



# **FAPE**

## **DETERMINATION OF ELIGIBILITY**

## **PRESENT LEVELS**

## **ANNUAL GOALS**

## **SPECIAL FACTORS**

## **SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, AND RELATED SERVICES**

## **STATE AND DISTRICTWIDE ASSESSMENTS**

## **EXTENDED SCHOOL YEAR SERVICES**

**January 18, 2023**

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## DETERMINATION OF ELIGIBILITY

### What is Required

After completion of student's FIE, the ARD Committee must determine whether the student has a disability and, by reason of the disability, the student needs special education and related services. If it is determined, through an appropriate evaluation, that the student has one of the disabilities, but only needs a related service and not special education, the student is not a student with a disability under the IDEA. See [EVALUATION].

The ARD Committee must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The committee must also ensure that information obtained from all of these sources is documented and carefully considered.

The ARD Committee must not determine a student is a student with a disability if the determinant factor for the Committee's determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in the Elementary and Secondary Education Act which means explicit and systematic instruction in:
  - Phonemic awareness;
  - Phonics;
  - Vocabulary development;
  - Reading fluency, including oral reading skills; and
  - Reading comprehension strategies;
- Lack of appropriate instruction in math; or
- Emergent bilingual.

District Assessment Personnel must provide a copy of the evaluation report to the student's parent, and Campus Special Education Personnel must provide documentation of determination of eligibility to student's parent.

### Definitions

A "child/student with a disability" means a child evaluated in accordance with the IDEA as having a/an:

- intellectual disability [INTELLECTUAL DISABILITY];

- Hearing impairment (including deafness) [DEAF OR HARD OF HEARING];
- Speech or language impairment [SPEECH OR LANGUAGE IMPAIRMENT];
- Visual impairment (including blindness) [VISUAL IMPAIRMENT];
- Serious emotional disturbance [EMOTIONAL DISTURBANCE];
- Orthopedic impairment [ORTHOPEDIC IMPAIRMENT];
- Autism [AUSTISM];
- Traumatic brain injury [TRAUMATIC BRAIN INJURY];
- Other health impairment [OTHER HEALTH IMPAIRMENT];
- Specific learning disability [SPECIFIC LEARNING DISABILITY];
- Deaf-blindness [DEAF-BLINDNESS]; or
- Multiple disabilities [MULTIPLE DISABILITIES]; and

by reason thereof, needs special education and related services.

“Special education” means specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings, and instruction in physical education.

“Specially designed instruction” means instruction adapted, as appropriate, to the needs of the eligible student under the IDEA, which may include the content, methodology or delivery of instruction; addressing the unique needs of the student that result from the student’s disability; and ensuring access of the student to the general curriculum so that the student can meet the educational standards with the jurisdiction of the District that apply to all students. Specially designed instruction includes any evidence-based dyslexia program provided by the District.

“Related services” means a wide array of developmental, corrective, and other supportive services that are required to assist the student to benefit from special education. Related services do not include a medical device that is surgically implanted, the optimization of that device’s functioning (mapping), maintenance of that device, or the replacement of that device. Special education and related services are based on peer-reviewed research to the extent practicable. This means there is reliable evidence to demonstrate that the program or services are effective in meeting the needs of the student. Peer-reviewed research ensures that the quality of the research meets the established standard of the

field. Peer-reviewed research may apply to academic, as well as nonacademic areas, such as behavioral interventions. Related services include, but are not limited to assistive technology, audiology services, counseling services, interpreting services, medical services, music therapy, occupational therapy, orientation and mobility services, parent counseling and training, physical therapy, psychological services, recreation, rehabilitation counseling services, school health services, social work services in school, speech-language therapy, and transportation.

### **Additional Procedures**

District or Campus Assessment Personnel—which includes, but is not limited to, a licensed specialist in school psychology, an educational diagnostician or other appropriately certified or licensed practitioner with experience and training in the area of the disability, or a licensed or certified professional for a specific eligibility category or related service—is responsible for collecting and reviewing data in connection with the determination of the student’s eligibility. However, determination of eligibility itself is made by the student’s ARD Committee, including the parent and the qualified Assessment Personnel. See [ARD COMMITTEE MEMBERSHIP].

District or Campus Assessment Personnel will ensure a copy of the evaluation report is provided to the parent and the other members of the ARD Committee within a reasonable time before the ARD Committee meeting (at least one week before the ARD, if possible) so that all members can review, question, and fully understand the information provided. For an initial evaluation or when a reevaluation indicates a possible additional eligibility, the District or Campus Assessment Personnel will review the results of the evaluation prior to the ARD meeting in a face-to-face meeting with the parent, whenever possible. In addition, if feasible, the school members of the ARD Committee may meet with the District or Campus Assessment Personnel prior to the ARD to review and discuss the evaluation.

The ARD Committee must convene within the required timeframes under the law to determine eligibility. See [ARD COMMITTEE MEETING] and [EVALUATION PROCEDURES]. Typically, this must occur within 30 calendar days from the date of the completion of the written initial FIE report. However, the ARD Committee may wait to finalize eligibility decisions until the first day of classes in the fall if the 30<sup>th</sup> day falls during the summer when school is not in session, unless the initial evaluation indicates that the student will require Extended School Year services during that summer. See *below* [EXTENDED SCHOOL YEAR SERVICES] and see [EVALUATION PROCEDURES]. The parent shall be provided a copy of the evaluation report prior to the ARD meeting to determine eligibility for special education and related services. District or Campus Assessment Personnel shall make reasonable efforts to review the evaluation report with the parent and answer any questions prior to the ARD meeting.

Determining eligibility under the IDEA is a two-part analysis. A student is eligible if (1) the student has one or more of the disabilities identified by the IDEA and (2) needs special



education and related services. Thus, the ARD Committee must determine not only that a student has one or more of the disabilities identified in the IDEA, but must also find that the student's condition adversely affects educational performance to such an extent that the student needs special education and related services (as defined above). If a student has a disability, but the disability does not result in a need for special education services, the student is not considered a child/student with a disability eligible for services under the IDEA. While the need for special education and related services should be determined by the ARD Committee on an individualized basis, in most cases where a student is being educated in the regular classroom with only minor accommodations and is making educational progress (i.e. passing marks, advancement from grade to grade, minimal behavior issues, success on standardized tests, etc.), the student does not "need" special education and related services within the meaning of the law.

Determination of eligibility will not be based on a single criterion. In determining if the student has a disability and the educational needs of the student, the ARD Committee must document and carefully consider information from a variety of sources including:

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

If the student does not meet the eligibility criteria under the IDEA or does not need special education or related services due to his/her disability, Campus Personnel should refer the student to the Campus or District Personnel responsible for compliance with Section 504 to determine whether the student is eligible for accommodations or services as a student with a disability under Section 504.

Likewise, not all struggling students have a disability. In these situations, the Campus Support Team may meet and recommend other general education services or programs in an effort to help the student. The Campus Support Team may also recommend additional interventions available to non-disabled students. Finally, the student's progress should be monitored to ensure that, in the future, the student does not need special education services. See [CHILD FIND DUTY].

At least once annually, District and Campus Special Education Personnel will receive training on the process of determining eligibility. District or Campus Personnel, including but not limited to special education teachers, general education teachers, and services providers, shall contact District or Campus Assessment Personnel with questions about the recommendations for a student regarding the determined disability condition(s) and the need for special education and related services in the FIE. Where possible, these questions should be answered *prior to* the ARD meeting to determine eligibility and, if

needed, develop an IEP.

The District will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

## GENERAL INFORMATION

***20 U.S.C. § 1401(3); 34 CFR §§ 300.8, 300.301-300.306 (Evaluations and Reevaluations), 300.307-***

***300.311 (Additional Procedures for Identifying Children with Specific Learning Disabilities), and 300.122; TEC §29.003; 19 TAC §§ 89.1040 (Eligibility Criteria), 89.1050 (The Admission, Review, and Dismissal Committee)***

Special education services shall be provided to eligible students in accordance with all applicable federal law and regulations, state statutes and rules, school policies and procedures, and this Special Education Administrative Procedures.

## ELIGIBILITY DETERMINATION

To be eligible to receive special education services, a student must be a "child with a disability." To qualify as a "child with a disability," a student must have been determined to:

1. have met the definition of one or more of the disabilities listed in federal regulations, state law, or both; **and**
2. need special education and related services as a result of the disability or disabilities.

The provisions in this Section specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. A student must be assessed in all areas of suspect disability.

The student's Admission, Review, and Dismissal Committee (ARDC) determine whether a student is eligible for special education and related services. Any evaluation or re-evaluation of a student shall be conducted in accordance with all applicable law. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility must include, but is not limited to, the following:

1. A licensed specialist in school psychology (LSSP) or School Psychologist, an Educational Diagnostician, Speech/ Language Pathologist, or other



- appropriately certified or licensed practitioner with experience and training in the area of the disability; or
2. A licensed or certified professional for a specific eligibility category.

The student's disability condition must be documented in the Full and Individual Evaluation (FIE) and in the ARD/IEP report. There must be an Eligibility Report (Initial FIEs only) for each disability condition in the ARD/IEP reports. These reports must be kept in the eligibility file.

## **Evidence of Implementation**

- Intervention History Documentation
- Section 504 Documentation
- Referral Documentation
- Teacher Information
- Parent Information
- Minutes from Review of FIE with Parent/Staff
- FIE
- ARD/IEP
- Progress Documentation
- Documentation for the state in TSDS, PEIMS, and SPP
- Frontline forms

## **Resources**

[The Legal Framework for the Child-Centered Special Education Process: Determination of Eligibility - Region 18](#)

[Eligibility Determination - Learning Disabilities Association of America](#)

[Diagnosis vs Disability - Texas Project First](#)

[Eligibility - SPEDTEX](#)

## **Citations**

Board Policy EHBA; Board Policy EHBAA; Board Policy EHBAB; 20 U.S.C. 1021(7), 1401(3)(A), 1414, 6368(3), 7801(20); 34 CFR 300.8(a)(1-2), 300.27, 300.306 (a-b), 300.8(a)(1-2); 19 TAC 89.1050(a)

## PRESENT LEVELS

### What is Required

A student's IEP should be based on a careful analysis of the student's present levels of academic achievement and functional performance (PLAAFP).

The PLAAFP must include how the student's disability affects the student's involvement and progress in the general education curriculum; or, for a preschool student, how the disability affects the preschool student's participation in appropriate activities.

The PLAAFP for the school-aged student summarizes the current strengths and needs of the student in both academic and functional performance areas. It must include how the student's disability affects the student's involvement and progress in the general education curriculum, regardless of the setting in which the student currently receives services. Additionally, it may describe the current instructional level of the student compared to the grade level Texas Essential Knowledge and Skills, and, if the student is below grade level, the PLAAFP also may describe the prerequisite skills the student needs in order to achieve grade-level proficiency.

PLAAFP for the preschool student summarizes the current levels of present performance related to the student's developmental domains, functional performance, and pre-academic skills. It must include how the student's disability affects the student's participation in appropriate activities. Additionally, it may describe the student's current developmental levels compared to the Texas Prekindergarten Guidelines or District-adopted prekindergarten curriculum.

### Additional Procedures

The PLAAFP data is the critical baseline and foundation for developing an IEP. When considering PLAAFP data, the ARD Committee should include within the PLAAFP statement the student's strengths, weaknesses, and needs in each assessed academic and functional area. From there, the PLAAFP statement should specifically address: 1) how the student's disability impacts the student's appropriate progress in light of the student's unique circumstances, including the student's access to the general education curriculum; or 2) how the disability impacts the preschool student's participation in appropriate activities. If the ARD documentation contains both current PLAAFP data as well as historical PLAAFP information, the date of the PLAAFP data should be clearly identified.

It is critical that the PLAAFP statements are clear and detailed to help the ARD Committee develop a meaningful IEP. For example, if a student's academic performance shows a weakness in math, it is not sufficient for the PLAAFP to simply state that the student is struggling in math. Instead, the PLAAFP description should, for example, specify the



student's math grade, the math teacher's input, the student's state assessment score in math, and progress data if the student has a math IEP annual goal. The more detailed the PLAAFP data is, the better the ARD Committee can gauge the student's current performance level. The PLAAFP must not be a recitation of the information in the PLAAFP from the previous IEP and must not simply repeat the same information in each section within the PLAAFP.

The ARD Committee should then use the PLAAFP data to create the student's annual goals, supplementary aids and services, special education, and related services. See *below* [ANNUAL GOALS] and [SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, RELATED SERVICES]. The ARD Committee should ensure that the IEP represents a clear correlation between the student's PLAAFP data and the IEP annual goals. For example, if the PLAAFP demonstrates that a student's education is impacted by not following directions, then the student may have an annual goal related to complying with directions given by staff. Additionally, the student may have counseling as a related service to help achieve the goal of better classroom compliance.

Campus Special Education Personnel, such as the student's case manager, should gather all of the relevant data in advance of the ARD meeting to help the ARD Committee develop the student's PLAAFP in the IEP. The underlying sources to be used when considering PLAAFP data may include:

- Evaluation Reports
- Grades
- Student Work Samples
- State Assessment Data
- Benchmark Testing
- Teacher Input
- Student/Parent Input
- Classroom Observations
- Progress Reports for IEP Annual Goals
- Outside Provider Information

Once this information is collected, the ARD Committee should convene to develop the PLAAFP as described above. It is important that the Campus Special Education Administrator in an ARD meeting understand the legal importance of the PLAAFP and be able to identify whether the PLAAFP adequately addresses the strengths and needs of the students based on current data, including the FIE. Where possible, the Campus Special Education Administrator shall review the draft of the IEP prior to the ARD meeting to ensure the PLAAFP includes all relevant and current information regarding the student's present levels of academic achievement and functional performance, as well as how the disability impacts the student's access and progress in the general curriculum.

The District will maintain documentation requirements of compliance associated with

Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

### **Annual ARD Preparation**

At the start of the year, case managers should create a report from eSped that delineates when all of the annual ARDs are due for students on their caseload. The notification of the actual date of the ARD will come from an Outlook invitation, generally from the campus clerk or ARD facilitator or Campus Evaluator (Diagnostician).

In order to prepare for the annual ARD date, many items need to be completed 2-3 weeks prior to the annual ARD. Case managers should complete the following:

- Complete the Universal Screener for updated academic levels
- Request feedback from general education teachers
- Contact the parent(s)/guardian(s)/adult student to gain their input
- Meet with counselor to confirm credits, graduation plan and 4 year plan (SECONDARY)
- Meet with the student to discuss current accommodations and modifications, transition services and course selection for upcoming the year (SECONDARY)

Once all of the above is collected, the case manager should start to prepare ARD documents in eSped. Case managers are responsible for drafting the PLAAFP, IEP goals and objectives, Behavior Intervention Plans (in collaboration with LSSP), accommodations, supplements (as appropriate), and for SECONDARY case managers this includes transition information and coordinated set of activities. All items should be drafted in ESPED at least 5 days prior to the date of the meeting. The drafted accommodations, goals and objectives should be sent home in advance for parent input.

The day of the ARD, case managers should attend with the following material ready to review:

- Teacher input
- Transition information (SECONDARY)
- Progress updates on current goals/objectives
- Draft of the PLAAFP
- Draft goals/objectives/accommodations
- A printed copy of discipline record, attendance, grades, current schedule
- Work Samples





Case managers should play an active role throughout the ARD meeting. Special Education teachers should be prepared to discuss all of the above. If a case manager is not prepared for the ARD, the Campus Evaluator or Campus Administrator may decide to cancel the meeting.

After the ARD, case managers need to ensure all service providers have an updated copy of the newly accepted accommodations/modifications, goals/objectives and BIP. It is also important to obtain signatures on a new verification of receipt for those items.

