobilizing school and community resources to enable the student to learn as effectively as possible in his or her educational program; and
- Assisting in developing positive behavior intervention strategies.

What We Do

Referral Process

Jim Hogg County ISD utilizes both district and community agencies to facilitate the services for students. The referral process is as follows:

- Referral to the school social worker may be because of student behaviors, attendance issues, or when school personnel, special education staff, or the family identify needs related to issues that interfere with the student's special education experience.
- The need for the services of the school social worker to be provided to the student or family can be determined by the ARD/IEP Committee. In this instance, it is recommended that the social worker be part of the team making the recommendation.

Evaluation Criteria/Process

- The school social worker, in collaboration with the family and others who have knowledge of the student and family in question should assess the need for social work services.
- According to the [Texas Education Agency](#), social workers have specific expertise and interest in assessing the needs, characteristics and interactions of children, families, personnel in the local education agency, and individuals and groups in the neighborhood and community.
- Some tools that may be used in this process include genograms, ecomaps, and various psychosocial and family assessments.

Service Delivery Models

- Models of school social work practice should be developmental, not static, and should use a holistic perspective.
- The social worker is often responsible for a variety of services. The social worker assists families and schools to help a student transcend barriers to successful school experience including poverty, substance and other abuses, community violence, access to health and medical supports, and family conflicts.
- The models of service delivery include:
 - Direct, indirect, or integrated supports (to include counseling). This form of service delivery is a complex helping process in which the social worker establishes a trusting and confidential working relationship. The focus is on problem-solving, decision-making, and discovering personal meaning related to learning and development.
 - Consultation. This form of service delivery is a cooperative process in which the social worker assists the parents, family, and school personnel to think through problems and to develop skills that make them more effective in working with their child, accessing needed resources, connecting with in-school and out-of-school resources.

The Social Workers roll is mainly doing consultation with special education students; however, there are times where direct supports are provided.

Social Work Services in the IEP

- Factors that may contribute to the need for social work as a related service may include:

- a student experiencing behavioral problems,
 - attendance concerns,
 - lack of provision of basic needs,
 - evidence of emotional disturbance,
 - abuse or neglect, and/or
 - other issues present in the home and community.
- The ARD/IEP Committee can make a referral for social worker supports as a supplemental aid and service to assist the family to make viable connections with private and governmental support agencies, access needed equipment (e.g., wheelchairs) and supplies (e.g., diapers, food, clothes), provide psychosocial assessments, needs referrals, coordination of resources, and individual, family, and group counseling.

Speech-Language Services

What's Required

In Texas, speech-language therapy is considered an instructional service. This means it can be a stand-alone service as well as a support in order to receive benefit from other special education services. However, in considering the delivery of speech services, all the same factors associated with the individual determination of related services, such as frequency, location, and duration of services, must be considered. A child may be determined to be a child with speech or language impairment if;

- The child has a communication disorder such as, stuttering, impaired articulation, a language impairment, or a voice impairment; ([CFR 34 300.8\(c\)\(11\)](#)) and
- The speech or language impairment adversely affects the child's educational performance; [19 TAC89.1040\(c\)\(10\)](#) and
- By reason of the speech or language impairment, the child needs special education and/or related services (20 USC1401(3)(A)).

What We Do

A child who has difficulty producing speech or understanding and communicating ideas may have a speech-language impairment. When a person is unable to produce speech sounds correctly or fluently, or has problems with his or her voice, he or she has a speech disorder. Difficulties pronouncing sounds, or articulation disorders, and stuttering are examples of speech disorders. When a person has trouble understanding others (receptive language) or sharing thoughts, ideas, and feelings completely (expressive language), he or she has a language disorder.

- Prior to referral, students experiencing language difficulty in the general education classroom should be considered for the support services available to all students such as tutorials, remedial services, and/or other support services.
- If the student continues to experience difficulty in the general education classroom after the provision of interventions, the Response to Intervention (RTI) Committee must refer the student for a full and individual initial evaluation.
- Students with suspected speech and/or language impairments are evaluated using a comprehensive battery that is conducted by a professional that is licensed and/or certified as a speech-language pathologist. Professionals may maintain the Texas state license in speech-language pathology, or may hold the Texas Education Agency (TEA) Speech and Hearing Therapy certificate as previously granted by the TEA. Many speech-language pathologists also hold the American Speech, Hearing, and

Language Associations Certificate of Clinical Competence in Speech and Language Pathology.

- When a student is determined eligible for speech-language services, the service delivery, and clinical methods must focus on achieving the speech and/or language goals in the child's Individualized Education Program (IEP). These services may be provided using a direct service delivery model, and may target one or more of the following areas:
 - Articulation - Abnormal production of speech sounds.
 - Stuttering - Abnormal flow of verbal expression characterized by impaired rate/rhythm.
 - Language - Impairment or delayed development of comprehension and/or use of a spoken/written or other symbol system.
 - Voice - Absence or abnormal production of vocal quality, pitch, loudness, and/or resonance.

Direct Service Delivery Models

- Generalization of skills to the natural setting is crucial for independent communication.
- The Least Restrictive Environment should be considered in the selection of a service delivery model.
 - Least Restrictive Environment (LRE), an IDEA mandate, provides that eligible students are educated with students without disabilities to the maximum extent appropriate.
- The following is a description of speech-language service models which are available based on the individual needs of the student.
 - Classroom-Based
 - This model of speech therapy provides direct services to students within the classroom setting.
 - Team teaching by the Speech-Language Pathologist and the regular and/or special education teacher(s) can be utilized within this model.
 - Classroom-based speech-language services involve the use of curriculum content and context for determining a student's communication intervention needs and progress.
 - Intervention is provided in natural environments such as the classroom or the community to integrate communication goals with the curriculum.
 - Traditional Pull-Out Service

- In the traditional direct service pullout model, the Speech-Language Pathologist provides services to students (individually or in small groups) in the speech room or sometimes within the physical space of the classroom setting
- The traditional pull-out model in the special education speech therapy classroom is the most restrictive environment for speech therapy services.

Feeding and Swallowing

A fundamental educational need for students is adequate nutrition and hydration during their school day. If a student is demonstrating difficulty with feeding and/or swallowing while at school, a technical consultation should be requested from the speech-language pathologist (SLP). The SLP will make a campus visit to review the student files and medical records. The SLP will observe the student during feeding. Recommendations for feeding and swallowing may be made to the classroom staff and training is provided to staff when needed. The school nurse may be part of the team when additional information is needed from the parents and the child's doctor.

Speech Therapy Services for Medically Fragile Students

Some medically fragile students may require home-bound services and/or may experience a temporary period of time when they are not medically stable enough to benefit from Speech Therapy services. The ARD committee will determine if speech therapy services during this time should be direct or consultative and will determine the frequency and duration of speech therapy services while home-bound. Service time provided while the student is home-bound is determined based on each individual situation and the student's ability to participate while ill.

Dismissal Considerations

The Speech-Language Pathologist must use sound professional judgment and competency, in addition to evaluation data, in recommending that services are no longer warranted. The following factors must be considered:

- Evaluation Data - Does evaluation data indicate that the student no longer qualifies for services according to Jim Hogg County ISD eligibility guidelines?
- Is a Speech-Language Pathologist necessary to provide the intervention required or can services be redirected through other special education providers?
- Feedback from teachers, parents, and student is considered.
- The justification for the decision to dismiss must be documented in detail in the ARD document.
- Determination of dismissal is made by the committee during an ARD meeting.

SPP Indicator 7: Early Childhood Outcomes

What's Required

In 2005, the Early Childhood Outcomes (ECO) Center created the Child Outcomes Summary Process as a way for states to summarize data on children for federal reporting purposes. States use the Child Outcomes Summary Form to document the percent of preschool children with individualized education programs (IEP) who demonstrate improved functioning in three outcome areas.

- Positive social-emotional skills (including social relationships)
- Acquisition and use of knowledge and skills (including early language/communication and early literacy)
- Use of appropriate behaviors to meet their needs

Starting in 2011, the ECO Center began using the term "Child Outcomes Summary Process" (rather than the Child Outcomes Summary Form or COSF) to emphasize that this measurement approach is a team process, not just a form.

What We Do

On an ongoing basis throughout the school year, preschool teachers and Speech/Language Pathologists report on all children, ages three through five, who meet the Entry and Exit criteria during the reporting period (July 1-June 30). The electronic Childhood Outcomes Summary Form collects the following data:

- Positive Social Emotional Skills at time of entry/exit
- Acquisition and use of knowledge and skills at time of entry/exit
- Use of appropriate behaviors to meet needs at time of entry/exit
- Assessment Instruments used to collect data
- Reason for exiting (ie: aged out, dismissed)

After the data are entered, the entries are reviewed by a program specialist for data entry errors to ensure accuracy and to ensure all schools are reported and not duplicate data exists. Case managers are responsible for printing the completed COSF and placing it in the student's state folder.

SPP Indicator 11: Child Find

What's Required

The Individuals with Disabilities Education Act of 2004 (IDEA 2004), Section 616(b)(2)(B), requires states to collect data from LEAs for State Performance Plan (SPP) indicators 1-14 in order to report data for the State Performance Plan / Annual Performance Report. The LEA is responsible for assuring that the data is accurate and therefore, must be knowledgeable of the process. Once entered and complete, the LEA certifier will certify the data. Every district must have a complete and certified status regardless of whether the district has no data to enter. If a district has no data to enter a zero should be entered into the application before the data collection is certified.

What We Do

Periodically, the Special Education Department checks a report that reflects the information input by campus Educational Diagnostician and Speech-Language Pathologist. This report provides:

- Evaluations completed within the state established timeline;
- Evaluations not completed within state established timelines;
- Determined not eligible;
- Determined eligible;
- Determined to have been delayed and the reason for delay. Detailed Records* would be sent by the campus to the Appraisal Specialist to support the reason for delay;
- And all other required components of Indicator 11.

After the data are entered, the entries are reviewed by the Special Education Department for incomplete information to ensure accuracy and to ensure all school are reported. *Detailed Records may include, but are not limited to: certified letters; detailed physician's letters, comprehensive records of phone calls made or attempted along with the results of those calls, copies of correspondence sent to parents and any responses received, records of visits made to the parent's home or place of employment and the results of those visits, log of multiple attempts to contact parents or guardians; etc. and should be collected as circumstances warrant.

SPP Indicator 12: Early Childhood Transitions

What's Required

The Individuals with Disabilities Education Act of 2004 (IDEA 2004), Section 616(b)(2)(B), requires states to collect data from LEAs for State Performance Plan (SPP) indicators 1-14 in order to report data for the State Performance Plan / Annual Performance Report. State Performance Plan (SPP) Indicator 12 is a percentage of students referred by Part C / Early Childhood Intervention (ECI) prior to age 3 who are found eligible for Part B / District Special Education Services and who have an IEP (Individualized Education Program) developed and implemented by their third birthday.

What We Do

Periodically, our Appraisal Specialist checks a report in e-Star that reflects the information input by campus Diagnostic Specialists and Speech-Language Pathologists. This report provides the data collected for SPP 12:

- Student demographics (including Date of Birth);
- 120-day transition date;
- Referral date;
- Evaluation date;
- ARD/IEP date; and
- Reason for evaluation delay. Detailed Records* would be sent by the campus to the Appraisal Specialist to support the reason for delay.

After the data are entered, the entries are reviewed by our Appraisal Specialist for incomplete information to ensure accuracy and to ensure all school are reported. *Detailed Records may include, but are not limited to: certified letters; detailed physician's letters, comprehensive records of phone calls made or attempted along with the results of those calls, copies of correspondence sent to parents and any responses received, records of visits made to the parent's home or place of employment and the results of those visits, log of multiple attempts to contact parents or guardians; etc. and should be collected as circumstances warrant.

SPP Indicator 13: Postsecondary Goals/Transition

What is Transition for a Student with Special Needs

"Transition refers to a change in status from behaving primarily as a student to assuming emergent adult roles in the community. These roles include employment, participating in post-secondary training/education, maintaining a home, becoming appropriately involved in the community, and experiencing satisfactory personal and social relationships. The process of enhancing transition involves the participation and coordination of school programs, adult agency services and natural supports within the community.

The foundation for transition should be laid during the elementary and middle school years, guided by the broad concept of career development. Transition planning should begin no later than age 14, and students should be encouraged, to the full extent of their capabilities, to assume a maximum amount of responsibility for such planning." (Halpern, 1994)

What's Required

Federal Requirements:

Transition services and activities must be included in the development of the IEP no later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP Team, and must include appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.

State Requirements: (note the main difference between Federal and state requirements is the age a full Transition Plan development is required)

Texas requirements for transition services are aligned to the federal requirements included in IDEA 2004. However, state law and guidance include additional requirements for the provision of transition services for students receiving special education services in Texas. A new state law passed in the summer of 2011 requires that "appropriate state transition planning must begin for a student not later than when the student reaches 14 years of age" (*SB 1788, 06/17/2011*). The Texas Administrative Code (TAC) describes the following nine issues important to the development of the Individualized Education Program (IEP) for students receiving special education services.

- Appropriate student involvement in the student's transition to life outside the public school system
- If the student is younger than 18 years of age, appropriate parental involvement in the student's transition

- If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled
- Any post-secondary education options
- A functional vocational evaluation
- Employment goals and objectives
- If the student is at least 18 years of age, the availability of age-appropriate instructional environments
- Independent living goals and objectives
- Appropriate circumstances for referring a student or the student's parents to a governmental agency for services

What We Do

- Transition services means working as a team with the student, parent, school staff and outside agencies or community service to develop a coordinated set of activities for a student with a disability that is based on the individual student's needs, taking into account
 - the student's strengths,
 - preferences,
 - interests,
 - which includes instruction,
 - related services,
 - community experience,
 - the development of employment and other post school adult living objectives,
 - and if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
- All of these activities will be considered for each student, however specific activities will be determined by the needs of each student.
- Transition is a results oriented process that is focused on improving the academic and functional achievement of a child with disabilities to facilitate the movement from school to post-school activities.
- These activities, through state guidelines, begin on or before the student turns 14 years old with post-secondary goals in education or training, employment and if appropriate, independent living skills based on age-appropriate transition assessments and, an examination of transition issues including the appropriate courses of study based on transition goals.
- The IEP will include transition services which are needed to assist the student in reaching those post-secondary goals.