Annual ARD meetings must take place at least once per year, on or before the date of the last annual ARD. There are times that an ARD needs to take place outside of the annual. It is the case manager's responsibility to request those meetings. When a student's PLAAFP changes that results in a change in services, schedule, etc... an ARD may need to occur. If a student experiences a lack of expected progress, the case manager is required to request a brief ARD.

## **PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE**

### **34 CFR § 300.320(a)(1)**

The ARDC must provide a statement of the child's Present Levels of Academic Achievement and Functional Performance (PLAAFP). The PLAAFP is a statement of a student's present level of academic (social, behavioral, communication, health, and transition) achievement and functional performance.

A PLAAFP describes how the student's disability affects his/her involvement and progress in the general education curriculum (or how the disability affects a preschool child's participation in appropriate activities). A PLAAFP states the following information about the student:

1. Impact of Disability Statement – clear statement of how the disability affects involvement and progress in the same curriculum as non-disabled students with a clear consistency between the FIE and the PLAAFP
  2. Progress Statement – evidence of change in performance over last year, along with a review or summary of the previous year's IEP
  3. Accommodations and Modifications – student performance with accommodations and/or modifications is reported as well as performance without.
  4. Variety of information from a variety of sources – includes parent and student information to give a complete and accurate picture
  5. Measurable and observable baseline data – used to track progress, along with consistent tools to measure progress
- Discuss Transition Planning



- Review achievement on previous years' short-term goals and objectives (academic and behavior)-a copy of the updated goals and objectives must be presented at the ARD meeting and attached to the ARD paperwork.
- Discuss specific needs in the area of:
  - Language (second language learners as their needs relate to their IEP)
  - Communication
  - Physical
  - Behavioral (includes behavioral data, attendance, discussion of need for supplements – FBA, BIP)
  - Academic/Developmental – discuss areas in which student's disability significantly interferes
- Review current grades and current credits (if applicable)
- Review District and/or State Assessment results
- Prevocational/Vocational (include CTE information here)
- Review the need for assistive technology devices and services
- Discuss the recommendation for ESY due to regression/recoupment/maintenance of critical skills Make sure the parent has provided input in enhancing the education of their student at some point during this discussion (documented in deliberations)

### **Evidence of Implementation**

- FIE
- ARD/IEP
- Progress Reports on the IEP Annual Goals
- Report Card Grades
- Teacher and Campus Special Education Administrator Input
- Student/Parent Input
- Student Work Samples
- State Assessment Results
- Benchmark Testing
- Input from Related Service Providers
- Documentation for the state in TSDS, PEIMS, and SPP

### **Resources**

[The Legal Framework for the Child Centered Special Education Process: Present Levels Framework - Region 18](#)

[Present Levels of Academic Achievement and Functional Performance - Region 10](#)

[SPEDEX - PLAAFP](#)





[IEP Goal Development in Texas-Online Training - Region 20](#)

[Standards-Based Individualized Education Program Guidance - TEA](#)

[Texas Essential Knowledge and Skills \(TEKS\) - TEA](#)

[Texas Pre-Kindergarten Guidelines - TEA](#)

### **Citations**

Board Policy EHBAB; 34 CFR § 300.320(a)(1)

## ANNUAL GOALS

### What is Required

The ARD Committee must develop specific, measurable academic and functional goals in a student's IEP each academic year. A student's annual goals must be designed to meet the student's needs that result from the student's disability to enable the student to be involved in and to make progress in the general education curriculum and meet each of the student's other educational needs that result from the student's disability. Annual goals describe what a student with a disability can reasonably be expected to accomplish in the special education program within a twelve-month period. It is a skill and/or knowledge that can be measured and mastered based on given criteria.

The IEP must include a description of (1) how the student's progress towards the annual goals will be measured and (2) when periodic reporting on progress towards annual goals—e.g., through quarterly or periodic IEP progress reports issued along with report cards—will be provided.

For students with disabilities who take alternate achievement tests aligned to alternate achievement standards, the ARD Committee must include in the student's IEP a description of short-term objectives or benchmarks. Short-term objectives are developed based on the major components of the student's annual goals and serve as milestones for measuring progress toward meeting those goals. Like annual goals, short-term objectives must also be specific and measurable.

### Definitions

"Present Levels / Present Levels of Academic Achievement and Functional Performance (PLAAFP)" for the school-aged student summarizes the current strengths and needs of the student in both academic and functional performance areas. It must include how the student's disability affects the student's involvement and progress in the general education curriculum, regardless of the setting in which the student currently receives services. Additionally, it may describe the current instructional level of the student compared to the grade level Texas Essential Knowledge and Skills, and, if the student is below grade level, the PLAAFP also may describe the prerequisite skills the student needs in order to achieve grade-level proficiency. PLAAFP for the preschool student summarizes the current levels of present performance related to the student's developmental domains, functional performance, and pre-academic skills. It must include how the student's disability affects the student's participation in appropriate activities. Additionally, it may describe the student's current developmental levels compared to the Texas Prekindergarten Guidelines or district-adopted prekindergarten curriculum. See *above* [PRESENT LEVELS].

### Additional Procedures



Campus Special Education Personnel will consult with the student's general education teacher(s), where applicable, when developing a draft of the annual goals. Where feasible, Campus Special Education Personnel should send the parent a draft of the annual goals prior to the ARD meeting. The ARD Committee, including the parent, will provide input regarding the annual goals at the ARD meeting, and the annual goals will not be finalized or implemented until mutual agreement is reached.

The annual goals should be based on the student's present levels of academic achievement and functional performance ("PLAAFP") and tailored to meet the student's educational needs that result from the student's disability. *See above* [PRESENT LEVELS]. As such, Campus Special Education Personnel will assess the student prior to developing annual goals when preparing for annual ARD meetings. The goals should be realistic, attainable, and reasonably calculated to enable a student to make appropriate progress in light of the student's unique circumstances. The criterion should specify the amount of growth expected to meet the annual goal and be based on how the progress will be measured—not necessarily the score required for passing the course or assignment. Restating attainment of a grade level standard should not be a student's annual goal, as attainment of a grade level standard is a goal for every general education student. Additionally, a goal should be something that can be reasonably attained within one year.

When developing annual goals, Campus Personnel should include the following components within the annual goals:

- **Timeframe:** Identifies the amount of time, usually specified in interval periods, for the goal to be completed;
- **Conditions:** Describes the specific resources that must be used for a student to reach the goal. The condition of the goal should relate to the behavior being measured;
- **Behavior:** Represents an action the student must take to achieve the goal that can be directly observed, measured, and monitored;
- **Criterion:** Identifies the frequency or to what standard the behavior must occur to demonstrate that the goal has been met; and
- **Unit of Measure:** A means for evaluating the goals and objectives

For example, the following is an example of a poorly written Annual Goal: *Student will learn to count money.* Instead, an appropriate goal would look something like the following: *By the end of 36 instructional weeks, given a collection of pennies, nickels, and dimes, Student will determine the value of the coins with 100% accuracy on 8 out of 10 trials as measured by classroom observation and teacher-made assessments."*

Although short-term objectives or benchmarks are only required for students who take alternate tests, it is recommended that all special education students have short-term objectives within their IEP to gauge a student's progress. Benchmarks/short-term objectives should include intermediate steps that serve to gauge student progress or lack of progress toward mastery of the annual goal. The short-term objectives or benchmarks should also include a timeframe, conditions, behavior, criterion, and unit. Mastering benchmarks/short-term objectives does not necessarily mean that the student has mastered an annual goal. Thus, an annual goal should not simply state that the student will master the benchmarks/short-term objectives.

It is imperative that goals and objectives/benchmarks are measurable and that the teacher/service providers who are required to track progress understand how the goal will be measured and what data will be collected to show whether the student is progressing on the goals. Although the IDEA does not specify how often progress data of a student's IEP goals should be monitored, such data should be considered at least every grading period or more often as needed.

Each IEP goal should correspond to specially designed instruction or related services that a student needs based on the student's unique academic or functional needs. For example, if a student's PLAAFP data shows that the student's pragmatic speech is impacting his or her education, a student may have a speech goal related to improving pragmatic speech, as well as direct speech therapy related services to help the student master the goal. *See below* [SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, AND RELATED SERVICES]. Thus, goals should only be drafted after examining the student's PLAAFP. The ARD Committee will then determine what specially designed instruction or special education services the student requires, as well as the frequency, duration, and location of these services, to meet the annual goals.

The ARD Committee has discretion over the areas in which a student requires measurable annual goals. However, the ARD Committee will implement an annual goal in any area where content is modified, specifically addressing how the content is modified. Additionally, the ARD Committee will include an annual goal for each subject where the student is removed from the general education setting, even if the content is not modified during that period.

The ARD Committee must include in the student's IEP how the student is progressing towards meeting the annual goals and the reporting intervals for the ARD Committee to assess the student's progress on the goals (e.g., quarterly or concurrent with report card grades). The district provides IEP progress reports concurrently with report cards each 9 weeks.

Campus Special Education Personnel, such as the student's case manager, and/or general education teacher for a student who is mainstreamed, should be tasked with collecting student data to create progress reports to be sent to the student's parent. The progress data should be as specific as possible and based on data from the student's



current teachers and related service providers who are tasked with monitoring the student's goals. Although the IDEA does not require the District to provide parents with short-term/benchmark progress data, it is best practice to provide this data to parents to ensure they are apprised of their student's progress. Goose Creek CISD updates progress on IEP goals and/or objectives every 9 weeks. Progress reports are shared with parents via the Collaboration Portal.

If the progress data reveals that a student has mastered an annual goal, the ARD Committee should convene and determine whether to remove the goal from the student's IEP or modify the goal to target a more difficult concept that directly or sequentially relates to the original goal. If input from teachers reflect that a particular annual goal is no longer appropriate or if the student is not making expected progress on the goal, the ARD Committee should convene to determine if changes to the goals are indicated.

At least once annually, Campus and District Special Education Personnel will receive training on standards-based IEPs, specially designed instruction, and/or documentation of services provided.

The District will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

### **Annual ARD Preparation**

At the start of the year, case managers should create a report from eSped that delineates when all of the annual ARDs are due for students on their caseload. The notification of the actual date of the ARD will come from an Outlook invitation, generally from the campus clerk or ARD facilitator or Campus Evaluator (Diagnostician).

In order to prepare for the annual ARD date, many items need to be completed 2-3 weeks prior to the annual ARD. Case managers should complete the following:

- Complete the Universal Screener for updated academic levels
- Request feedback from general education teachers
- Contact the parent(s)/guardian(s)/adult student to gain their input
- Meet with counselor to confirm credits, graduation plan and 4 year plan (SECONDARY)
- Meet with the student to discuss current accommodations and modifications, transition services and course selection for upcoming the year (SECONDARY)

Once all of the above is collected, the case manager should start to prepare ARD documents in ESPED. Case managers are responsible for drafting the PLAAFP, IEP

goals and objectives, Behavior Intervention Plans (in collaboration with LSSP), accommodations, supplements (as appropriate), and for SECONDARY case managers this includes transition information and coordinated set of activities. All items should be drafted in ESPED at least 5 days prior to the date of the meeting. The drafted accommodations, goals and objectives should be sent home in advance for parent input.

The day of the ARD, case managers should attend with the following material ready to review:

- Teacher input
- Transition information (SECONDARY)
- Progress updates on current goals/objectives
- Draft of the PLAAFP
- Draft goals/objectives/accommodations
- A printed copy of discipline record, attendance, grades, current schedule
- Work Samples

Case managers should play an active role throughout the ARD meeting. Special Education teachers should be prepared to discuss all of the above. If a case manager is not prepared for the ARD, the Campus Evaluator or Campus Administrator may decide to cancel the meeting.

After the ARD, case managers need to ensure all service providers have an updated copy of the newly accepted accommodations/modifications, goals/objectives and BIP. It is also important to obtain signatures on a new verification of receipt for those items.

Annual ARD meetings must take place at least once per year, on or before the date of the last annual ARD. There are times that an ARD needs to take place outside of the annual. It is the case manager's responsibility to request those meetings. When a student's PLAAFP changes that results in a change in services, schedule, etc... an ARD may need to occur. If a student experiences a lack of expected progress, the case manager is required to request a Review ARD.

## **ESTABLISH GOALS AND OBJECTIVES**

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### **34 CFR § 320.(a)(2)**

What is it that we want the child to know, understand, and be able to do a year from now?

- Present proposed goals and objectives
- Discuss supplementary aids and services

- Accommodations
- Supplementary Aids and Services
- Discuss Intensive Program of Instruction needs, if applicable (under the SSI requirements)
- Determine State Assessment and need for accommodations
- Determination of types of District-Wide Assessments and need for accommodations
- Complete LPAC Supplement (if applicable) and discuss justifications

## **SPECIAL EDUCATION TEACHER / SERVICE PROVIDER RESPONSIBILITIES**

### **ARD Meetings**

The special education teacher is responsible for the following in the ARD process (if there are multiple special education teachers involved, the special education case manager should ensure these steps are completed:

#### **Prior to the ARD**

1. Draft the Present Levels of Academic Achievement and Functional Performance (PLAAFP) in the ESPED system. If there are multiple special education teachers involved, the Special Education Case manager should gather information from all teachers and input the PLAAFPs. The critical part of the PLAAFP section is to ensure that the ARD committee has meaningful and current data to assist in writing appropriate IEP goals and objectives.
2. Prepare the draft IEP measurable annual goals in SE IEP Goals, based on appropriate evaluation (remember the general education teacher(s) to the extent appropriate, should participate in the development, review, and revision of the student's IEP).
3. Send draft IEP goals/objectives to the parent at least one week prior to ARD meeting (if there are multiple special education teachers involved, the special education case manager should coordinate this effort).
4. Use the information in the State Assessment area in Section 4 of the Special Education Handbook to decide upon a recommendation for all applicable state assessments required for the student's grade level. Even if the recommendation is that the student will not take the state assessment, a recommendation should be prepared along with relative data to support the recommendation.
5. Decide which academic and supplementary supports will be recommended to the ARD Committee. This recommendation should be prepared along with relative data to support the recommendation.

#### **After the ARD**



1. The Special Education Case Manager should ensure that each teacher who provides instruction to a student with disabilities receives a copy of the student's current IEP and that each teacher be informed of specific responsibilities related to implementing the IEP, such as goals and objectives, as well as needed accommodations, modifications, and supports for the child.
2. The Special Education Case Manager will share the Teacher Bundle in Document Share located within Frontline at the beginning of the year and after each ARD or amendments where changes to the IEP need to be shared. Also, anytime the teachers change, the Teacher Bundle should be shared. However, this may not take the place of a meeting with the general education teacher to review the paperwork to ensure accommodations/modifications are clear, and the teacher understands how to implement them. Teachers and administrators will view Shared Documents on the home screen of Frontline and click on review beside the student's name and then electronically sign the document.
3. Assist general education teachers who are involved in the student's instruction to maintain documentation that they are modifying and/or accommodating educational programs of students as specified in the ARD. The documentation of accommodations and/or in-class support should be turned in to the Special Education Department Head at the end of each nine weeks. The Case Manager should be checking to ensure the documentation for each student is turned in at the end of each nine weeks. (See Appendix for copy of Accommodation Log, In-Class Support and the instructions for each form).

### Update IEP Goals & Objectives

1. Ensure that the IEP Goals & Objectives and Progress Report are updated in Frontline.
2. Send an updated copy of the IEP Goals & Objectives and Progress Report to the parent as indicated on the IEP Goals & Objectives page.
3. Provide the Diagnostician/ARD Facilitator with a copy of updated goals and objectives for the current school year. These are to be uploaded in Frontline.

### FAQ

#### **Who is responsible for collecting progress-monitoring data for students served in a general education setting?**

Each student is assigned a case manager. The case manager is responsible for collecting all documents related to progress to include data logs/charts, accommodation logs which are updated weekly, etc. at the end of each progressing 9-weeks reporting period.



**IF A STUDENT IS IN GENERAL EDUCATION SETTING ALL DAY, WHAT HAPPENS IF THERE ARE MULTIPLE IMPLEMENTERS ON A GOAL? WHO IS RESPONSIBLE FOR DOCUMENTING THE PROGRESS ON GOALS AND OBJECTIVES?**

All implementers should collaborate to discuss the implementation of the IEP and how documentation will be collected. The special education case manager assigned to the student is ultimately responsible for gathering all data logs and updating progress on the IEP into Frontline at the end of each progressing 9-weeks reporting period.

**IF A STUDENT IS IN A SPECIAL EDUCATION SETTING, WHAT HAPPENS IF THERE ARE MULTIPLE IMPLEMENTERS ON A GOAL? WHO IS RESPONSIBLE FOR DOCUMENTING THE PROGRESS ON GOALS AND OBJECTIVES?**

All implementers should collaborate to discuss the implementation of the IEP and how documentation will be collected. The special education case manager assigned to the student is ultimately responsible for gathering all data logs and updating progress on the IEP into Frontline at the end of each progressing 9-weeks reporting period.

**WHO IS RESPONSIBLE FOR GATHERING DATA/DOCUMENTATION LOGS FROM PARAPROFESSIONALS THAT PROVIDE SUPPORT TO STUDENTS IN THE GENERAL EDUCATION SETTING?**

The case manager is responsible for collecting all documents related to progress to include data logs/charts, accommodation logs, etc. from the paraprofessional at the end of each progressing 9-weeks reporting period. The case manager needs to collaborate with the general education teacher prior to updating IEP progress in Frontline.

**WHO IS RESPONSIBLE FOR GATHERING DATA/DOCUMENTATION LOGS FROM PARAPROFESSIONALS THAT PROVIDE SUPPORT TO STUDENTS IN THE SPECIAL EDUCATION SETTING (RESOURCE, SPECIALIZED PROGRAM)?**

The case manager is responsible for collecting all documents related to progress to include data logs/charts, accommodation logs which are updated weekly, etc. from the paraprofessional at the end of each progressing 9-weeks reporting period.

**The case manager needs to collaborate with the any other special education teachers to gather all data prior to updating IEP progress reports in Frontline.**

## **Evidence of Procedure**

- FIE
- IEP
- Documentation of Collaboration Between Campus Personnel in Drafting Goals
- Progress Reports on Annual Goals
- Consistent Progress Documentation
- Progress Monitoring Documentation
- Report Card Grades
- State Assessment Results
- Teacher Input
- Student/Parent Input
- Documentation for the state in TSDS, PEIMS, and SPP

## **Resources**

[The Legal Framework for the Child-Centered Special Education Process: Annual Goals - Region 18](#)

[IEP Annual Goal Development Question & Answer Document – Texas Education Agency and PGC Network](#)

[IEP Goal Development in Texas Online Training – Region 20](#)

[Standards-Based Individualized Education Program Guidance – Texas Education Agency](#)

[Texas Essential Knowledge and Skills \(TEKS\) – Texas Education Agency](#)

[OSEP Letter to Hayden \(October 3, 1994\) – U.S. Department of Education](#)

[OSEP Letter to Kelly \(August 24, 2007\) – U.S. Department of Education](#)

[OSERS Dear Colleague Letter \(November 16, 2015\) – U.S. Department of Education](#)

[OSEP Letter to Lenz \(February 7, 2014\) – U.S. Department of Education](#)

[Annual Goals - SPEDTEX](#)

## **Citations**

Board Policy EHBAB; 34 CFR 300.320(a)(2)–(3); 19 TAC 89.1055(j); *Endrew F. ex rel.*

FAPE

Goose Creek CISD



*Joseph F. v. Douglas County Sch. Dist. RE-1*, 137 S. Ct. 988 (2017); *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F. by Barry F.*, 118 F. 3d 245 (5<sup>th</sup> Cir. 1997)

## **SPECIAL FACTORS**

State and federal law require consideration of special factors for students with the following special education eligibilities or needs/supports:

- Students with Behavioral Needs;
- Emergent Bilingual Students;
- Blind or Visually Impaired Students;
- Students with Communication Needs
- Deaf or Hard of Hearing Students;
- Assistive Technology; and
- Students with Autism Spectrum Disorder.

### **STUDENTS WITH BEHAVIORAL NEEDS**

#### **What is Required**

If a special education student's behavior is impeding the student's learning or that of others, the ARD Committee must consider the use of positive behavioral interventions and supports and other behavior strategies to address the behavior. If appropriate, the ARD Committee will develop a Behavior Intervention Plan or a Behavior Improvement Plan ("BIP") to be included in the student's IEP. A BIP is a written plan developed as part of the IEP to address behavioral concerns affecting the student's educational progress. A BIP is based on a functional behavioral assessment ("FBA") of the problem behaviors, identifies events that predict these behaviors, and includes positive interventions to change behaviors and methods of evaluation. If the ARD Committee develops a BIP, a copy of the BIP will be provided to each of the student's teachers. The purpose of a BIP is to redirect the student's targeted behaviors to ensure the student can make appropriate progress in light of the student's unique circumstances.

An ARD Committee may also consider time-out as part of the student's IEP and/or BIP. If a student requires any type of time-out, the District must comply with state requirements and documentation. See [RESTRAINT AND TIME-OUT]. The ARD Committee is required to address any necessary documentation or data collection and use any collected data to judge the effectiveness of time-out as an intervention and provide a basis for making determinations regarding its continued use.

#### **Additional Procedures**

Behavior supports or interventions for a student with a disability may include direct services (such as counseling and/or social skills training), indirect services (such as consultation or training of service providers or parent training), behavior accommodations,

curriculum modifications, behavior goals and objectives, and/or a BIP.

If the ARD Committee determines that a BIP is appropriate for the student, Campus or District Special Education Personnel, such as a teacher or a LSSP, may conduct an FBA for the student. An FBA is generally understood to be an individualized evaluation of a student to assist in determining eligibility and/or the nature and extent of the special education and related services that the student needs, including the need for a BIP. As such, in most cases, parental consent is required for an FBA. See [CONSENT FOR INITIAL EVALUATION] and [CONSENT FOR REEVALUATION].

An FBA is a process for collecting data to determine the possible cause of problem behaviors and to identify strategies to address the behaviors. Although an FBA is only *required* in the context of disciplining a student with a disability, an FBA may be conducted whenever an ARD Committee is considering a BIP for a student, and sometimes more often when the student's behavior has changed, or interventions and strategies in the current BIP are no longer effective. Additionally, when considering positive behavior support strategies for a student with autism, the ARD Committee should consider a BIP developed from an FBA that uses current data related to target behaviors and addresses behavioral programming across environments.

The scope and nature of the FBA will depend on the nature and severity of the student's behaviors. The District or Campus Assessment Personnel will observe the student in various school settings and collect input from staff and members of the ARD Committee, including the parent. The District or Campus Assessment Personnel will consider the data, including interviews conducted with the student and/or parents that provides information about how the student's environment contributes to positive and problem behaviors, including the antecedents to the behavior. This information will be used to develop a hypothesis about why problem behaviors occur (the function of the behaviors) and will identify replacement behaviors that can be taught and that serve the same purpose for the student.

The FBA will provide the ARD Committee with information regarding the function of the student's behavior, factors that may trigger certain behavior, and interventions identified to decrease negative behaviors and increase appropriate behaviors. This information will be reviewed by the ARD Committee when developing a BIP and or behavior goals or accommodations for the student.

The BIP should include positive strategies and supports to help target the student's behaviors. The BIP should also include reinforcements and consequences to enable the student to reflect on the exhibited targeted behaviors.

The BIP must be provided to every teacher who is educating the student, as well as other staff members assisting the student, such as a paraprofessionals or related service providers who are working with the student.



The ARD Committee should determine the best way to monitor the student's progress and BIP implementation. The ARD Committee should also establish how often staff should document behaviors. For example, a campus can use a "BIP tracking sheet" for teachers to document, on a weekly basis, observed targeted behaviors and the interventions the teacher attempted, per the student's BIP. Use of a BIP tracking sheet is one way to monitor whether the BIP is effective. The ARD Committee should ensure that teachers are aware of how to track BIP implementation and how frequent such information should be tracked.

If a student who is identified as a student with a disability under the IDEA violates the District's Student Code of Conduct, Campus Personnel must ensure that the student's BIP is followed when applying consequences from the Student Code of Conduct. See [DISCIPLINE].

If a student who has a BIP is not making progress on the student's behavior goals, or if either the rate or severity of behaviors targeted in the BIP increase, the ARD Committee should convene and discuss whether modifications to the BIP are indicated.

At least once annually and following the development of and/or revision of a student's BIP, all Campus and District Personnel who work with a student with disabilities requiring behavioral interventions and supports shall be trained on the positive behavioral interventions and supports required by the student's IEP, including how to implement and document the implementation of the interventions and supports. Additionally, at least once annually, all Campus and District Personnel shall be trained on the use of restraint or time-out, how to complete necessary documentation or data collection, and how to determine the effectiveness of the use of these interventions. This training is separate and apart from the Crisis Prevention Institute ("CPI") training that various Campus and District Personnel may receive.

**If the student is served with special education services and is displaying behavior that is interfering with learning of self or others and does not have a current Behavior IEP/BIP, the following procedures apply:**

1. Concerns are brought to the student's case manager.
2. The case manager will:
  - a. Review these procedures with the teacher/administrator bringing the concern
  - b. Explain the data collection process
  - c. Provide and review forms for data collection
  - d. Discuss informal behavior plans or strategies utilized and how to collect data on student response
  - e. Assist the teacher, as needed with the data collection
  - f. Inform the campus diagnostician/ARD Facilitator that there are behavioral concerns and determine what information has been

provided to the school staff

3. The case manager will monitor the data collection process for approximately two (2) weeks.
4. If the student's behavior improves without the need for a formal Behavior IEP/Behavior Intervention Plan, no further action is needed. The case manager will upload the documents in the student's eSped record.
5. If through the data collection and informal behavior plan process the student's behavior improves with the implementation of a behavior plan and that plan is needed for the behaviors to be maintained, continue with step numbers 6 & 7 regarding the staffing process.
6. If the behavior does not improve, the case manager will ask the campus diagnostician/ARD Facilitator to schedule a staffing.
7. The staffing must include the campus administrator, teacher, case manager, and LSSP assigned to the campus.
8. At the staffing, the LSSP, BCBA, or Behavior Specialist will take the lead and review all concerns and discuss the process of conducting a Functional Behavior Assessment to support the development of Behavior IEP and Behavior Intervention Plan.
9. The LSSP/BCBA will be responsible for conducting a Functional Behavior Assessment.
10. The campus diagnostician/ARD Facilitator should schedule a REED meeting to determine the need for additional evaluation. A REED meeting is a planning meeting held outside the ARD process to consider the scope of the evaluation. The REED meeting process includes consulting the teachers, parent, and other staff members involved with the student.
11. If the REED meeting determines that additional evaluation is needed, the Notice of evaluation will be given to the parent and consent obtained. *It is recommended that an ARD committee is held to discuss the need to develop additional interventions and supports until the FBA can be completed.*
12. Once the consent is obtained, the LSSP/BCBA will conduct the FBA.
13. Upon completion, the LSSP or BCBA will contact the campus diagnostician/ARD Facilitator to schedule a staffing and ARD to review the new evaluation and present the FBA and draft BIP/Behavior IEP.

**IF THE STUDENT IS SERVED WITH SPECIAL EDUCATION SERVICES AND IS DISPLAYING BEHAVIOR THAT IS INTERFERING WITH LEARNING OF SELF OR OTHERS AND DOES HAVE A CURRENT BEHAVIOR IEP/BIP, THE FOLLOWING PROCEDURES APPLY:**

1. Concerns are brought to the student's case manager.
2. The case manager will:
  - a. Review these procedures with the teacher/administrator bringing the concern;
  - b. Review the current Behavior IEP and BIP and answer any questions



- regarding the implementation;
- c. Explain the data collection process;
  - d. Provide and review forms for data collection if the teacher does not have them;
  - e. Assist the teacher as needed with the data collection; and
  - f. Inform the campus diagnostician/ARD Facilitator that there are behavioral concerns and what information has been provided to the school staff.
3. The case manager will monitor the data collection process for approximately two (2) weeks.
  4. If the student's behavior improves without the need for changes to the BIP, no further action is needed. The case manager will upload the documents in the student's Frontline record.
  5. If the behavior does not improve, the case manager will ask the Campus Diagnostician/ARD Facilitator to schedule a staffing.
  6. The Campus Diagnostician/ARD Facilitator will schedule a staffing. The staffing must include the campus administrator, teacher, case manager, and LS, Behavior Specialist, or BCBA assigned to the campus.
  7. At the staffing, the LSSP/Behavior Specialist/BCBA will take the lead and review all concerns and documentation.
  8. The LSSP/Behavior Specialist/BCBA will review the last FBA conducted, review data and determine if the Behavior IEP and BIP needs to be changed based on the data or if a new FBA should be recommended.
  9. If an FBA is not required at this time, proposed changes to the behavior IEP and BIP should be discussed and an ARD meeting should be held to consider proposed changes. Note\*\* If the student does not respond to a new Behavior IEP/BIP within 4 weeks of the ARD accepting the changes, the LSSP/Behavior Specialist/BCBA should be contacted to complete a FBA.

### Evidence of Implementation

- Student Discipline Records
- Teacher Documentation of Behaviors
- Parent Information of Home Behaviors
- BIP
- ARD/IEP
- BIP Tracking Sheet
- FBA
- FIE
- Frontline forms
- Review 360 tracking sheets



## **EMERGENT BILINGUAL STUDENTS**

### **What is Required**

For a student identified as a student with a disability who is emergent bilingual, the ARD Committee must consider the language needs of the student as such needs relate to the student's IEP. An Emergent Bilingual student ("EB") (formerly referred to as an English Learner ("EL"), English Language Learner ("ELL") or student with Limited English Proficiency ("LEP")) is a student who is in the process of acquiring English, and another language is their primary language. The ARD Committee, in conjunction with the language proficiency assessment committee ("LPAC"), must identify a student as Emergent Bilingual if the student is emergent bilingual or if the student has a significant cognitive disability such that the English language proficiency assessment cannot be administered. The ARD Committee should consider the extent of the student's language needs related to the student's IEP.

For students who are Emergent Bilingual and are eligible for special education, the ARD Committee and the LPAC must create assessment procedures to distinguish between language proficiency and disabling conditions. The decision for entry into a bilingual education or ESL program must be determined by the ARD Committee in conjunction with the LPAC.

The ARD Committee, in conjunction with the LPAC, must also comply with the State and Districtwide Assessment procedures, including selecting the appropriate assessments, documenting the decisions and justifications in the student's IEP, and determining and documenting any allowable testing accommodations. See *below* [STATE AND DISTRICTWIDE ASSESSMENT].

The ARD Committee must include a member of the LPAC if a student is identified as Emergent Bilingual. See [ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEMBERSHIP].

The District must follow the standardized process for Emergent Bilingual program reclassification for Emergent Bilingual students who are also eligible for special education services. The ARD Committee in conjunction with the LPAC must meet annually at the end of the year to review progress and determine if an Emergent Bilingual student is eligible to be reclassified or exit an Emergent Bilingual program and be classified as English proficient. A student is deemed English proficient if the student can participate equally in a general education, all-English instructional program.