- The Case Manager is responsible for providing, when appropriate, parent, teacher, and student input forms for transition planning and/or as a portion of transition assessment.
- Although transition planning must be in place by age 14, it can be completed earlier, depending on the needs of the student.
 - Earlier transition planning, when appropriate, can be considered for students with moderate to severe disabilities who may need additional services from outside agencies with long waiting lists.
- Appropriate student involvement in the student's transition to life outside the public school system includes student's participation in the ARD\IEP committee.
 - Best practices would indicate that to the extent possible, the student should lead a portion of the ARD/IEP meeting taking into consideration his or her capabilities.
- The student will be invited to the ARD/IEP Committee meeting when transition services will be discussed.
- The ARD/IEP Committee will make decisions regarding transition goals and services based on age-appropriate transition assessments.
 - The transition goals and services in the student's IEP will be updated annually.
- An ARD/IEP Committee will consider, and if appropriate, address the issue of a formal functional vocational evaluation.
 - A formal functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes, and skills. Information is gathered through situational assessments in the setting where the job is performed and takes ARD Committee input and parent permission.
 - The ARD/IEP Committee identifies students who will benefit from services in a vocational program such as Community Based Instruction (CBI). Community Based Vocational Instruction (CBVI) or Work Based Learning (WBL).
 - The informal or formal functional vocational evaluation can be a useful tool in assessing progress for these students. The informal functional vocational evaluation is an ongoing data collection process and is part of a student in special education services ongoing data collection process.
- Age-appropriate instructional environments will be available for students who are 18 years of age and older.
 - The ARD/IEP committee must determine the appropriate environment for each student in this age category on a case-by-case basis, but decisions should be made by taking into consideration what typical students in general education are doing at that age (e.g. college, technical school, employment, volunteer positions, etc.) and the comparable environments available.

- Formal transition planning is completed during the ARD/IEP committee meeting and focuses on assisting students with disabilities to become independent within the community, to the greatest extent possible.
- For students with Autism Spectrum Disorders (ASD), IEP goals and objectives will address the skills necessary to function in current and future environments.
 - Transition (or futures) planning for students with ASD, at any age, includes ARD/IEP Committee determination of need, and establishment of a plan, if appropriate, to support the student's successful transition from current to next environment(s).
 - Such support might also include assisting students to transition from elementary to middle school level, from middle to high school, and/or across instructional settings.
- Prior to the student's 17th birthday the Notice of Transfer of Parental Rights must be completed. Refer to current the [Individuals with Disabilities Education Act \(IDEA\)](#) for more detailed information regarding this subject.
- Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- By age 17, inform student/parent of transfer of rights to student when students reach age 18 and complete the transfer of rights statement in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- If a student's goal is to be employed after graduation from high school, the appropriate courses should be included in the IEP and addressed on the Graduation Options supplement; this begins documentation of the student's goals after graduation.
- Adult service providers (agencies) should be included at the transition meeting prior to graduation, depending upon services needed by the individual student. If an agency commits to providing a service and that service is never provided, the ARD/IEP committee must reconvene to determine how that need will be met.

Resources

[General Information - SPP Indicator 13](#)

[Transition in Texas: Indicator 13](#)

[Transition in Texas: Indicator 14](#)

State Assessment

What's Required

Federal law requires that schools be held accountable for educational results so that each student can meet his/her academic potential. State assessments are to be given to determine whether schools have been successful in teaching students the knowledge and skills for their enrolled grade as defined by the state content standards (the Texas Essential Knowledge and Skills or TEKS). In determining which assessment is appropriate the ARD committee should refer to the [State and District wide Assessment Framework](#).

What We Do

Participation in State/District Assessments

Decisions regarding assessments should be made by the ARD Committee and should be based on the instruction the student is receiving and the accommodations/modifications the student requires in order to be successful. Assessment decisions should not be made solely on the disability category or placement.

The IEP must include a statement of any individual appropriate and allowable accommodations in the administration of state-wide assessment instruments or district-wide assessments of student achievement (if the district administers such optional assessments) that are necessary to measure academic achievement and functional performance of the child on the assessments.

Jim Hogg County ISD will propose accommodations that are appropriate to the needs of each student and that accurately reflect student achievement.

The ARD Committee should also include in the IEP, if appropriate, documentation regarding a student's current interpersonal skills level and preferred functional communication system/modes (i.e., sign, oral language, picture exchange system, etc.) when considering alternate assessments and accommodations.

If the ARD Committee determines that the student will not participate in a general state-wide assessment or district-wide assessment of student achievement (or part of an assessment), the IEP must include a statement of

- Why the child cannot participate in the regular assessment and
- Why the particular alternate assessment selected is appropriate for the child

In making decisions regarding assessments, the ARD Committee should annually:

- Review the student's current information to determine the student's present level of functioning

- Determine how the student receives TEKS instruction and the student's level of performance on the grade-level curriculum for his/her enrolled grade level
- Determine the appropriate assessment for the student

Document the appropriate assessment and all allowable or approved accommodations that the student will need during testing.

Prior to selecting an assessment instrument, the student's ARD Committee must be knowledgeable regarding all assessment options, including the characteristics of each assessment and the potential implications of each assessment choice.

STAAR (paper and online)

The student is accessing the grade-level TEKS curriculum with or without allowable accommodations. Information regarding currently allowable accommodations is available at: <http://tea.texas.gov/student.assessment/accommodations/>

STAAR Alternate 2

If STAAR Alternate 2 is being considered, the student's ARD Committee must review the four criteria below and provide evidence that the student meets each criterion.

- The student's ARD Committee has determined that, based on evaluation information performed by a qualified evaluation team, the student has a significant cognitive disability. The significant cognitive disability must affect the student's intellectual potential and be documented as such in the student's IEP. A student with a significant cognitive disability has limited potential to reach grade-level expectations whereas a student with a learning disability has the potential to reach grade-level expectations, but has difficulty doing so due to his or her disability.
- The student requires specialized supports to access the state-mandated grade-level curriculum and environment. The student needs specialized academic instruction as well as support throughout the day in areas such as expressing his or her needs, getting from place to place, eating lunch, negotiating social situations and/or taking care of personal needs.
- The student requires intensive, individualized instruction in a variety of instructional settings. The student needs specialized academic instruction and techniques over a period of time to ensure that he or she can learn, retain information and transfer skills to other settings.
- The student accesses and participates in the grade-level TEKS through prerequisite skills that are linked to the grade-level curriculum.

If the student's ARD Committee agrees that the student meets the criteria described above, each of the following assurances must be initialed by district personnel in order for the student to participate in STAAR Alternate 2.

- The decision to administer the STAAR Alternate 2 is based on multiple sources of measurable, objective evidence, including, but not limited to, current IEP PLAAFP statements, goals and/or objectives, report cards, progress reports, work samples, teacher observations, Full Individual Evaluation (FIE) results, standardized achievement test results and classroom, district and statewide assessment results. The decision is not based solely on the student's previous performance on a statewide assessment.
- The decision to administer the STAAR Alternate 2 is made by the ARD Committee, not administratively based on federal accountability requirements which limit the number of students taking alternate assessment who can be counted as proficient in Adequate Yearly Progress (AYP) performance calculations. Although STAAR Alternate 2 is intended for a small number of students, the proficiency cap does not limit the number of students receiving special education services who may take an alternative assessment.

The student's ARD Committee must also provide one of the following assurances.

- For a student in elementary or middle school, the Committee understands that instructional and assessment decisions made now may impact a student's graduation options when he or she is in high school or
- For a student taking end-of-course assessments, the student is enrolled in a course being considered for STAAR Alternate 2 that has a PEIMS course number indicating that the coursework is accessed through prerequisite skills.

If the ARD Committee determines that the student will take STAAR Alternate 2, the IEP must provide a statement or why the student cannot participate in the general assessment (STAAR) with or without accommodations and why an alternate assessment is appropriate for the student, including that all of the eligibility criteria are met.

NOTE: High school students are required to participate in all STAAR Alternate 2 assessments at some time during high school. The ARD Committee can determine which courses and corresponding assessments will be taken in a given year.

No Authentic Academic Response (NAAR) Eligibility Requirements

If the ARD Committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a No Authentic Academic Response (NAAR) designation, the ARD Committee must determine that the student meets at least one of the two eligibility criteria below.

- Because of multiple impairments, the student is unable to receive information during instruction and assessment. For example, the student may have a combination of visual, auditory and/or tactile impairments or
- The student is consistently unable to provide an authentic academic response during instruction. The student exhibits one or more of the following characteristics.

- Is unable to demonstrate any observable reaction to a specific stimulus
- Exhibits only startle responses
- Tracks or fixates on objects at random and not for a purpose
- Moves or responds only to internal stimuli
- Vocalizes intermittently regardless of changes in the environment around him/her

If the student's ARD Committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.

- The student is unable to receive information during instruction and assessment and/or the student is unable to provide an authentic academic response.
- The NAAR designation is based on educational records and describes the student in all settings.

The student's ARD Committee must ensure that the NAAR designation is documented in his/her IEP.

Medical Exception Eligibility Requirements

Students qualifying for a medical exception will not be required to participate in the administration of STAAR Alternate 2 for any course or subject for which they are enrolled in the current year. A score code of 'M' must be recorded for all tests the student would have taken. The ARD Committee must ensure the medical exception of documented in the student's IEP.

If the ARD Committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a medical exception designation, the ARD Committee must determine that the student meets at least one of the two eligibility criteria below.

- The student is unable to respond to test questions due to a chronic illness.
- The student is receiving extensive short-term medical treatment due to a medical emergency or serious injury in an accident.
- The student is unable to interact with peers or educators without risk of infection or contamination to himself/herself or others.
- The student is unable to receive sufficient or consistent homebound services due to medical issues.
- If the student's ARD Committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.
- The information used to make the medical exception determination reflects the student's situation just prior to and throughout the testing window.

- The medical incident or condition has been identified and verified in writing by a licensed physician.

Accelerated Instruction

For students in grades 5 and 8 who do not perform satisfactorily on STAAR, the ARD student's Committee will determine the manner in which the student will participate in an accelerated instruction program.

For students receiving special education services, the ARD Committee determines the accelerated instruction plan. When determining the type of accelerated instruction needed, the ARD Committee must compare a student's test results with his or her IEP to make sure areas of weakness identified on the test align with the goals and objectives in the IEP. A continuation of the student's current IEP goals and areas of need may be an appropriate type of accelerated instruction.

NOTE: The Accelerated Instructional Plan must be put in place through the ARD process. An ARD Committee meeting must be convened if the accelerated instruction plan involves a change in placement or decisions regarding retention.

Success Initiative (SSI) Grade Advancement Requirements

The Student Success Initiative (SSI) consists of several components, including grade advancement requirements for reading and mathematics for students in grades 5 and 8.

Students who are assessed using STAAR are subject to SSI grade advancement requirements. Students assessed through STAAR-Alternate are not subject to SSI grade advancement requirements because multiple testing opportunities are included in the STAAR-Alt process. LEP - exempt students are not subject to SSI requirements. However, non-exempt English Language Learners taking STAAR, in English or Spanish are subject to SSI requirements.

Under the SSI grade advancement requirements, a student who takes STAAR™ is allowed three testing opportunities to meet the passing standard. If the student does not meet the passing standard, a grade placement committee (GPC) is convened to develop an accelerated instruction plan (AIP) and make promotion decisions for the student.

The student's ARD Committee will serve as the Grade Placement Committee (GPC) for special education students in grades 5 and 8 who are not successful on the first, second or third administration of the STAAR. The GPC is responsible for (a) determining appropriate accelerated instruction that must be provided to the student before the third test administration, (b) considering parent appeals and other relevant information and (c) developing a plan for the accelerated instruction the student shall receive during the next school year, regardless of whether the student is promoted or retained. Decisions regarding grade placement do not have to be unanimous, but must follow the general rules governing ARD Committee decision-making.

Intensive Program of Instruction

Jim Hogg County ISD provides an intensive program of instruction to a student who does not perform satisfactorily on a statewide assessment instrument, including an end-of-course assessment and STAAR-ALT2.

The student's ARD Committee is responsible for designing a program that enables the student to attain a standard of growth based on his/her IEP and, if applicable, to meet the SSI requirements described below.

Limited English Proficient (LEP) Students Receiving Special Education Services

When a student served through special education is limited English proficient, the student's ARD and Language Proficiency Assessment (LPAC) Committees are required to collaborate to ensure that issues related to both the student's disability and language proficiency are carefully considered.

Depending on the amount of English they have acquired, some LEP students may take the Spanish version of STAAR. Other LEP students may qualify for an LEP exemption from STAAR. Students who qualify for an LEP exemption will participate in linguistically accommodated testing (STAAR-L) in certain grades and subjects. LEP students who are not eligible for an LEP exemption should be assessed using STAAR or STAAR -Alternate2.

Additional information is available at: <http://tea.texas.gov/student.assessment/ell/>

FITNESSGRAM

The FITNESSGRAM is a state required assessment that measures aerobic capacity, body composition, muscular strength, endurance and flexibility through the use of criterion - referenced standards specific to a student's age and gender. All students in grades 3-12 who are enrolled in a Physical Education course or an approved Physical Education substitution are required to participate in the FITNESSGRAM.