When determining whether a student can be reclassified or exit an Emergent Bilingual program, the following factors will be considered:

- A proficiency rating on the state-approved English language proficiency test for

reclassification or exit that is designated for indicating English proficiency in each of the four language domains (listening, speaking, reading, and writing);

- Passing standard met on the reading assessment or for students at grade levels not assessed by the reading assessment, a score of the 40<sup>th</sup> percentile or above on both the English reading and the English language arts test of the state-approved norm-referenced standardized achievement instrument; and
- Results from a teacher evaluation using the state's standardized rubric.

A student may not be reclassified or exited from bilingual education or ESL program in prekindergarten or kindergarten. Additionally, a student may not be reclassified or exited from the bilingual education or ESL program if the LPAC recommends designated supports or accommodations on the state reading assessment instrument.

For an Emergent Bilingual student with significant cognitive disabilities, the LPAC, in conjunction with the ARD Committee, may determine that the state's English language proficiency assessment for reclassification is not appropriate because of the nature of the Emergent Bilingual student's disability. In these situations, the LPAC, in conjunction with the ARD Committee, may recommend an appropriate performance standard requirement for the Emergent Bilingual student to be reclassified or exit a program.

### **Additional Procedures**

For students who are receiving special education services and identified as Emergent Bilingual, the ARD Committee and the LPAC must work in collaboration. Joint meeting will occur between key members of both committees to review the following considerations:

- Entry and Reclassification/exit criteria for ESL or bilingual services
- Appropriate listening, speaking, reading, and writing assessments;
- Appropriate student performance standards to verify that second language acquisition support in English is needed or not needed;
- Review progress; and
- Determine linguistic needs such as language instruction.

The meetings may be informal discussions among members. However, the final recommendations are brought to the ARD Committee with LPAC representation at the ARD Committee Meeting. The two committees, in meeting to collaborate in the best interest of the student, should consider information regarding cognitive and linguistic abilities, affective needs, data from progress monitoring, assessment data from both

special education and ESL/bilingual programming, and confidentiality of student information regarding the presence of any person not employed by the District.

Prior to an ARD meeting regarding an Emergent Bilingual student's assessments, a Campus Special Education Professional, such as the student's case manager, should gather necessary data for the committees to make a data-based decision regarding the assessments and educational programs the Emergent Bilingual student will take.

The Campus Special Education Professional should start gathering necessary data several weeks before the end of the academic year for the committee to review to determine whether the Emergent Bilingual student may be reclassified or exit an Emergent Bilingual program.

At least once annually, training shall be provided to Campus and District Special Education Administration and Personnel regarding collaboration between the ARD Committee and the LPAC on topics such as the language needs of the student, entry into a bilingual education or ESL program, participation in the English language proficiency assessment, the process for exiting an Emergent Bilingual student from an Emergent Bilingual program, and participation in the state's alternate English language proficiency assessment.

### **LIMITED ENGLISH PROFICIENT (LEP)**

#### ***TAC §89.1225, 34 CFR 300.324(a)(2)(ii)(iv)***

Below is a replication of the Guidelines for Identification of Exit of LEP students with Disabilities: LPAC/Special Education Collaboration Team Document

### **Introduction**

This document has been developed as a guide for identification and exit of LEP students with disabilities. It represents the interpretation of Subchapter BB of the 19 Texas Administrative Code (TAC). This guide provides the most current revision of the Texas Administrative Code that includes three additions to state law:

1. LPAC & ARD Collaboration
2. Identification of LEP students
3. Exiting of LEP students

### **Identification & Exit of LEP Students**

Previously, the LPAC was solely responsible for identifying and exiting LEP students. With the changes made to the TAC, the LPAC and ARD committee will collaborate to identify students as LEP and to exit students from the bilingual and ESL programs. Sections from the TAC have been provided below regarding LEP students with disabilities:

### *TAC§89.1225 Testing and Classification of Students*

*(f) For entry into a bilingual education or English as a Second Language (ESL) program, a student shall be identified as Limited English Proficient using the following criteria:*

*(4) The Admission, Review, and Dismissal (ARD) committee, in conjunction with the Language Proficiency Assessment Committee (LPAC) shall determine an appropriate assessment instrument and designated level of performance for indicating Limited English Proficiency as required under subsection (d) of this section for students for whom those tests would be inappropriate as part of the Individualized Education Program (IEP). The decision for entry into a bilingual education or English as a Second Language (ESL) program shall be determined by the ARD committee in conjunction with the LPAC in accordance with §89.1220(g) of this title (relating to LPAC).*

*(k) The ARD committee, in conjunction with the LPAC shall determine an appropriate assessment instrument and performance standard requirement for exit under subsection (h) of this for students for whom those tests would be inappropriate as part of the IEP. The decision to exit a student who receives both special education and special language services from the bilingual education or ESL program is determined by the ARD committee in conjunction with the LPAC in accordance with applicable provisions of subsection (h) of this section.*

As a result of the above changes to state law, members of the ARD committee need to be aware of current educational research as it pertains to students who are LEP; while the members of the LPAC need to have basic knowledge of disabilities and how these disabilities can impact students' linguistics needs as second language learners.

### **ARD COMMITTEE IN CONJUNCTION WITH THE LANGUAGE PROFICIENCY COMMITTEE” (ARD Committee/LPAC)**

State law specifies that the ARD committee “in conjunction with” LPAC determines an appropriate assessment instrument and performance standard requirement for entry and exit of LEP eligibility for students with disabilities being served in special education. What is meant by “the ARD committee in conjunction with the LPAC”? TEA stated in the February 6, 2008 TETN that the “ARD in conjunction with LPAC” responsibilities could be accomplished in an informal meeting of key ARD and key LPAC members, and that the results of the informal meeting must be documented in some fashion. If a school district decides to have informal meetings to determine an appropriate assessment instrument and designated level of performance for LEP identification and exit of students who are served in special education, then the results

of the meeting must be forwarded and discussed in both the ARD meeting and the LPAC meeting.

In the ARD/LPAC meeting, the consensus members of the ARD committee make the final decision on issues of special education services, although the input of all ARD/LPAC team members should be invited and taken into consideration. The entire ARD/LPAC team, however, sets the criteria for LEP identification and exit, as well as determines if the LEP entry and exit criteria have been successfully met.

## **Goose Creek CISD ARD/LPAC Collaboration Model**

### **Campus ARD/LPAC Collaboration Team**

As noted above, TEA allows school districts to determine which members of the ARD and LPAC are key members. Goose Creek CISD procedure defines the “ARD/LPAC Collaboration Team” as the key members and will include a minimum of three members:

1. Campus Administrator (member of both ARD and LPAC committees)
2. Special Education Case Manager (member of ARD committee)
3. LPAC Representative (member of LPAC committee)

### **Informal Meeting (Staffing)**

At a student’s staffing, the responsibilities of the ARD/LPAC collaboration team are as follows:

- Discuss identification for LEP services
- Recommend entry and/or exit criteria
- Document ARD/LPAC Collaboration Team recommendations on the *ARD/LPAC Collaboration* form. This staffing form is only used to document recommendations for the ARD/LPAC committee and should be kept in the LPAC folder. This form does not go in the student’s state audit folder.

### **ARD Meeting**

At a student’s ARD meeting, the responsibilities of the ARD/LPAC collaboration team members are as follows:

- Discuss identification for LEP services
- Recommend or approve entry and exit criteria
- Present ARD/LPAC collaboration recommendations
- Make program decision based on language of instruction (Bilingual Education or English as a Second Language)
- Monitor progress of student



- At end of year, determine if exit criteria have been met as documented on ARD/LPAC LEP supplement form.
- If the established modified exit criteria have been met, a Review ARD or an amendment must be held.

### Identification of LEP Students

State law requires that any student with a language other than English on the Home Language Survey must be tested for English proficiency. Upon initial enrollment all students must have a Home Language Survey (HLS) completed in their student record (only one: The original or a copy of original). The HLS shall be administered to each student new to the district and to students previously enrolled who were not surveyed in the past. If the HLS indicates a language other than English, testing must be initiated to determine English proficiency

All students who are being tested for English proficiency must be assessed in the following areas:

- Listening (grades PK-12)
- Speaking (grades PK-12)
- Reading (grades 2-12)
- Writing (grades 2-12)

### Exiting of Special Education/LEP Students

LEP exit criteria for students with disabilities should follow as closely as possible the state and local exit criteria, yet take into consideration the student's disability. For students whose disability would not require a change in the criteria and for students who can be reasonably expected to meet it, the LEP Goose Creek CISD exit criteria should be utilized and not modified.

In rare cases, a LEP student receiving special education services may qualify to be exited using modified criteria permitted under TAC 89.1225(k), which special considerations to a LEP student for whom assessments and/or standards under TAC 89.1225 (h) are not appropriate because of the nature of a student's particular condition. Students considered for special exit criteria under TAC 89.1225(k) should only be those designated to take STAAR Alt 2 as determined by the ARD committee in conjunction with the LPAC.

Students should only be exited from the bilingual or ESL program at the end of the school year.

**ARD/LPAC Collaboration Team Staffing and ARD Documentation Process and Forms** Whenever the ARD/LPAC collaboration team members meet to collaborate in the interest of the student, they should consider information



regarding the cognitive and linguistic abilities, as well as the affective needs, of the student. These joint meetings may occur not only to facilitate a student entry

into and exit out of the respective programs but also to review progress, determine linguistic accommodations and discuss other issues related to the student's Individualized Education Plan (IEP). Recommendations from these collaborative efforts must be presented at ARD committee meetings to ensure that the appropriate considerations regarding the second language acquisition in English are addressed in the development of the student's IEP. Decisions relating to services that impact second language acquisition must also be documented by the LPAC.

The information contained in this document was compiled using several sources, specifically:

- Texas Administrative Code §89.1125
  - o Commissioner's Rules Concerning State Plan for Educating Limited English Proficient students
- Texas Education Agency, Special Education Department, *Guidance Related to ARD Committee and LPAC Collaboration*
- Texas Education Agency, Process for Considering Special Exit Criteria from Bilingual/English as a Second Language (ESL) Services

### Frequently Asked Questions

1. *After an ARD is held for a student receiving Special Education services who has met the criteria for exit from LEP and the LPAC meets to reclassify the student, does there need to be a LPAC representative at the student's ARD meeting?*

No. Once the student has been exited from LEP, the LPAC will monitor the student for two years according to the Commission Rules guidelines. There is no need for LPAC representative at the ARD once the student has been exited.

2. *We understand that the modified Exit criteria must be set in an ARD PRIOR to State Assessment. Does this include TELPAS?*

Yes. TELPAS is part of the State Assessment for students with disabilities who are also identified as LEP. Therefore, if there is consideration to modify the Exit criteria, this ARD/LPAC Collaboration team meeting and ARD to review the modified Exit criteria all must be held prior to the beginning of the TELPAS window.

3. *The Special Ed/LEP process indicates that once the state assessment scores*

*are received, an ARD must be held to review the scores and determine if the modified LEP criteria was met and to discuss the plan to remove student from LEP services. After the ARD meeting, a LPAC meeting must occur to review the ARD recommendation and formally exit the student from LEP. The LPAC procedures note that this should occur at the end of the year. How do we handle the situation if an ARD is not held prior to summer dismissal due to scheduling difficulties?*

If the ARD and LPAC meetings are not completed at the end of the year, they should be scheduled prior to the first day of instruction during the next year. They can be exited from LEP at the beginning of the year under these circumstances. It is recommended that if there are a lot of students that will need ARDs and LPAC meetings at the end of the year, focus on the students who will be transitioning to a new campus first (5<sup>th</sup> and 8<sup>th</sup> graders).

*Should LPAC/ARD Collaboration meetings take place before an ECSE student is ever labeled as LEP? (In thinking of 3 year-olds who are tested when they turn 4)*

Yes, for those students who are evaluated through childfind (3 year-olds) and will be turning 4 prior to September 1, an ARD/LPAC Collaboration team meeting should take place prior to an ARD meeting. It is recommended that this process be postponed until late in the school year of the student's first year if he/she is 3 years old so data can be gathered (i.e., if student turns 3 in October and begins ECSE, gather data and then the collaboration staffing and ARD should occur in late April or May).

4. *What happens if the student does not meet the anticipated exit criteria, do we have to conduct another ARD/LPAC collaboration meeting and ARD?*

If a student with a disability does not meet State Assessment expectations, then an ARD meeting must be scheduled to consider additional interventions, changes to IEP, etc. Therefore, during the ARD meeting to discuss the student's failure on the State Assessment, the previous ARD/LPAC LEP supplement should be reviewed along with any previously set modified criteria.

## Evidence of Implementation

- Referral for Special Education
- FIE
- ARD/ IEP
- EL Assessment
- LPAC Team Documents
- Training for LPAC Members



- ARD Attendance by LPAC Member
- Student's Academic Progress Consideration
- Documentation of Reclassification Consideration
- Frontline forms

## **BLIND OR VISUALLY IMPAIRED STUDENTS**

### **What is Required**

In the development of the IEP for a VI student, proficiency in reading and writing is a significant indicator of the student's satisfactory educational progress. A student who is blind or visually impaired must be evaluated to determine the student's reading and writing skills, needs, and appropriate reading and writing media. The evaluation must be administered by a teacher certified to teach students with visual impairments and should be based on an appropriate literacy media and skills for the student's current and future instructional needs. See [VISUAL IMPAIRMENT].

### **Braille**

When considering a VI student's needs, District Assessment Personnel must determine the student's current and potential need for instruction in braille or the use of braille. A VI student's IEP must include instruction in braille and the use of braille unless the ARD Committee determines and documents that braille is not an appropriate literacy medium for the student. The ARD Committee's decision must be based on the evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs. Each person developing the IEP must be given information on the benefits of braille instruction. If the ARD Committee determines that braille instruction is appropriate for a student, such instruction may be used in combination with other appropriate special education services, but the braille instruction must be provided by a teacher certified to teach children with visual impairments.

### **Expanded Core Curriculum**

Before placing a student with a visual impairment in a classroom setting, or within a reasonable time period after placement, the Campus Special Education Personnel must provide an evaluation of the impairment and instruction in an expanded core curriculum, which is required for the student to succeed in classroom settings and derive lasting, practical benefits from education. Instruction in an expanded core curriculum must include instruction in:

- Compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum;
- Orientation and mobility;

- Social interaction skills;
- Career planning;
- Assistive technology, including optical devices;
- Independent living skills;
- Recreation and leisure employment;
- Self-determination; and
- Sensory efficiency.

In developing an IEP for a VI student, the ARD Committee must include in the IEP:

- A detailed description of the arrangements made to provide the student with an evaluation of the impairment and instruction in the expanded core curriculum;
- Plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the instruction in the expanded core curriculum; and
- a statement reflecting that the student has received an explanation of the various community and state resources.

### **Texas School for the Blind**

The Texas School for the Blind and Visually Impaired (the “School for the Blind”) is a state agency established to serve as a special school in the continuum of statewide alternative placements for students who are 21 years of age or younger and who have a visual impairment. The School for the Blind is intended to serve students who require specialized or intensive educational or related services related to the visual impairment. The School for the Blind is not intended to serve students whose needs are appropriately addressed in a home or hospital setting or in a residential treatment facility, or students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit.

The ARD Committee for a VI student may determine that the appropriate placement for the student is the Texas School for the Blind. If the ARD Committee places a VI student in the Texas School for the Blind, the District must ensure that it provides the student with FAPE and that all legally required ARD meetings are conducted to develop and review the student’s IEP.

The District must provide each parent of a VI student with the state-adopted form that contains written information about programs offered by state institutions, including the Texas School for the Blind.