A student receiving special education services should not be restricted from participating in the physical fitness assessment based solely on the student's eligibility for special education services. Some students with disabilities will require accommodations or modifications to the assessment based on the individual student's disability. These accommodations or modifications should be addressed by the student's ARD Committee.

A student can be completely or partially exempted from the six test items required for assessment with the FITNESSGRAM assessment instrument based on the conditions of their disability.

Only students who meet the following requirements must be restricted from participation:

- Permanent Restriction: A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the impairment and the expectations for physical activity for the student.

- Temporary Restriction: A member of the healing arts licensed to practice in Texas must provide written documentation concerning the nature of the temporary impairment and the expected amount of time for recovery.

The healing art includes any system, treatment, operation, diagnosis, prescription or practice to ascertain, cure, relieve, adjust or correct a human disease, injury or unhealthy or abnormal physical or mental condition. A person who uses his/her name on a written professional identification, including a sign, pamphlet, stationery or letterhead or a person who uses his/her signature as a professional identification shall designate the healing art the person is licensed to practice. These designations include a person who is licensed by one of the following entities:

- Texas State Board of Medical Examiners and holds a doctor of medicine or a doctor of osteopathy degree
- State Board of Dental Examiners
- Texas State Board of Chiropractic Examiners
- Texas Optometry Board
- Texas State Board of Podiatric Medicine

Statewide Assessment Accommodations

In determining the most appropriate accommodations for statewide assessments, the student's ARD Committee must determine which of the classroom accommodations currently provided for the student are allowable for use on statewide assessments. The Committee must then determine if the student meets eligibility requirements, if any, for the proposed accommodation. Information is available on the TEA website below.

Resource

[Texas Education Agency: Accommodations](#)

State Performance Plan and Annual Performance Report and Requirements

What's Required

Each state is required to develop a six-year performance plan that evaluates the state's efforts to implement the requirements and purposes of the Individuals with Disabilities Education Act of 2004 (IDEA 2004), [Section 616\(b\)](#). The [Texas Performance Plan](#) (SPP) illustrates how our state will continuously improve upon this implementation, and includes updates through the Annual Performance Report (APR) submitted annually each February.

TEA is required to publicly report district performance against state targets for the following indicators

1. Graduation
2. Dropout
3.
 - a. Annual Measurable Objectives
 - b. Statewide Assessment Participation
 - c. Statewide Assessment Proficiency
4. Suspension and Expulsion of Students with IEPs
5. Educational Environment, Ages 6-21
6. Educational Environment, Ages 3-5
7. Early Childhood Outcomes
8. Parent Involvement
9. Disproportionality in Special Education by Race/Ethnicity
10. Disproportionality in Specific Disability Categories by Race/Ethnicity
11. Child find
12. Early Childhood Transition
13. Secondary Transition
14. Post-School Outcomes

District Data Collection

- Data for Indicators 1 and 2 are collected through PEIMS submissions and reported from the AEIS dataset
- Data for Indicators 3A-C are collected from student test answer documents and reported from the Annual Measurable Objective dataset.
- Data for Indicators 4A-B, 5A-C, 6, 9 and 10 are collected and reported through PEIMS.

- Data for Indicators 7, 11, 12, 13 and 14 are collected through online TEASE applications. Contact data for Indicator 14 are collected through online TEASE applications and results from survey instruments are reported from aggregate datasets.

District Determinations

TEA is required to make annual Determinations on the performance of districts' programs for students with disabilities. Determination levels are communicated to appropriate district personnel, but are not publicly reported. TEA considers the following factors in making determinations:

- Performance on SPP compliance indicators 9, 10, 11, 12 and 13
- Data submission (valid, reliable, timely)
- Uncorrected noncompliance from other sources (complaints resolution, due process, residential facility monitoring and monitoring activities)
- Any audit findings
- PBM special education intervention stage

TEA uses the following determination levels to report district performance:

- Meets Requirements
- Needs Assistance
- Needs Intervention
- Needs Substantial Intervention

Appeals Process

Any district assigned a Determination of Needs Intervention or Needs Substantial Intervention may file a written request for appeal within 30 calendar days of the Determination Level Notification letter. Appeals received after the 30 calendar day time frame will not be considered.

The request for appeal must include submission of all information necessary for the TEA to reconsider the original Determination status assignment. The TEA will acknowledge receipt of the request, evaluate the appeal based on the information provided and issue a Determination Status Appeal Response letter when the review is completed.

Appeals must include a contact person's name, an email address, a phone number and the LEA superintendent's name and signature. The appeal should be submitted to:

Texas Education Agency
Division of Federal and State Education Policy
1701 N. Congress
Austin, Texas 78701

What We Do

The State Performance Plan (SPP) data is used to guide systemic planning initiatives within the district in relationship to special education services and supports.

Resources

Additional information on the State Performance Plan and a timeline for reporting SPP indicators is available at: [Texas Performance Plan](#)

Additional information regarding State Performance Plan Indicator data collection procedures is available at:

[State Performance Plan and Annual Performance Report and Requirements.](#)

Student Records

What's Required

Parents of a student with a disability must be afforded an opportunity to examine all records relating to their child [34 CFR 300.501\(a\)](#) and [USC 1415\(b\)\(1\)](#). An educational agency or institution must maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student [34 CFR 300.614](#) and [34 CFR 99.32\(a\)\(1\)](#). In addition, all records must be kept confidential as per the [Family Educational Rights and Privacy Act \(FERPA\)](#) and [34 CFR 99.3](#). A parent or eligible student may request the educational agency or institution to amend the student's education record if the parent or eligible student believes the education records relating to the student contain information that is: inaccurate, misleading, or in violation of the student's rights of privacy [34 CFR 99.20\(a\)](#) and [34 CFR 300.618\(a\)](#).

What We Do

The parent has the right to review his or her child's entire education record. The school may presume that the parent has authority to inspect and review records relating to his or her child unless advised that he or she does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

- The school must keep a log of everyone (except for the parent and authorized school officials) who reviews the student's special education records.
 - the log must include the name of the person;
 - the date access was given; and
 - the purpose for which the person is authorized to use the records.
- A school official must assume responsibility for ensuring the confidentiality of any personally identifiable information.
 - All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policies and procedures regarding confidentiality under the [IDEA](#) and the [FERPA](#).
 - Each school must maintain, for public inspection, a current listing of the names and positions of those employees within the school who may have access to personally identifiable information.

- Clarification, Copies, and Fees
 - If the parent requests, the school must explain and interpret the records, within reason.
 - If the parent requests, the school must provide a list of the types and locations of all of the student's records.
 - The school must make the parent copies if that is the only way the parent would be able to inspect and review the records.
 - The school may not charge a fee to search for or to retrieve any education record about the student. However, it may charge a fee for copying, if the fee does not keep the parent from being able to inspect and review the records.

Confidentiality

FERPA permits certain individuals, including school officials, to see the student's records without the parent's consent. Otherwise, the parent's consent must be obtained before personally identifiable information is disclosed to other individuals. Personally identifiable information includes:

- the student's name
- the name of the parent
- the name of another family member
- the parent's address
- a personal identifier (like social security number)
- or a list of characteristics that would make it possible to identify the student with reasonable certainty.

Before personally identifiable information is released to officials of participating agencies providing or paying for transition services, parent's consent, or the consent of an eligible child who has reached the age of majority under state law, must be obtained.

If the student attends a private school, the parent's consent must be obtained before any personally identifiable information about the student is released between officials in the school district where the private school is located and officials in the school district where the parent resides.

Amending Records

If the parent believes that his or her child's education records are inaccurate, misleading, or violate his or her child's rights, the parent may ask the school to amend the information.

- Within a reasonable time, the school must decide whether to amend the information.

- If the school refuses to amend the information as requested, it must inform the parent of the refusal and of his or her right to a hearing to challenge the information in the records.
- This type of hearing is a local hearing under [FERPA](#) and is not an [IDEA](#) due process hearing held before an impartial hearing officer.
- If, as a result of the hearing, the school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must change the information and inform the parent in writing.
- If, as a result of the hearing, the school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the parent must be informed of his or her right to place a statement commenting on the information in the student's records for as long as the record or contested portion is maintained by the school.
- If the parent revokes consent in writing for the student's receipt of special education and related services after the school initially provided services to the student, the school is not required to amend the student's education records to remove any references to the student's previous receipt of special education services.
- However, the parent still has the right to ask the school to amend the student's records if the parent believes the records are inaccurate, misleading, or violate the student's rights.

Texas Public Information Act

The Texas Public Information Act also gives the parent the right to inspect and obtain copies of the student's education records. The school may charge a reasonable fee for copies. The Attorney General enforces the [Texas Public Information Act](#). The toll free number the parent can call if he or she has questions is 1-877-673-6839.

Transition Policies and Procedures

What is Transition for a Student with Special Needs

"Transition refers to a change in status from behaving primarily as a student to assuming emergent adult roles in the community. These roles include employment, participating in post-secondary training/education, maintaining a home, becoming appropriately involved in the community, and experiencing satisfactory personal and social relationships. The process of enhancing transition involves the participation and coordination of school programs, adult agency services and natural supports within the community.

The foundation for transition should be laid during the elementary and middle school years, guided by the broad concept of career development. Transition planning should begin no later than age 14, and students should be encouraged, to the full extent of their capabilities, to assume a maximum amount of responsibility for such planning." (Halpern, 1994)

Transition and Employment Guide

The [Texas Transition and Employment Guide](#) is available on the district's website. It provides written information, and if necessary, assistance to the parent regarding how to access the electronic version of the guide.

What's Required

Federal Requirements:

Transition services and activities must be included in the development of the IEP no later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP Team, and must include appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.

State Requirements: (note the main difference between Federal and state requirements is the age a full Transition Plan development is required)

Texas requirements for transition services are aligned to the federal requirements included in IDEA 2004. However, state law and guidance include additional requirements for the provision of transition services for students receiving special education services in Texas. A new state law passed in the summer of 2011 requires that "appropriate state transition planning must begin for a student not later than when the student reaches 14 years of age" (*SB 1788, 06/17/2011*). The Texas Administrative Code (TAC) describes the following nine issues important to the

development of the Individualized Education Program (IEP) for students receiving special education services.

- Appropriate student involvement in the student's transition to life outside the public school system
- If the student is younger than 18 years of age, appropriate parental involvement in the student's transition
- If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled
- Any postsecondary education options
- A functional vocational evaluation
- Employment goals and objectives
- If the student is at least 18 years of age, the availability of age-appropriate instructional environments
- Independent living goals and objectives
- Appropriate circumstances for referring a student or the student's parents to a governmental agency for services

What We Do

- Transition services means working as a team with the student, parent, school staff and outside agencies or community service to develop a coordinated set of activities for a student with a disability that is based on the individual student's needs, taking into account:
 - the student's strengths,
 - preferences,
 - interests,
 - which includes instruction,
 - related services,
 - community experience,
 - the development of employment and other post school adult living objectives, and
 - if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

- All of these activities will be considered for each student, however specific activities will be determined by the needs of each student.
- Transition is a results oriented process that is focused on improving the academic and functional achievement of a child with disabilities to facilitate the movement from school to post-school activities.
- These activities, through state guidelines, begins on or before the student turns 14 years old with postsecondary goals in education or training, employment and if appropriate, independent living skills based on age-appropriate transition assessments and, an examination of transition issues including the appropriate courses of study based on transition goals.
- The IEP will include transition services which are needed to assist the student in reaching those post-secondary goals.
- The Case Manager is responsible for providing, when appropriate, parent, teacher and student input forms for transition planning and/or as a portion of transition assessment.
- Although transition planning must be in place by age 14, it can be completed earlier, depending on the needs of the student.
 - Earlier transition planning, when appropriate, can be considered for students with moderate to severe disabilities who may need additional services from outside agencies with long waiting lists.
- Appropriate student involvement in the student's transition to life outside the public school system includes student's participation in the ARD\IEP committee.
 - Best practices would indicate that to the extent possible, the student should lead a portion of the ARD/IEP meeting taking into consideration his or her capabilities.
- The student will be invited to the ARD/IEP Committee meeting when transition services will be discussed.
- The ARD/IEP Committee will make decisions regarding transition goals and services based on age-appropriate transition assessments.
 - The transition goals and services in the student's IEP will be updated annually.
- An ARD/IEP Committee will consider, and if appropriate, address the issue of a formal functional vocational evaluation.
 - A formal functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes, and skills. Information is gathered through situational assessments in the setting where the job is performed and takes ARD Committee input and parent permission.
 - The ARD/IEP Committee identifies students who will benefit from services in a vocational program such as Community Based Instruction (CBI).

Community Based Vocational Instruction (CBVI) or Work Based Learning (WBL).

- The informal or formal functional vocational evaluation can be a useful tool in assessing progress for these students. The informal functional vocational evaluation is an ongoing data collection process and is part of a student in special education services ongoing data collection process.
- Age-appropriate instructional environments will be available for students who are 18 years of age and older.
 - The ARD/IEP committee must determine the appropriate environment for each student in this age category on a case-by-case basis, but decisions should be made by taking into consideration what typical students in general education are doing at that age (e.g. college, technical school, employment, volunteer positions, etc.) and the comparable environments available.
- Formal transition planning is completed during the ARD/IEP committee meeting and focuses on assisting students with disabilities to become independent within the community, to the greatest extent possible.
- For students with Autism Spectrum Disorders (ASD), IEP goals and objectives will address the skills necessary to function in current and future environments.
 - Transition (or futures) planning for students with ASD, at any age, includes ARD/IEP Committee determination of need, and establishment of a plan, if appropriate, to support the student's successful transition from current to next environment(s).
 - Such support might also include assisting students to transition from elementary to middle school level, from middle to high school, and/or across instructional settings.
- Prior to the student's 17th birthday the Notice of Transfer of Parental Rights must be completed. Refer to current the [Individuals with Disabilities Education Act \(IDEA\)](#) for more detailed information regarding this subject.
- Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- By age 17, inform student/parent of transfer of rights to student when students reach age 18 and complete the transfer of rights statement in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- If a student's goal is to be employed after graduation from high school, the appropriate courses should be included in the IEP and addressed on the Graduation Options supplement; this begins documentation of the student's goals after graduation.
- Adult service providers (agencies) should be included at the transition meeting prior to graduation, depending upon services needed by the individual student. If an agency

commits to providing a service and that service is never provided, the ARD/IEP committee must reconvene to determine how that need will be met.