### **Additional Procedures**

VI Students have unique learning needs that must be addressed if they are going to access the regular core curriculum and become independent, productive citizens to the greatest extent possible. The District provides educational services for students ages 0-21 who meet eligibility criteria for VI. Eligible infants (ages 0-2 years) are served in their home by the District in conjunction with the local Early Childhood Intervention (ECI) Program. At age 3, eligible students are transitioned to the District to receive services through special education, as determined by the student's ARD Committee. See [AGES 0-5]. Each Campus Administrator should ensure that appropriately trained personnel for the blind or visually impaired attend the student's ARD meeting.

The ARD Committee will develop an IEP for the student based on the requirements described above, including the use of braille. Service delivery options may include indirect/consultation, direct services, community-based activities, or a combination of these options. IEP goals and objectives addressed by VI and Certified Orientation and Mobility Specialists ("COMS") Service Providers may be integrated with classroom teacher's goals and objectives. Services may include pre-braille instruction, braille instruction, visual efficiency training, instruction in the use of technology for the visually impaired, and the provision of large print or braille textbooks, assignments, or tests. Modifications and accommodations necessary for the VI student to access the educational curriculum, appropriate goals and objectives, progress monitoring, and transition services will be addressed through consultation with the VI and/or COMS Service Providers and regular education staff.

Campus Special Education Personnel should document on the VI Supplement/Section of the IEP the following:

- Whether the student is functionally blind based on the functional vision evaluation and learning media assessment;
- Whether the ARD Committee has received information on the benefits of braille;
- The need for braille and the student's strengths and weaknesses in braille reading and writing;
- Appropriate learning and literacy media information;
- Whether the student has been provided a detailed explanation of the various community and state resources;
- Whether the parent has been provided information about the Texas School for the Blind and Visually Impaired and other programs offered by Texas institutions;
- Plans and arrangement for contacts with and continuing services to student beyond the regular school hours;

- All areas of the expanded core curriculum instruction; and
- Appropriate special media and special tools, appliances, aids, or devices commonly used by VI student (i.e., braille textbooks, braille writer, braille paper, sensory learning kit, low vision devices, canes, etc.).

Instruction for VI students should reflect the assessed needs of each student in all areas of expanded core curriculum. Assessments in all of these areas that determine each student's strengths and weaknesses can be used to assist the ARD Committee to build a program that truly addresses life-long competencies. Not all areas will have equal urgency each year, but to make informed decisions on where to focus, it is essential to measure progress and functioning across all areas. The ARD Committee should prioritize needs in order to develop an appropriate and comprehensive educational program for students with visual impairments.

A student's need for vision services may vary over time. A student's needs may differ in intensity and focus during the student's school years. These fluctuations will be reflected in the IEP and should be fluid and flexible, based on immediate educational needs at any time during the student's educational process. Consideration for services may be especially necessary during periods of transition between schools or into community activities. Other considerations are when there are significant changes to the IEP and/or vocational considerations.

Campus-based members of the ARD Committee should stay apprised of the various resources in Texas that offer consultation and support to staff and/or family for special education students who are blind or visually impaired. Parents of VI students should be provided information about the Texas School for the Blind annually.

At least once annually, training shall be provided to Campus and District Personnel, including Campus and District Special Education Administration, special education teachers, general education teachers, and related service providers, who work with students who are blind or visually impaired on proficiency in reading and writing, appropriate literacy media and literacy skills, benefits of Braille instruction, and instruction in an expanded core curriculum.

## **VISUALLY IMPAIRED (VI) INSTRUCTION**

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### **19 TAC § 89.1050(B), TEC 30.002 (5), 34 CFR, §§300.24, 300.320-300.324**

#### **Purpose of Instructional Services for students with Visually Impairments (VI)**

Maximizing lifelong success is the goal of education. Students with visual impairments have unique learning needs that must be addressed if they are going



to access the regular core curriculum and become independent, productive citizens to the greatest extent possible. It is important the most appropriate decisions about development and implementation of programs and services for students with visual impairments are made. (Educating Students with Visual Impairments in Texas: Guidelines and Standards, 2015)

“Since students with visual impairments have unique learning needs, instructional teams should consider creative strategies to meet those needs. IDEA requires consideration of present levels of performance in both academic and functional areas. Texas law specifically notes that there will need to be flexibility on the part of school districts to meet the special needs of children with visual impairments (TEC 30.002 (5)). General and special education teachers are primarily responsible for instruction in the academic content, with the support of VI professionals to accommodate or modify instructional design and materials to address the impact of visual impairment.” (Educating Students with Visual Impairments in Texas: Guidelines and Standards, 2015)

For a student from birth through two years of age with visual and/or auditory impairments, an individualized family services plan (IFSP) meeting must be held in place of an ARD committee meeting in accordance with 34 CFR, §§300.320-300.324, and the memorandum of understanding between the Texas Education Agency and the Department of Assistive and Rehabilitative Services.

### **Referrals for VI or O&M Services**

When considering Instructional Services for students with visual impairments, the service provider will collaborate with other evaluation specialists in the initial REED meeting. Based on the results of the evaluation, the service provider will make recommendations about the need for service and make recommendations for service delivery time, and frequency and duration of services. After considering the recommendations made by the service providers, the ARD committee will determine whether or not the student is eligible for the service.

The 83<sup>rd</sup> Legislature made changes to the TEC section requiring an orientation and mobility evaluation performed by a certified orientation and mobility specialist as part of special education eligibility considerations for children with a suspected visual impairment. The new law requires that a Certified Orientation and Mobility Specialist (COMS) be part of the multidisciplinary team that performs re- evaluations for purposes of continuing eligibly for special education for students with vision impairment.

### **SERVICE DELIVERY**

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Once the ARD committee determines the need for service, service delivery options may include indirect/consultation, direct service, community-based activities, or a combination of these options. IEP goals and objectives addressed by VI and O&M service providers may be collaborative with classroom teachers' goals and objectives.

A student's need for Vision or O&M services may vary over time. A student's needs may differ in intensity and focus during the student's school years. These fluctuations are reflected in the IEP plan and should be fluid and flexible, based on immediate educational needs at any time during the student's educational process. Consideration for services may be especially necessary during periods of transition between schools or into community activities. Other considerations are when there are significant changes to the IEP and/or vocational considerations.

Instruction should reflect the assessed needs of each student in all areas of academic and disability-specific core curriculum. These areas of emphasis have also been called the **Expanded Core Curriculum**. Assessments in all areas that determine each child's strengths and weaknesses can be used to assist the ARD committee build a program that truly addresses life-long competencies. The expanded core curriculum for students with visual impairments includes:

- compensatory or functional academic skills, including communication modes
- orientation and mobility
- social interaction skills
- independent living skills
- recreation and leisure skills
- career education
- use of assistive technology
- visual efficiency skills
- self determination

Not all areas will have equal urgency each year, but to make informed decisions on where to focus, it is essential to measure progress and functioning across all areas. The ARD committee should prioritize needs in order to develop an appropriate and comprehensive educational program for students with visual impairments.

#### ORDERING TEXTBOOKS FOR THE VISUALLY IMPAIRED (LARGE PRINT AND BRAILLE)

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Requests for Large Print and Braille textbooks are provided to the Brailist by the TVI. The Brailist orders all Large Print and Braille textbooks from the Instructional Materials Administrative Assistant at the Administration Building.



## **STUDENTS NOT IDENTIFIED AS RECEIVING SPECIAL EDUCATION SERVICES**

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Related services are those services defined in federal regulations (300.24) that are required to assist a child with a disability to benefit from special education. VI and O&M services are only available to students served in special education.

### **REFERRAL FOR A STUDENT IN THE INITIAL EVALUATION PROCESS (VI AND O&M)**

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1. The Coordinator for Evaluation will notify the VI Team that oversees Vision and O&M services will be addressed in an initial evaluation. Consent will have already been obtained by the campus evaluation staff member.
2. The campus evaluation staff member staff uploads the *Notice of Release/Consent to Request Confidential Information* form so that staff can contact the physicians.
3. The service providers will review the file and complete an evaluation based on the referral.
4. If the service providers determine that a complete evaluation is warranted, the service providers will conduct the evaluation and incorporate their evaluation into the integrated Full and Individual Evaluation report in the respective sections.

### **Standalone Evaluation**

An evaluation should be completed by the recommending service provider.

1. The campus evaluation staff member must provide notice to the parent, obtain consent, and upload it for evaluation.
2. The report will be a standalone report completed as an addendum to the Full Individual Evaluation.
3. A review ARD must be held upon completion of the evaluation.

### **THREE YEAR REEVALUATIONS**

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1. The campus evaluation staff should include the service provider in the REED process.
2. The service provider will make recommendations to the scope of the evaluation.
3. The evaluation information will be incorporated into the integrated Full Individual Evaluation report.

### **TRANSFER STUDENTS**

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1. Campus will hold transfer ARD.
2. Document the Vision and O&M if applicable of recommended service time(s) from the prior district in the transfer ARD paperwork.



3. If the records from the prior district do not include a VI or O&M evaluation, campus staff should contact the district and specifically ask for a copy of the records.
4. If the records from the prior district include a VI and O&M evaluation, the service provider will review the evaluation and determine whether or not a reevaluation will be required.
5. The following paperwork needs to be submitted to the Program Manager, Itinerant Instructional Services, *ASAP* following a transfer ARD:
  - a. VI or O&M IEP from prior district
  - b. Copy of FVE, LMA, Expanded Core Curriculum, and O&M evaluation, if available
  - c. Most current eye report
  - d. Any other relevant data
  - e. A copy of the schedule of services and deliberations from the transfer ARD stating the amount of Vision and O&M service time
  - f. Proposed date for annual ARD

### **ARD MEETINGS**

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1. The ARD Facilitator, Department Head, and/or Campus Based Evaluation Team member will notify service provider of the date and time as soon as possible.
2. The service provider will complete an annual summary, update goals and objectives, and propose new goals and objectives, and collaborate with other service providers/teachers to draft goals and objectives. The service provider will also make recommendations for frequency, location, and duration of services by entering this information on the Schedule of Services page.
3. Collaborative goals and objectives, if appropriate based on individual needs, can be co-implemented with the classroom teacher. Collaborative goals and objectives must be developed by TVI or COMS in collaboration with another service provider/teacher. Service providers are responsible for indicating on the goal/objective form which specific IEP objectives that he/she will be working on collaboratively with the teacher. VI and O&M will be designated as implementers on the goals and objectives page as well.
4. The VI teacher will complete the VI Supplement in eSped and address the Benefits of Braille.

### **DISMISSAL FROM SERVICES**

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A student may be considered for dismissal from VI or O&M when one or more of the following conditions exist:

- a. The student has developed the performance components needed to progress toward educational goals established in the IEP;
- b. The area of concern being addressed does not interfere with the student's

- ability to function or make progress in his/her educational setting;
- c. Environmental or curricular adaptations have been established to allow for achievement of educational goals;
  - d. The student's need for remediation and/or compensation in the area(s) being addressed are being fully met by the student's educational or other service providers without the need for continued support;
  - e. The student's rate of progress in the educational environment in the area(s) being addressed continues to be steady and commensurate with the student's overall level of progress in other areas despite a decrease in services;
  - f. The student's level of educational functioning in the area(s) being addressed has reached age level, grade level, and / or level of intellectual potential; and/or
  - g. Services are no longer affecting change in the student's level of function or rate of skill acquisition

### **DISMISSAL PROCESS**

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1. When a student meets one of the dismissal criteria, the service provider may recommend an evaluation to consider dismissal from services.
2. The service provider will communicate the need for a REED meeting to the campus evaluation staff.
3. The campus will provide Notice of Evaluation to the parent and obtain consent for the evaluation.
4. A new Full Individual Evaluation will be conducted, and the service provider will add his/her evaluation information into the integrated Full Individual Evaluation report.
5. A review ARD must be held to review the evaluation and recommendations for services. The following scenarios may occur. All decisions regarding eligibility and services are determined by the ARD committee.
  - a. Dismissal from VI services if the student no longer demonstrates an educational need for service.
  - b. Changes to service delivery model, either from direct services to consultation, consultation to direct services, or a new combination of the two.
  - c. Updated focus of services and any new goals for the IEP.

### **Evidence of Implementation**

- Referral for Special Education
- Notice of Procedural Safeguards
- FIE
- ARD/IEP

- VI Supplement/Section of IEP
- Teacher/Provider Certification
- ARD Attendance Sheet
- Documentation of Training
- Texas School for the Blind Information and Parent Receipt
- Frontline forms

## **COMMUNICATION**

### **What is Required**

The ARD Committee must consider the communication needs of the child.

### **Additional Procedures**

Regardless of a student's disability, the ARD Committee must consider a student's communication needs. In determining the student's communication needs, the ARD Committee shall discuss the student's communicative demands and opportunities for communication and determine whether the student has the skills and strategies necessary to meet those demands. Additionally, the ARD Committee shall determine whether the student has adequate opportunities for communication and if the student can appropriately communicate in different settings. Finally, the ARD Committee shall discuss whether the student communicates effectively and, if not, discuss and document any reasons for the lack of effective communication in the IEP.

If the ARD Committee determines that the student has communication needs, the IEP must reflect those needs. The student's communication needs shall be documented in the Present Levels of Academic Achievement and Functional Performance ("PLAAFP"), the statement of annual goals, the provision of special education and related services, accommodations, and supplementary aids and services, including assistive technology.

At least once annually, training shall be provided to Campus and District Personnel, including Campus and District Special Education Administration, special education teachers, general education teachers, and related service providers, who work with students with communication needs to address how to determine the communication needs of a student and the appropriate supports and services to provide to a student with communication needs.

### **Evidence of Implementation**

- Referral for Special Education
- Notice of Procedural Safeguards
- FIE
- ARD/IEP

- Communication Needs Documentation
- ARD Attendance Sheet
- Documentation of Training
- Frontline forms

## **DEAF OR HARD OF HEARING STUDENTS**

### **What is Required**

The ARD Committee must consider the unique communication needs for students who are eligible for special education as a result of being deaf or hard of hearing and ensure that each student's communication mode is respected, used, and developed to an appropriate level of proficiency.

When developing an IEP for a student eligible for special education due to being deaf or hard of hearing, the ARD Committee must consider the following:

- The student's language and communication needs;
- The student's opportunities for direct communications with peers and professional personnel in the student's language and communication mode;
- The student's academic level, considering factors such as the student's grades, benchmark testing, and state assessments; and
- The student's full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The District must provide each parent with the state-adopted form that contains written information about programs offered by state institutions for deaf or hard-of-hearing students.

At least once annually, training shall be provided to Campus and District Personnel, including Campus and District Special Education Administration, special education teachers, general education teachers, and related service providers, who work with students who are deaf or hard of hearing on topics such as language and communication needs, opportunities for direct communication with peers and professional personnel, and opportunities for direct instruction in the child's language and communication mode.

### **Additional Procedures**

The District provides educational services for students ages 0-21 who meet eligibility criteria for AI. Eligible infants (ages 0-2 years) are served in their home by the District in conjunction with the local Early Childhood Intervention (ECI) Program. At age 3, eligible students are transitioned to the District to receive services through special education, as determined by the student's ARD Committee. See [AGES 0-5]. A Campus Administrator

should ensure that appropriately trained personnel for the deaf or hard of hearing attend the student's ARD Committee meeting. The ARD Committee shall consider all the student's needs, academic levels, and supports as described above.

Students with AI may receive special education services through a variety of service delivery models. Many students are appropriately served on their home campus with special education services. Other students may need additional instructional support from a teacher of the deaf or hard of hearing, an interpreter, and/or a communication facilitator. For students who need additional Deaf Ed services, the District participates in the Tri-County East Regional Day School Program for the Deaf (RDSPD). Students receiving direct services via RDSPD may receive services according to a continuum of services based on the unique needs of the student.