A Report for Students Exiting Public School or Graduating Seniors: The Summary of Performance (SOP)

- For all graduating seniors or students exiting public school because of age eligibilities, a Summary of Performance will be provided to the student, which includes the student's: postsecondary goals, academic achievement, functional performance, recommendations on how to assist the student in achieving his or her postsecondary goals, written recommendations of the agencies, and views of the parents and students.
- If the student graduates under option "c" or b3" (depending upon the year the student entered ninth grade) an evaluation will be included.
- Best practices include the student in creating the SOP when possible and making the student aware of its contents.
- The SOP will be provided to the student for use with agency and post-secondary educational environments to facilitate the student's post-secondary transition success.
- The Summary of Performance should include the following:
 - Demographics: Enter campus, year of graduation, student's name, date of birth, primary and other disabilities, dominant language and date of most recent ARD/IEP committee meeting in the appropriate spaces.
 - Student's Interest: Select the student's post-secondary interest. Both employment and education may apply. If the student is interested in employment, select part time or full time. Complete career interest section. "College" is not acceptable, because this section requires a career goal. If the student is identified as MR or MI and will not be attending college or seeking employment complete this section with "day activities" and proceed accordingly.
 - Student's Strengths: Review PLAAFPs, also ask the student in what course he/she does best. (i.e. What are your favorite courses?). Attendance can also be included. Prompt the student if he/she cannot answer the question. If the student will be seeking employment, relate his/her strengths to the post-secondary career goal. This is more specific than student strengths and can include extra-curricular/community activities and other student accomplishments.
 - Recommendations/modifications/accommodations to consider for meeting post-secondary education/training goals and/or employment goals: Ask the student what supports have worked for him/her in the past? (i.e. extended time, assignment notebook, etc.) and relate to the student's goal. If the student will be working with a job coach, place in this section.

- Agency Information: Indicate how the student was linked to an agency, e.g. student is a client with (DARS, MHIDD), Student has completed an application with, student has met with a counselor at , student/parent received information about DARS on , etc.
- The school will ensure all graduating seniors have a graduation option identified and a Summary of Performance completed.

Samples: Post-Secondary Goals (PSG)

The student's PSG is to attend college/university to pursue a career

Mary's interests/preferences are in the medical field. After High School, Mary will attend a (4 or 2) year college to earn a certification/license as a nurse and work in the nursing field. The committee agreed that Mary can take recommended core courses, as well as organic chemistry to facilitate her goal. If a Junior or Senior, a DARS representative could attend the ARD/IEP committee meeting where Mary would fill out an application to DARS. The Informal or Formal Functional Vocational Assessment was completed and utilized in transition planning. Monitoring of transition plans will be accomplished through report cards and IEP reviews during Mary's annual ARD/IEP committee meeting. If this is a graduation ARD/IEP committee meeting, the Summary of Performance would be completed and given to Mary and her mother.

The student's PSG is to get a job after high school

Jose's interests/preferences are in the auto mechanics field. After High School, Jose will get on the job training (or go to Lone Star College for Auto Mechanic Classes) to gain skills as a mechanic and work in the auto repair field. The committee agreed Jose take Auto Mechanics 1 and 2 to support that PSG. The Informal or Formal Functional Vocational Assessment was completed and utilized in transition planning. If a Junior or Senior, a DARS representative could be contacted and participate in the ARD/IEP committee meeting by telephone. The Informal or Formal Functional Vocational Assessment was completed and utilized in transition planning. Monitoring of transition plans will be accomplished through report cards and IEP review during Jose's annual ARD/IEP committee meetings. If this is a graduation ARD/IEP committee meeting, the Summary of Performance will be completed and given to Jose and his mother.

The student's PSG is to live at home and participate in supported employment

Maria's interests/preferences are in the retail field. After High School, Maria will live at home and participate in supported employment through MHIDD to continue gaining skills in being in public places with appropriate behavior, keeping her hands and feet to herself and greeting others appropriately and with support (a job coach, parent, etc.) will volunteer in a retail type of environment each week. The committee agreed that Maria could take the following courses to facilitate her PSG of working in a retail type environment. If a Junior or Senior, a DARS representative and/or a MHIDD representative could attend the ARD/IEP committee meeting and Maria's parents could work with the representative and Maria to completed an application. The Informal or Formal Functional Vocational Assessment was and utilized in transition planning. Monitoring of transition plans will be accomplished through report cards and IEP review during Maria's annual ARD/IEP committee meetings. If this is a graduation ARD/IEP committee meeting, the Summary of Performance will be completed and given to Maria and her

parents. With Maria and her parents completing agency paper work, Maria will apply to link to an agency and/or participate in a day activity or sheltered workshop.

Since Maria needs support with Independent Living Skills a PSG for those supports should be written also. After High School, Maria will continue building skills, with her parents support and guidance, to independently dress, brush teeth and comb hair.

STATE PERFORMANCE PLAN INDICATORS:

State Performance Plan Indicator 13

"Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.

There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority."

State Performance Plan Indicator 14

"Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: enrolled in higher education within one year of leaving high school, enrolled in higher education or competitively employed within one year of leaving high school or enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school."

SPP Indicator 14 - Definitions

- Enrolled in higher education - the student has been enrolled on a full-time or part-time basis in a community college (2-year) or college/university (4 or more years) for at least one complete term, at any time in the year since leaving high school.
- Competitive employment - the student has worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.
- Enrolled in other postsecondary education or training - the student has been enrolled on a full-time or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult

education, workforce development program, vocational technical school which is less than a 2-year program).

- Some other employment - the student has worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family.

Resources

- [Texas Transition and Employment Guide \(English\)](#)
- [Texas Transition and Employment Guide \(Spanish\)](#)

Translation and Interpretation

What's Required

§ 29.005. Individualized Education Program. [Excerpt] (d) If the child's parent is unable to speak English, the district shall: (1) provide the parent with a written or audiotaped copy of the child's individualized education program translated into Spanish if Spanish is the parent's native language; or (2) if the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's individualized education program translated into the parent's native language.

§ 300.322 (e) The public agency must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

34 CFR § 300.503(c) Notice in understandable language. (1) The notice required under paragraph (a) of this section must be - (i) Written in language understandable to the general public; and (ii) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

What We Do

Requirements for Translator/Interpreter

For translation/interpretation of the ARD/IEP meeting, Jim Hogg County ISD will ensure opportunity to provide a trained interpreter for the meeting/hearing.