The continuum of services for AI students includes some or all of the following:

- Monitor/consult only (indirect services)
- Itinerant/direct services from a certified Teacher of the Deaf
- Site-based direct services in the RDSPD
- In-class support
- External support
- Audiological services
- Interpreting service
- Communication facilitator services
- Audiological management
- Counseling

The instructional program for AI students is designed to meet the individual needs of the student and will include both oral and total communication philosophies.

Campus-based members of the ARD Committee should stay apprised of the various resources in Texas that offer consultation and support to staff and/or families for special education students who are deaf or hard of hearing. At the initial ARD and at each annual ARD, Campus Special Education Personnel will provide the parents of AI students information about the Texas School for the Deaf describing the program offered, eligibility and admissions, and the rights of students. When signing the ARD document, the IEP should reflect that the parent received this information.

### **DEAF OR HARD OF HEARING (D/HH)**

***TEC §§ 29.301, 29.303, 30.004; 19 TAC §89.1050; 34 CFR § 300.324(a)(2); 20 USC § 1414(d)(3)(B)(iv);***

### ***TSD Admissions FAQs***

The District shall ensure that all children with a Deaf or Hard of Hearing diagnosis

has an education in which the child's unique communication mode is respected, used, and developed to an appropriate level of proficiency.

For a student who is D/HH, the ARDC must consider:

1. The child's language and communication needs;
2. The child's opportunities for direct communications with peers and professional personnel in the child's language and communication mode;
3. The child's academic level; and
4. The child's full range of needs, including opportunities for direct instruction in the child's language and communication mode.

Students who are D/HH may receive special education services through a variety of service delivery models. Many students are appropriately serviced on their home campus with special education services; other students may need additional instructional support from a Teacher of the Deaf/Hard of Hearing. For students who need additional Deaf Education services, GCCISD participates in the Tri-County East Regional Day School Program for the Deaf (RDSPD). Students receiving direct services via the Tri-County East RDSPD may receive services according to a continuum of services based on the unique needs of the student. Continuum of services for D/HH students include the following:

1. **Monitor/consult only (Indirect service):** These are students who do not receive direct instruction from a certified Teacher of the Deaf. However, RDSPD teachers may provide indirect services to the campus teaching staff by providing support such as setting up a communication system, providing sign language resources, or suggesting strategies for a better listening environment in the classroom. All D/HH students will have a monitoring RDSPD teacher that will provide their name and contact information and a Support Packet for Teachers Working with Deaf and Hard of Hearing Students at the beginning of each school year. Additional consultation may be requested at any time by direct contact with the RDSPD teacher or RDSPD Office.
2. **Itinerant (Direct service):** These are students who receive at least *45 minutes a week of direct instruction* from a certified Teacher of the Deaf at their home campus. Any services less than 45 minutes a week are considered indirect services, "D/HH monitor only". In addition, if an itinerant D/HH student has an Assistive Listening Device (ALD) such as a FM system, the ALD is provided by the RDSPD. Personal amplification or listening devices include hearing aids, cochlear implants, and bone-anchored hearing aids (BAHA) are provided by the parent/guardian. ARD meetings for students receiving itinerant services are held at the campus the student attends and are facilitated by the campus-based staff members.
3. **Site-Based (Direct service):** These students participate in the RDSPD at one



of three campuses in GCCISD: Clark Elementary, Horace Mann JR, or Lee HS. Site-based students require daily instruction from a certified Teacher of the Deaf due to their significant language and communication deficits. These ARD meetings are facilitated by the TCE RDSPD diagnostician. The criteria for placement into the Tri County East RDSPD is for a student to meet D/HH Eligibility; have language and/or academic delays due to hearing loss; educational need for instruction from a Teacher of the Deaf. A student is considered a member of the TCE RDSPD when they receive direct services from a Teacher of the Deaf, either itinerantly or on a GCCISD site campus location.

All ARDs for students who are Deaf or Hard of Hearing must have a Teacher of the Deaf present. In order to request a teacher of the deaf attend an ARD meeting, please complete the Professional Assistance Request and email it to the TCE RDSPD secretary and clerk at least two weeks prior to the scheduled ARD. ([Nichelle.nichols@gccisd.net](mailto:Nichelle.nichols@gccisd.net) and [Selina.hunter@gccisd.net](mailto:Selina.hunter@gccisd.net)). You may also call the RDSPD Office secretary (Nichelle Nichols) at 281-707- 73664 for additional inquiries.

A request for consultation may be made at any time through the TCE RDSPD Office or directly with the RDSPD teacher assigned to the student. A consultation may be warranted when a D/HH student who is not receiving direct RDSPD services may need D/HH services or may need recommendations for accommodations or modifications.

Procedures during the ARD process for a student who is D/HH -

- Schedule of Services-
  - a. Monitor/Consult students: Their services should be listed under “Supplementary Aids and Services” with the allotted amount of time if time is specified for consult. Nothing should be listed under “Instructional Services” or “Related Services”. A description of the D/HH services should be provided to the ARD recorder by the RDSPD teacher or representative and recorded in the Deliberations section of the ARD paperwork.
  - b. Itinerant students: The services will be listed under “Instructional Services” with the allotted amount of time. In addition, please note in the deliberations section of the ARD that “Direct instruction from the Regional Day School Program for the Deaf will be provided.” ALDs should be listed as an AT device; **however, a personal listening device such as a hearing aid or cochlear implant should not be considered AT because it is not provided by the school district.** The RDSPD teacher assigned to the student will recommend a Campus Plan for Listening Devices so there is a plan for who, where,



and how equipment will be taken care of during the school day.

- c. Site-Based (Direct service): The services will be listed under “Instructional Services” with the allotted amount of time. In addition, please note in the deliberations section of the ARD that “Direct instruction from the Regional Day School Program for the Deaf will be provided.”
- Texas School for the Deaf (TSD) Information – It is a state requirement to give this information at the initial placement ARD and at least once annually to all students with a D/HH eligibility. Typically, the RDSPD representative who attends the ARD meeting will bring the pamphlet (consult, itinerant, courtesy) unless the student is a site based student, then the TSD information is brought and presented by the TCE RDSPD diagnostician.
  - Communication Needs Supplement for Deaf and Hard of Hearing- D/HH (AI) Supplement – This required supplement is completed for all D/HH students and is part of eSped. The RDSPD representative that attends the ARD can assist special education staff with completing the form.
  - RDSPD Supplement – This is a required form at the initial placement ARD and at least once annually for all students receiving direct itinerant or site-based instruction from a Teacher of the Deaf. The form is provided in Esped and is completed by the RDSPD diagnostician for site based students or can be presented by the special education case manager, Evaluation specialist, or ARD Facilitator, or by the RDSPD representative who attends the ARD meeting. The RDSPD representative that attends the ARD can assist special education staff with completing the form.

Initial and transfer ARD/IEP meetings will be held at and conducted by the student’s zoned campus with RDSPD staff members in attendance (itinerant, consult, courtesy). If the student is a site -based transfer, the transfer ARD/IEP meeting will be held at the cluster site campus where the student receives site-based instruction and will be completed by the RDSPD diagnostician.

For additional information regarding the TCE RDSPD program, please refer to section 5 of the Special Education Administrative Procedures. Additional information regarding the evaluation process for students with a D/HH eligibility, can be found in Section 1 of the Special Education Administrative Procedures.

### **Evidence of Implementation**

- Referral for Special Education
- Notice of Procedural Safeguards
- FIE
- ARD/IEP
- Communication Needs Documentation
- Teacher Certification

- ARD Attendance Sheet
- Documentation of Training
- Parent Receipt of Texas School for the Deaf Information
- Frontline forms

## **ASSISTIVE TECHNOLOGY**

### **What is Required**

The ARD Committee must determine if a student needs assistive technology devices (ATD) and/or services. The term assistive technology service means any service that directly assists the student with a disability in the selection, acquisition, or use of an ATD, and includes:

- The evaluation of the needs of the student, including a functional evaluation in the student's customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of ATD's by the student;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing ATD's;
- Coordinating other resources, such as therapies, interventions, or services to be used with the ATDs, such as those in the student's IEP and rehabilitation plans;
- Training or technical assistance for the student or the family, if appropriate, to ensure the student and family understands how to properly use the ATD; and
- Training or technical assistance for all school staff who provide services to or who are substantially involved in the major functions of the student.

### **Additional Procedures**

Assistive Technology services or an ATD can be provided as a supplementary aide and service and utilized by the classroom teacher. Assistive Technology can also be a related service and implemented by an assistive technology specialist and/or part of a student's goals or objectives in the IEP. Campus staff working with students with disabilities will be informed of the assistive technology services and devices available and who to contact when campus staff have questions about the availability of services and devices and the operations and functions of various ATD's.

The ARD Committee will consider AT needs for every special education student, regardless of the student's eligibility, at least annually, but need not conduct a formal AT evaluation for every student with a disability. It is during this consideration that the ARD Committee is to determine if an AT evaluation is warranted and plan for any necessary AT evaluation. In some cases, members of the ARD Committee will be knowledgeable about the student's functional needs and the range of appropriate AT devices/services to



meet those needs. In those cases, the ARD Committee may decide what AT devices/services should be provided for the student without the necessity of a formal AT evaluation. This is particularly true with readily available, low tech AT devices/services. In other situations, the ARD Committee may not have sufficient in-depth knowledge of the student's functional needs, or the members of the ARD Committee may not have the expertise or technical knowledge about what AT devices/services are available to meet the student's needs. In those cases, a formal AT evaluation should be requested by the ARD Committee. In addition, if a student can use an AT device successfully outside of school but struggles to use the same device in the classroom, that may also trigger the need for an AT evaluation. The ARD Committee may seek information from other sources such as an outside expert, a vendor of a device, or other Campus Personnel. If either a parent or Campus Personnel refers a student for an AT evaluation, the ARD Committee will determine whether the evaluation is needed and, if so, the scope of the evaluation.

Should the ARD Committee seek a formal AT evaluation, all IDEA requirements regarding evaluations, such as notice and parent consent, apply. See [REVIEW OF EXISTING EVALUATION DATA] and [EVALUATION PROCEDURES]. If an ARD Committee determines that an AT evaluation is warranted prior to selecting an ATD, Campus Special Education Personnel responsible for setting up the ARD Committee will invite an AT representative to an ARD meeting to discuss the AT evaluation results and the functions of the recommended device for the student. Alternatively, the Special Education Assessment Personnel should consult with the AT representative to obtain relevant information to share with the ARD Committee members.

Although there are no specific guidelines about what must be included as part of an AT evaluation for it to be sufficient, the District Special Education Personnel and District Assessment Personnel should consider both statutory and regulatory requirements regarding evaluations in general. The AT evaluation should be conducted by a qualified professional and consist of a detailed review and analysis of the student's needs and abilities and should be based on current information and data derived from a review of the student's educational records, observations, and discussions with classroom teachers, other services providers, and the parent. The AT evaluation should assess the student's needs across a variety of domains such as communication, written language, academic content areas, fine and gross motor skills, and daily living skills. The evaluation of a particular domain may be informal. For example, if the concern expressed by the ARD Committee relates to the student's handwriting, the evaluation of communication and daily living skills may be informal, based on input from teachers and parents, and simply note that functioning in those areas is adequate for the age and grade level of the student. In other domains, formal evaluation procedures may be appropriate using protocols, skills inventories, and various frameworks to assess the student's functional needs and develop recommendations regarding AT devices/services.

The District may consider providing the parent with a questionnaire regarding technology to be discussed at the ARD meeting. Seeking this input will provide information to the ARD Committee regarding the extent of the student's AT needs and/or the effectiveness

of the student's current ATD.

When considering a device for a student, the ARD Committee does not have to choose the most sophisticated device, but rather one that will enable the student to access the general education curriculum. The ARD Committee must consider the extent of the student's needs for the ATD. For example, the student may need to take the ATD home to appropriately complete homework. If a student is permitted to take an ATD home, the District may require the parent to complete any District-required forms or paperwork regarding the parent/student's responsibility for care of the ATD.

The procedures followed for purchasing, leasing, or otherwise providing for the acquisition of ATDs for students with disabilities in the District are provided for in [ADMINISTRATION OF EQUIPMENT].

All campus staff members who work with students should be aware of the ATD addressed in the student's IEP and must allow the student to use the device in the manner described in the student's IEP. Campus staff working directly with the student must promptly notify Campus Administrative Personnel, Campus Special Education Personnel, if appropriate and necessary, District Special Education Personnel, or the AT representative if the student's ATD malfunctions so that it can be repaired and/or replaced. The District is required to provide and maintain any ATD that the student's ARD Committee has determined is necessary for implementing the student's IEP. If the ATD is not functioning or does not function correctly, the District is responsible for providing a substitute device, or for convening an ARD Committee meeting to review and, if appropriate, revise the student's IEP.

Campus Special Education Personnel, with support from the Special Education AT Specialist (as needed), is responsible for consistently implementing strategies, providing training, and collecting data regarding AT use or effectiveness. The Special Education AT Specialist will provide appropriate training to the student, parents, and staff regarding the effective use of the student's ATD.

### **ASSISTIVE TECHNOLOGY (AT)**

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#### **34 CFR §§ 300.5, 300.6, 300.105, 300.324**

When developing a child's IEP, the "ARDC must consider whether the child needs assistive technology devices and services."

### **Legal/Federal Definitions**

As defined in the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) "Assistive Technologies are tools and/or strategies used to help support academic goals within the Individualized Education Program (IEP).

## Assistive Technology Device

An Assistive Technology Device is “any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of the child with a disability.”

“The term Assistive Technology device (ATD) Assistive Technology does not include a medical device that is surgically implanted” (e.g., cochlear implant), “or the replacement of such a device.” However, this does not limit the responsibility of the Local Education Agency to provide monitoring and maintenance of the external equipment to maintain a student’s health, safety, and educational goals, if written in the IEP. Therefore, supports for use of the implanted device could be provided and considered as an AT service. As a general matter, schools are not responsible for providing personal devices such as eyeglasses, hearing aids, or braces, that a child with a disability requires regardless of whether he/she is attending school.

## Assistive Technology Service

IDEA 2004 defines an Assistive Technology Service as “any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device” and includes, but is not limited to:

1. The evaluation of the needs of the child, including a functional evaluation of the child in the child’s customary environment;
2. Purchasing, leasing, or otherwise providing for the acquisition of AT by the child;
3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing AT;
4. Coordinating and using other therapies, interventions, or services with AT, such as those associated with existing education and rehabilitation plans and programs;
5. Training or technical assistance for the child or, where appropriate, the family of the child; and
6. Training or technical assistance for professionals, including individuals providing education and rehabilitation services, employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of the child.