The interpreter for the hearing impaired must be trained as an interpreter for the hearing impaired. For all languages, the school must request a translator/interpreter through the

Translator Request form to obtain a trained translator/interpreter. We request as much advance notice as possible to ensure the request can be filled, especially for languages other than Spanish, which can be more difficult to obtain.

Steps to Ensure Parent/Adult Student Participation in the ARD/IEP Process:

To ensure that parents fully understand the ARD/IEP proceedings and are able to participate in all discussions related to the educational placement of their child or adult student, the special education department chairperson and all relevant staff must ensure the following:

- If the parent's/adult student's native language is Spanish, provide an audio copy of the translated IEP meeting in Spanish, during which each section and each required element of the IEP is discussed, even if there are no changes to the sections. The audio copy of the meeting must contain ****all**** required elements of the IEP.
- If the parent's/adult student's native language is a language other than Spanish, make a good faith effort to provide the parent/adult student with an audio copy of the translated IEP meeting in their native language.
- Check the audio equipment prior to the meeting, and place next to the interpreter/translator in order to obtain an audible recording. Digital recording is encouraged.
- Check the recording at the conclusion of the meeting to ensure that it is audible.
- A translated summary of the meeting does not meet the requirement of the regulation. It is best practice to follow a set agenda including all the required elements of the IEP.
- Maintain a copy of the audio recording or the written translation for every ARD/IEP meeting.

Note

Jim Hogg County ISD endeavors to provide an accurate oral translation/interpretation of the IEP meeting where all elements of the IEP are discussed and a recording of the translation is provided to the parent. For all regulatory, audit and legal purposes, the English document is the only official document. Should any dispute arise over the contents of an IEP, the only document that shall be considered legally binding shall be the English document.

Transportation

What's Required

According to TEA, transportation includes:

- Travel to and from school and between schools
- Travel in and around school buildings
- Specialized equipment (such as special or adapted buses, lifts and ramps), if required to provide special transportation for a student with a disability

Transportation as a related service provides eligible students with disabilities access to their academic programs and certain other related services. Some students with disabilities may require a variety of supports and services that are separate from transportation available to all students, such as:

- Specialized or adaptive equipment for persons who require specialized positioning or seating;
- A skilled nurse to conduct invasive procedures;
- Bus attendant to help curtail behavioral challenges;
- Air conditioned vehicles for persons who are sensitive to heat or prone to seizures; or
- Wheelchair or other mobility device accessibility.

What We Do

There is no specific evaluation for the provision of transportation as a related service. However, the ARD Committee must document why the student requires special transportation, which is generally based upon disability or program access.

NOTE: If a parent requests the consideration of other related services, the ARD Committee must discuss these services. The ARD Committee should consider any available assessment that indicates a need for other related services or should consider recommending additional assessment(s) to verify the need for the service(s). In addition, the student must demonstrate an educational need for the service. Each related service request must be supported by valid research demonstrating its educational benefit for students whose demographic characteristics (age, disability, grade level, etc.) are similar to those of the child.

Visual Impairment

What's Required

The local educational agency (LEA) must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled ([34 CFR 300.114\(a\)\(2\)\(i\)](#)) and 20 USC 1412(a)(5)(A).

The LEA must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily ([34 CFR 300.114\(a\)\(2\)\(ii\)](#)) and 20 USC 1412(a)(5)(A).

The LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services ([34 CFR 300.115\(a\)](#)).

The ARD committee must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

What We Do

Continuum of options:

- general education classroom with consultative support from a teacher of the visually impaired

- general education classroom with direct instructional services from a teacher of the visually impaired
- a combination of general education and self-contained special education classes with consultative and/or direct instructional services from a teacher of the visually impaired
- self-contained special education classroom with the consultative and/or direct instructional services from a teacher of the visually impaired
- residential placement - Texas School for the Blind and Visually Impaired

Components of services for students with Visual Impairment:

- determined by the ARD/IEP Committee
- based upon individual needs of student
- may Orientation and Mobility (O&M) as determined by the ARD/IEP Committee
- may include services from a Braille specialist
- may include technology support
- expanded core curriculum

Personnel have knowledge and competencies in the following areas:

- extent to which significant visual loss impacts access to the general curriculum, social skills and skills for daily living
- specially designed instruction
- accommodations and modifications
- technology supports including use of Braille, magnification and travel training

Orientation and Mobility Services

What's Required

Orientation and Mobility (O&M) is a very important component in the spectrum of services provided to students with visual impairments. In addition to the general education that all students receive, students with visual impairments, starting at birth, also need the Expanded Core Curriculum to meet needs directly related to their vision disability (NASDSE, 1999, p. 70). O&M is one of the related services within the Expanded Core Curriculum for students with visual impairments. Movement, independent or supported, is critical for learning. Orientation & mobility (O&M) is recognized in [IDEA 2004](#) as a related service, which may be required to assist a student with a visual impairment to benefit from special education. Orientation and mobility specialists provide instruction to students whose visual impairment has adversely

affected their ability to travel. It is a necessary skill in the achievement of independence. "Orientation" is the ability to know where one is and how to get to a desired location. It includes body awareness concepts, spatial concepts, and environmental concepts. "Mobility" is the ability to safely navigate from one's present location in the environment to one's desired location in another part of the environment. It includes skills such as guide technique, self-protective techniques and cane skills 34 CFR § 300.304(c)(4) requires that "the student is assessed in all areas related to the suspected disability" and 34 CFR 300.304(c)(6) requires that "the evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs".

What We Do

Referral Process for students with vision loss

- An evaluation of orientation and mobility skills by a Certified Orientation and Mobility Specialist (COMS) must be completed, along with the evaluation by a teacher of students with visual impairment (TVI), when establishing initial eligibility as a student with a visual impairment.
- The Eye Medical Report should indicate whether the student has no vision or a serious visual loss after correction, or a progressive medical condition that will result in no vision or serious vision loss after correction. A Functional Vision Evaluation (FVE) analyzes how a student actually performs visually in a variety of environments, including familiar and unfamiliar environments, in different lighting conditions, and requiring the use of both near and distance vision.
- Input from both a TVI and a COMS ensures consideration of all aspects of functional use of vision.
- The Functional Vision Evaluation (FVE) must include recommendations concerning the need for an Orientation and Mobility Evaluation, to determine whether there is a need for specific instruction to ensure safe and efficient movement and travel in the home, school, and community.
- Input from a COMS during the FVE provides informed decision-making regarding the need for an O&M evaluation.
- An Orientation and Mobility Specialist teams with the VI teacher when a functional vision evaluation is performed, thus ensuring that all students with visual impairments are appropriately screened for this related service.

Service Delivery Models

- The types of service delivery models available include:
 - Monitoring/Consultation
 - Direct
 - Integrated

- The ARD/IEP committee determines the appropriate service delivery model and the frequency and duration of services based on the evaluation and recommendation from the O&M specialist.