## Procedures Aligned with Federal/Legal Requirements

1. Consider Assistive Technology needs for every student with a disability who qualifies for special education services within the student’s Full Individual Evaluation and in all subsequent re-evaluations or specialty evaluations (including functional and related

- service evaluations).
2. Consider/Discuss Assistive Technology needs for every special education student at **every** IEP/ARD meeting. The need for AT must be discussed regardless of the student's prior needs/recommendations as the student's goals and needs may change.
  3. Complete the communication needs of the student (ESPED): --student communication is adequate to enable the student to be involved and progress in the general curriculum.
    - 1) ---Student has communication deficits that should be addressed through supplementary aids and services, IEP, AT, and/or speech therapy (Specify).
  4. Every IEP/ARD committee must address one of four statements:
    - a. The student is making progress with standard classroom tools. AT is not required for this student at this time. Check no on the AT indicator on the Assistive Technology needs of the student in ESPED.
    - b. The student can accomplish required tasks using standard classroom tools, accommodations, and/or modifications that are currently in place. AT is not required for this student at this time. Check no on the AT indicator on the Assistive Technology needs of the student section of the ARD.
    - c. The student can accomplish required tasks with standard classroom tools, accommodations, and/or modifications with AT that is currently in place. AT is required. Document AT needs in the student's PLAAFPS, IEP goals and objectives and/or accommodations/modifications list in ESPED. Check "yes" on the AT indicator on the Assistive Technology needs of the student section of the ARD.
    - d. The student cannot accomplish required tasks with the supports that are currently in place. More information is needed in order to make an informed decision regarding Assistive Technology. When more information is needed, complete the Assistive Technology Consideration Form and Assistive Technology Consideration Guide/s related to the area/s of concern. After completing the form, the following options may be considered:
      - e. AT Trials with Level 1-No Tech/Low Tech tools:
        1. Conduct trials with level 1 tools/strategies identified in the AT Consideration Guide.
        2. Collect data on the effectiveness of the tools/strategies.
      - ii. If the trials are successful, request an ARD to





document the need for AT. Complete the AT Supplement and integrate AT into the goals and objectives and/or accommodations or modifications for the student. Check “yes” on the AT indicator on the Assistive Technology needs section of the ARD document, and monitor effectiveness.

- f. If the trials are not successful, contact the Program Specialist for Assistive Technology for further guidance.
  - i. AT Staffing
    1. Request an AT staffing to discuss options including the use of No/Low Tech (Level 1) and Mid- Tech (Level 2) equipment by completing the Assistive Technology Student Information Form and sending it to the AT Specialist for Assistive Technology. The AT Specialist will schedule the staffing with the campus.
    2. Conduct AT trials based on recommendations made in the AT staffing.
    3. Collect data on the effectiveness of the tools/strategies.
    4. If the trials are successful, request an ARD to document the need for AT. Integrate AT into the goals and objectives and/or accommodations or modifications for the student. Check “yes” on the AT needs indicator section of the ARD document, and monitor effectiveness.
    5. If the trials are not successful, contact the AT Specialist for Assistive Technology for further guidance.
  - ii. AT evaluation
    1. Refer the student for an AT evaluation to consider the need for High Tech (Level 3) equipment. An AT evaluation requires the collaboration of a multidisciplinary team consisting of a member of the Assistive Technology team, teachers, and other specialists who work with the student.
    2. A member of the campus evaluation staff will obtain consent for the evaluation from





the parents and include the signed form in the referral packet.

3. Send a copy of the Assistive Technology Parent Questionnaire to the parent.
4. Send in the referral packet including all forms to the AT Specialist.

Assistive Technology is a related service for students receiving special education and must support a goal, task, and/or objective.

It is up to the ARD committee to recommend appropriate AT devices/equipment. If a parent chooses to provide personal AT equipment for their student, the ARDC must discuss whether the personal equipment is required for a FAPE. If the personal equipment is not required, the parent may still send the equipment, but the school district is not required to implement or maintain the equipment.

### **Assistive Technology Equipment Check-Out Procedures**

Low-Tech equipment should be currently available at the campus level. Teachers in most specialized programs have access to either Boardmaker Plus or SymbolStix software for creating visual supports and Low-Tech communication materials for students. If your campus does not have a specialized program, but needs access to the software, contact the SERS Clerk for licensing information.

Mid-Tech level devices/equipment may require a trial period of use. These devices may be currently available from SERS. If the equipment is not available, it may need to be ordered. Contact the AT Specialist to request devices for trials and Mid-Tech recommendations made through FIEs and AT Staffings. The devices/equipment will be checked out or ordered in the student's name.

High Tech devices/equipment will be ordered following acceptance of the recommendations made in an AT evaluation by the ARD committee. Following the ARD, contact the AT Specialist. The devices/equipment will be ordered in the student's name and checked out to the monitoring teacher when they arrive. A parent must sign a technology agreement on-line through TEAMS prior a device being checked out to a student.

### **Evidence of Implementation**

- Referral for Special Education
- Notice of Procedural Safeguards
- FIE
- ARD/IEP
- AT Evaluation

- AT Checklist
- ATD Check-out
- ATD Progress Documentation
- ATD Student Training Documentation
- ATD Provider Training Documentation
- Frontline forms

## **STUDENTS WITH AUTISM**

### **What is Required**

In the case of a student with autism, the ARD Committee must consider the following eleven (11) strategies based on peer-reviewed, research-based educational programming practices to the extent practicable, and when needed, in the student's IEP:

- Extended educational programming (e.g., extending the day and/or school year to ensure the student makes appropriate progress in areas of need, such as behavior, social skills, and academics);
- Daily schedules reflecting minimal unstructured time and including active engagement in learning activities. These schedules should consider, for example, meal periods, recess, and adapting to changes such as a substitute teacher, classroom location change, or a school event that deviates from the normal day (e.g., pep rally or student-wide meeting). The goal is to provide consistency for the student and contingency plans when the student's normal daily routine changes;
- In-home and community-based training or viable alternatives that assist the student with acquisition of social/behavioral skills (for example, strategies that facilitate maintenance and generalization of such skills from home to school, school to home, home to community, and community to home);
- Positive behavior support strategies based on relevant information (e.g., antecedent manipulation, replacement behaviors, reinforcement strategies, and data-based decisions; and a BIP developed from an FBA that uses current data related to target behaviors and addresses behavioral programming across home, school, and community-based settings);
- Transition planning, to begin at any age the ARD Committee determines is appropriate, in considering future planning for the student's integrated living, work, community, and educational environments that consider the skills needed for the student's current and postsecondary environments. See [TRANSITION SERVICES];
- Parent/family training and support by qualified personnel with experience in autism

spectrum disorders. The goal of this training is to provide families with supports for the student to succeed beyond school—in home and in the community. The ARD Committee must also provide the parent information for community resources for the student (e.g., parent support groups, videos, and conferences related to parenting a student with autism). The parent/family training should also facilitate parental carryover of in-home training (e.g., behavior management strategies and developing structured home environments);

- Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the student’s developmental and learning level that encourages work towards individual independence as determined by, for example, adaptive behavior evaluation results, behavioral accommodation needs across settings, and transitions within the school day;
- Interventions to improve the student’s communication skills across settings;
- Social skills, supports and strategies based on social skills assessment and curriculum and applied across settings (for example: circle of friends, video modeling, social stories, and role playing);
- Professional development for teachers and staff related to educating students who have an Autism Spectrum Disorder; including training on the correct implementation of techniques and strategies described in the student’s IEP; and
- Teaching strategies based on peer-reviewed, research-based practices for students with an Autism Spectrum Disorder (for example those associated with discrete-trial training, visual supports, applied behavioral analysis, structured learning, augmentative communication, or social skills training).

If the ARD Committee determines that the student does not need any of the supports listed above, it must state its decision and the basis of the decision in the student’s IEP.

### **Additional Procedures**

The ARD Committee for an AU student will clearly show that each of the 11 strategies noted above were meaningfully discussed, even if the ARD Committee determines that the student does not need some of the listed services. Campus Special Education Personnel should consider the following practices when considering the 11 strategies:

- 1) Ensure that staff involved in the provision of ESY services are provided with a copy of the student’s IEP. Communication between the student’s teacher during the regular school year and ESY staff is imperative to ensure that ESY staff receive updated information about the student and the goals/tasks to work on during ESY. Consider community options for ESY services, if appropriate.
- 2) Within the student’s daily schedule, include, for example, meals, restroom breaks,

- leisure breaks, course instruction, daily wrap-ups, and pack-up and dismissal. Attach a daily schedule to the ARD document, describe any difficulties with transitions between classes or activities, and address behavioral problems that may occur when a change occurs in routine or location. Minimal unstructured time means that IEP goals/objectives are being addressed throughout the day and across settings.
- 3) Consider important life skills for in-home training such as training for the student to independently use the restroom or dress him or herself. Consider a data chart to track how often the student is completing the desired tasks. To help a student acquire critical skills across settings or generalize critical skills from one setting to another, the ARD Committee should discuss any skills the student exhibits in one setting but has not acquired in another setting. In-home training is a related service that requires an evaluation before implementation. When an in-home training evaluation is requested, Assessment Personnel will obtain consent from the parent and follow the evaluation procedures. See [CONSENT FOR INITIAL EVALUATION] and [EVALUATION PROCEDURES].
  - 4) Consider including prevention interventions, teacher interventions, and reinforcement interventions in the student's BIP if needed. See *Students with Behavior Needs* above.
  - 5) Begin consideration of transition support in elementary school to ensure the student is successful in his or her post-secondary transition.
  - 6) Gather parent input to determine the appropriate parent/family training and support needed for the student. Such input could be in the form of a parent questionnaire for the parent to express the student's talents, challenges, and specific information the parent needs to assist the student. The goal of parent training is to provide parents with the necessary skills and techniques to assist their student with the ongoing development and maintenance of skills and behaviors.
  - 7) Create a chart that includes activities related to the student's IEP objectives and goals and the level of staff-to-student ratio for each of the student's developmental and functioning levels. When determining staff-to-student ratios, an ARD Committee should consider the setting, a student's communication abilities, and present level of competence in each area of instruction. Typically, a student in the acquisition phase of development may need more direct intensive instruction relative to later phases. As a student moves through the phases, there should be less adult supervision, more self-monitoring, and therefore, a higher staff to student ratio.
  - 8) Create a communication functions chart, including strategies such as a schedule card and visual supports. The ARD Committee should consider the student's communication across settings, and this review should not be limited to SLP services. Communication forms include physical, objects, sign language, pictures, line drawings, speech/verbal, independent writing, typing, or pointing to printed words.
  - 9) Social skills are a set of behaviors used to interact and communicate with others. The ARD Committee should consider various social skills including impulse

control, willingness to do non-preferred activities, personal responsibility, concept of friendship, response to suggestions or requests, self-regulation, self-monitoring, reading/interpreting/responding to social cues, appropriate communication, environmental regulations skills, self-advocacy skills, play skills, and manners and listening. The ARD Committee may consider social skills strategies including trained peer facilitators, video modeling, social stories, role playing, incidental teaching, pivotal teaching strategies, social narratives, cartooning, or direct instruction.

- 10) Document the training staff receives as it relates to educating or providing related services to students who have AU and ensure staff are trained at least annually. This training shall include elements of the autism supplement, including extended educational programming, daily schedules reflecting minimal unstructured time and active engagement in learning activities, in-home and community-based training or viable alternatives, positive behavior support strategies, futures planning, parent/family training and support, suitable staff-to-child ratio to identified activities, communication interventions, social skills and strategies, professional educator and staff support, and teaching strategies based on peer-reviewed, research-based practices for children with autism.
- 11) Teaching strategies based on peer-reviewed and/or research-based practices for students with AU may include ABA including errorless learning, prompting and prompt fading, shaping, task analysis, consistent classroom routines and expectations, choice-making, multiple opportunities to learn and practice skills in structured and naturalistic settings, manipulations of antecedents and consequences to increase desired behaviors and decrease challenging behaviors, discrete trial training, and/or structured learning. Special Education Personnel should create a strategy tracking chart to document student's progress in the various teaching strategies used to share with the ARD Committee.

The District will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

## **Procedures:**

### **Autism Supplement**

#### **19 TAC § 89.1055**

An Autism Supplement must be completed for any student in Goose Creek CISD who has the eligibility of AU. The AU supplement has several strategies that must be considered by the ARD committee. The AU supplement must be completed at the Annual ARD at the minimum.

For initially placed students, the LSSP will complete the AU Supplement. For annual

reviews, the special ed teacher should collaborate with other staff members to complete the supplement which will be reviewed at the ARD meeting.

Below are the 11 strategies that are found on the AU supplement and must be considered, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

1. **Extended educational programming** (for example: extended day and/or extended school year services that consider the duration of programs/settings based on assessment of behavior, social skills, communication, academics, and self-help skills);
2. **Daily schedules** reflecting minimal unstructured time and active engagement in learning activities (for example: lunch, snack, and recess periods that provide flexibility within routines; adapt to individual skill levels; and assist with schedule changes, such as changes involving substitute teachers and pep rallies);
3. **In-home and community-based training** or viable alternatives that assist the student with acquisition of social/behavioral skills (for example: strategies that facilitate maintenance and generalization of such skills from home to school, school to home, home to community, and school to community);
4. **Positive behavior support** strategies based on relevant information, for example:
  - a. Antecedent manipulation, replacement behaviors, reinforcement strategies, and data- based decisions; and
  - b. a Behavior Intervention Plan developed from a Functional Behavioral Assessment that uses current data related to target behaviors and addresses behavioral programming across home, school, and community-based settings;
5. Beginning at any age, **futures planning** for integrated living, work, community, and educational environments that considers skills necessary to function in current and post-secondary environments;
1. **Parent/family training and support**, provided by qualified personnel with experience in Autism Spectrum Disorders (ASD), that, for example:
  - a. provides a family with skills necessary for a child to succeed in the home/community setting;
  - b. 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); and
  - c. 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);
2. Suitable **staff-to-student ratio** appropriate to identified activities and as needed to achieve social/behavioral progress based on the child's developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence as determined by, for example:
    - a. adaptive behavior evaluation results;
    - b. behavioral accommodation needs across settings; and
    - c. transitions within the school day;
  3. **Communication interventions**, including language forms and functions that enhance effective communication across settings (for example: augmentative, incidental, and naturalistic teaching);
  4. **Social skills** supports and strategies based on social skills assessment/curriculum and provided across settings (for example: trained peer facilitators (e.g., circle of friends), video modeling, social stories, and role playing);
  5. **Professional educator/staff support** (for example: training provided to personnel who work with the student to assure the correct implementation of techniques and strategies described in the IEP); and
  6. **Teaching strategies** based on peer reviewed, research-based practices for students with ASD (for example: those associated with discrete-trial training, visual supports, applied behavior analysis, structured learning, augmentative communication, or social skills training).

If the ARDC determines that services are not needed in one or more of the areas, the IEP must include a statement to that effect and the basis upon which the ARDC made that determination.

### Evidence of Implementation

- Referral for Special Education
- FIE
- AU Supplement/Section of IEP
- Staff Training
- ESY Documentation
- Daily Schedules
- In-Home/Community-Training Documentation
- BIP/Behavior Interventions Tracking
- Futures Planning Documentation
- Parent Training Documentation
- Staff to Student Ratios
- Social Skills Documentation
- Documentation for the state in TSDS, PEIMS, and SPP



- Frontline forms

## **DEFINITIONS**

“Assistive Technology Device” is any item, piece of equipment, or product, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability. The term excludes surgically implanted medical devices.

“Autism” refers to the developmental disability that significantly affects verbal and nonverbal communication and social interaction, generally evident before age three, and adversely affects a student’s educational performance. See [AUTISM].

“Autism Spectrum Disorder” (“ASD”) refers to a complex developmental condition that involves persistent challenges in social interaction, speech and nonverbal communication, and restricted/repetitive behaviors. The effects of ASD and the severity of symptoms are different in each person. See [AUTISM].

“Behavioral Intervention Plan” (“BIP”) is a written plan developed as part of the IEP to address behavioral concerns affecting the student’s educational progress. It is based on a functional behavior assessment of the problem behaviors, identifies events that predict these behaviors, includes positive interventions to change behaviors, and includes methods of evaluation.

“Deaf or Hard of Hearing” means a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, whether permanent or fluctuating, and that adversely affects a student’s educational performance. Deaf usually refers to an individual with very little or no functional hearing and who often uses sign language to communicate. Hard of Hearing refers to an individual who has a mild-to-moderate hearing loss who may communicate through sign language, spoken language or both. See [DEAF OR HARD OF HEARING].

“English Learner” refers to a student whose native language is a language other than English or who comes from an environment where a language other than English is dominant and who has difficulty speaking, reading, writing, or understanding the English language.

“Extended School Year Services” (“ESY”) means an individualized educational program provided beyond the regular school year for eligible students with disabilities. The need for ESY services must be determined on an individual basis by the student’s ARD Committee from formal and/or informal evaluations provided by the District or the parents. A student is eligible for ESY services when the student has exhibited or reasonably may be expected to exhibit severe or substantial regression in one or more critical skill areas that cannot be recouped within a reasonable period of time. See [EXTENDED SCHOOL YEAR SERVICES].



“Functional Behavior Assessment” (“FBA”) refers to a systematic process for describing problem behavior and identifying the environmental factors and surrounding events associated with problem behavior. The team that works closely with a student exhibiting problem behavior observes and identifies its problematic characteristics, identifies which actions or events precede and follow the behavior, and determines how often the behavior occurs.

“Significant Cognitive Disability” means an impairment in which a student who exhibits significant intellectual and adaptive behavior deficits in the ability to plan, comprehend, and reason, also indicates adaptive behavior deficits that limit the student’s ability to apply social and practical skills such as personal care, social problem-solving skills, dressing, eating, using money, and/or other functional skills across life domains; and is NOT identified based on English learner designation or solely on the basis of previous low academic achievement or the need for accommodations; and requires extensive, direct, individualized instruction, as well as a need for substantial supports that are neither temporary nor specific to a particular content area.

“Visual Impairment including Blindness” means an impairment in vision that, even with correction, adversely affects a student’s educational performance. The term includes both partial sight and blindness. A licensed ophthalmologist or optometrist determines the student has a progressive medical condition that will result in no vision or a serious visual loss after correction. See [VISUAL IMPAIRMENT].

## **RESOURCES**

[The Legal Framework for the Child-Centered Special Education Process: Special Factors - Region 18](#)

### ***Behavior***

[Texas Behavior Support - Region 4](#)

[Positive Behavioral Interventions & Supports \(PBIS\) - Center on Positive Behavioral Interventions & Supports \(OSEP Technical Assistance Center\)](#)

[OSEP Letter to Anonymous \(Mar. 17, 2008\) - U.S. Department of Education](#)

[OSEP Letter to Trader \(Oct. 19, 2006\) - U.S. Department of Education](#)

[OSERS Questions and Answers on Discipline Procedures \(Revised June 2009\) - U.S. Department of Education](#)

[OSERS Letter to Anonymous \(Dec. 16, 2010\) - U.S. Department of Education](#)

[OSERS Dear Colleague Letter \(Aug. 1, 2016\) - U.S. Department of Education](#)

## [BIP - SPEDEX](#)

### ***Emergent Bilingual Students***

[Guidance Related to ARD Committee and LPAC Collaboration - Texas Education Agency](#)

[Process for Considering Special Exit Criteria from Bilingual/English as a Second Language \(ESL\) Services - Texas Education Agency](#)

[OSEP Letter to Ralabate \(Oct. 9, 2002\) - U.S. Department of Education](#)

[Tools and Resources for Addressing English Learners with Disabilities - U.S. Department of Education](#)

### ***Blind and Visually Impaired***

[Sensory Impairments - Texas Education Agency](#)

[Texas School for the Blind and Visually Impaired](#)

[Programs and Administrative - Information and Resources - Texas School for the Blind and Visually Impaired](#)

[American Printing House for the Blind](#)

[OSERS Dear Colleague Letter \(June 19, 2013\) - U.S. Department of Education](#)

[Visually Impaired - SPEDEX](#)

### ***Deaf or Hard of Hearing***

[Sensory Impairments - Texas Education Agency](#)

[Statewide Outreach Center - Texas School for the Deaf](#)

[Texas School for the Deaf](#)

[Deaf Students Education Services - U.S. Department of Education](#)

[Deaf/Hard of Hearing - SPEDEX](#)

### ***Assistive Technology***

[Assistive Technology - Texas Education Agency](#)

[Texas Assistive Technology Network - Region 4](#)

## ***Autism***

### **Texas Statewide Leadership for Autism Training - Region 13**

### **Autism Spectrum Disorder - SPEDTEX**

### **Children with Autism - SPEDTEX**

## **CITATIONS**

Board Policy EHBAB (Students with Behavior Needs; Blind or Visually Impaired; and Autism); Board Policy EHBE (Limited English Proficiency); Board Policy EHBH (Deaf or Hard of Hearing); 34 CFR 300.324(a)(2)(i) (Behavior); 34 CFR 300.24, 300.324(a)(2)(i)–(ii) (English Learners); 34 CFR 300.324(a)(2)(iii), 300.34(c)(7) (Blind or Visually Impaired); 34 CFR 300.324(a)(2)(iii)–(iv) (Communication; Deaf or Hard of Hearing); 34 CFR 300.324(a)(2)(v), 300.5, 300.6 (Assistive Technology); 34 CFR 300.320; 300.324(a)(4) (Autism); Texas Education Code 29.005(g) (Behavior); Texas Education Code 30.002, Texas Education Code 30.004, Texas Education Code 30.021 (Blind or Visually Impaired); Texas Education Code 29.303, Texas Education Code 30.004 (Deaf or Hard of Hearing); 19 TAC 89.1053(i), 89.1055(g) (Behavior); 19 TAC 89.1050(c)(1)(J), 89.1203(7), 89.1226, 89.1230, 101.1005(a),(e) (English Learners); 19 TAC 89.1055(d) (Blind or Visually Impaired); 19 TAC 89.1055 (Autism)

## **SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, RELATED SERVICES**

### **What is Required**

The IEP for each student with a disability must include a statement of the special education and related services and supplementary aids and services to be provided to the student and a statement of the program modifications or supports for school personnel that will be provided to enable the student –

- to advance appropriately toward attaining the annual goals,
- to be involved in and make progress in the general education curriculum,
- to participate in extracurricular and other nonacademic activities; and
- to be educated and participate with other children with disabilities and nondisabled children.

Nonacademic and extracurricular services and activities may include:

- Meals
- Recess periods
- Counseling services
- Athletics
- Transportation
- Health Services
- Recreational activities
- District Special interest groups or clubs
- Referrals to other agencies that provide assistance to individuals with disabilities
- Employment of students, including both employment by the District and assistance in making outside employment available

In developing a student's IEP, the ARD Committee will include a schedule of all special education services, supplementary aids and services, related services, and modifications a student will receive, including the projected start date, anticipated frequency, and anticipated duration of those services. Students with disabilities will have available an instructional day commensurate with that of students without disabilities, as appropriate, which will be determined by the ARD Committee and specified in the student's IEP.

The ARD Committee must determine and include in the student's IEP the expected location of where the student will receive services and modifications. If the District assigns the student to a different campus other than where the student is zoned to attend based

on residence, the District must allow any other student who is residing in the student's home to transfer to the school if the other student(s) is entitled to attend school in the District and the school offers the appropriate grade level for the other student(s) at the campus. The District is not required to transport the other student(s) who is permitted to transfer unless the other student(s) is entitled to transportation as a related service. The transfer right does not apply to the other student(s) if the special education student attends a residential facility.

### **Supplementary Aids and Services**

Supplementary aids and services are aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable the student with a disability to be educated with nondisabled students to the maximum extent appropriate. The ARD Committee must determine the necessary supplementary aides and services to be provided to or on behalf of a student who is eligible to receive special education services.

### **Special Education**

Special education is specially designed instruction, at no cost to parents, to meet the unique needs of the student with a disability. The ARD Committee must determine needed special education services that meet the unique needs of the student with a disability.

### **Related Services**

The ARD Committee determines what related services a student with a disability needs. Related services are an array of developmental, corrective, and other supportive services as may be required to assist the student with a disability to benefit from special education. Related services include, but are not limited to assistive technology, audiology services, counseling services, interpreting services, medical services, music therapy, occupational therapy, orientation and mobility services, parent counseling and training, physical therapy, psychological services, recreation, rehabilitation counseling services, school health services, social work services in school, speech-language therapy, and transportation.

For example, audiology services are a related service. The ARD Committee or Section 504 committee may determine that a student is eligible to receive audiology services pursuant to the Health and Human Services Commission if the student is:

- 1) 20 years of age or younger;
- 2) Has a disability or chronic medical condition;
- 3) Is eligible for Medicaid benefits; and
- 4) Has been prescribed the services under the student's Individualized Education Program (IEP) or a plan created under Section 504.

See [FUNDING FOR NONEDUCATIONAL SERVICES].

Transportation is a related service and extends to transporting students who are residentially placed by the District. If an ARD Committee places a student at a residential school, the District, which is the resident school district, is required to transport the student, at the beginning and end of the term at the residential campus, including regularly scheduled holidays when the student is expected to leave the residential campus. If the ARD Committee determines that the student requires an accompanied adult for safety measures, the committee must designate and provide transportation for an adult who will be with the student during the round-trip transportation. The District is not responsible for transportation costs for students who are placed in a residential setting by their parents rather than by the ARD Committee.

## Other Supports

### *Training to Implement the IEP*

For those employees who work primarily outside of special education and who do not possess the knowledge and skills necessary to implement the student's IEP, the District will train such staff at a time and place designated by the District. Such training will be evidence-based and related to instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions and will be designed specifically for educators who work outside of special education. In developing the training, the District will consult with experts in research-based practices for students with disabilities who may be associated with outside entities (e.g., colleges, universities, nonprofit organizations, and regional education service centers in Texas) as well as those employed by the District.

### *Intensive Program of Instruction*

The District must design an intensive program of instruction for students who do not perform satisfactorily on a state assessment or who are not likely to receive a high school diploma before the fifth year following the student's enrollment in grade 9. See *below* [STATE AND DISTRICTWIDE ASSESSMENTS]. The accelerated instruction plan meets requirements for the Intensive Program of Instruction for a student receiving special education services who has not performed satisfactorily on STAAR in any area. The ARD Committee shall address participation and progress in accelerated instruction during the student's next annual ARD Committee meeting. A legally compliant IEP that addresses expectations for academic growth of the student may serve as the Intensive Program of Instruction for a student with disabilities who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in Grade 9.

For students with disabilities taking STAAR-Alt 2 assessments, a legally compliant IEP that addresses expectations for academic growth of the student may also serve as the Intensive Program of Instruction due to either STAAR performance or a student not likely



to receive a high school diploma before the fifth school year following the student's enrollment in Grade 9.

### *Accelerated Reading Instruction*

The District will administer a state or District-adopted reading instrument to determine students' reading development and comprehension. Such reading instruments also evaluate a student's risk for dyslexia or other reading difficulties. See [CHILD FIND - DYSLEXIA]. If the evaluation results reveal a reading deficiency, the District will notify the student's parent of the results and will implement an accelerated reading instruction program to help the student progress in his or her reading skills. The District must also refer the student for a special education evaluation under the IDEA if the District suspects or has reason to suspect that the student has a specific learning disability, including dyslexia or a related disorder, and may require specialized instruction.

For special education students in kindergarten or grades 1 and 2 who do not perform satisfactorily on the state or District-adopted list of reading instruments, the ARD Committee must determine how the student will participate in the accelerated instruction program.

### *Accelerated and Supplemental Instruction*

For any student in grades 3 through 8 who does not achieve "approaches" or higher on STAAR in any area, any high school student who does not pass End-of-Course assessments in English I, English II, Algebra I, Biology, or United States History, or any student who does not receive a STAAR score (due to absence, mistake, administration error, etc.), the District must provide accelerated instruction by either assigning a classroom teacher who is a certified master, exemplary, or recognized teacher, or delivering supplemental instruction before or after school, or embedded in the school day. This is in addition to instruction typically provided to students in the applicable grade levels and includes targeted instruction in the Texas Essential Knowledge and Skills (TEKS) for the applicable grade levels and subject areas.

The District must offer supplemental instruction to these students for not less than 15 or 30 hours, depending on student performance, for subject areas the student did not pass. The District will not provide supplemental instruction in more than two subject areas. In the event a student does not perform satisfactorily in more than two subject areas, the District will prioritize supplemental instruction in math and reading language arts if the student did not perform satisfactorily in both areas. The District may provide all required supplemental instruction to the student during the summer or no less than once a week during the school year. Instruction must be delivered in a small group environment with no more than four students per instructor (or in a larger ratio with permission from all parents or guardians connected to students in the group).

The rules will also provide that third-grade students who do not approach grade level or higher

will be required to receive 30 hours of supplemental instruction.

Supplemental instruction is designed to assist the student in performing satisfactorily in the applicable grade level and subject area and includes effective instructional materials designed for supplemental instruction. A person trained in the use of these materials will provide the supplemental instruction, and when possible, remain with the same group for the entirety of the accelerated instruction.

Where an ARD Committee determines that a high school student with disabilities is not required to pass End-of-Course assessments to graduate, the District is still obligated to provide the student accelerated instruction if the student fails to perform satisfactorily on assessment measures determined appropriate by the ARD Committee. Accelerated instruction is not applicable to students who take the STAAR-Alternate 2, are retained, or take substitute high school assessments.

When a student does not achieve “approaches” grade level or higher on state assessment instruments, the District will provide a notice of performance to the student’s parent or guardian in a parent-teacher conference. This notice may be provided by other means if a parent-teacher conference cannot be scheduled. A parent or guardian may choose to decline accelerated instruction by submitting a written request to the Campus Administrator. District and Campus Personnel may not encourage or tell the parent or guardian to submit this request.

A student’s ARD Committee may convene to modify a student’s IEP based on the accelerated and supplemental instruction requirements as needed, but this is not required. The ARD Committee must, however, review the student’s participation and progress in accelerated and supplemental instruction at the student’s next annual ARD Committee meeting.

### *Accelerated Education Plan*

The District will develop an accelerated education plan (AEP) for each student who does not achieve “approaches” or higher on a state assessment instrument in the same subject area for two or more consecutive years. The plan will include no less than 30 hours of accelerated instruction in the applicable subject area. The AEP will be developed in a manner conducive to parent or guardian participation. The goal of the AEP is for the student to perform at grade or course level by the end of the school year. The District will document the plan in writing and provide a copy to the parent or guardian of the student either in person or via regular mail.

The AEP must identify the reason the student did not perform satisfactorily on the assessment and the number of hours of accelerated instruction the student will receive (at least 30 hours). The plan must be easy to understand and written in either English or the native language of the parent or guardian. Parents or guardians who disagree with either the content or implementation of the AEP must utilize the grievance process

established by the District. If a student who receives special education and related services does not perform satisfactorily on an assessment, the student's ARD Committee shall review the student's AEP at the student's annual ARD Committee meeting.

### *Personal Graduation Plan in Junior High and Middle School*

A graduation plan is required for students who do not perform satisfactorily on a state assessment or who are likely not to receive a high school diploma before the fifth year following the student's enrollment in grade 9. See *below* [STATE AND DISTRICTWIDE ASSESSMENTS] and see [GRADUATION]. A student's IEP may be used as a graduation plan for students in junior high and middle school.

## **Additional Procedures**

### **Supplementary Aids and Services**

In order to access the general education curriculum in the least restrictive environment, students with disabilities may require supplementary aids and services. Supplementary aids and services encompass a broad range of student supports, which include (but are not limited to):

- Accommodations – changes to materials or procedures that enable students with disabilities to participate meaningfully in learning and assessments. Examples include shortened assignments, extended time given for completing assignments, or preferential seating. Accommodations do **NOT** change **what** the student is expected to master.
- Modifications – changes in what the student is expected to learn that is different from his or her grade-level curriculum. Examples include reducing the expectations for an assignment or test or modifying the work to a prerequisite skill level compared to the curriculum (TEKS). Modifications **DO** change **what** the student is expected to master.
- Assistive technology – items, devices or products that are used to increase, maintain, or improve the functional capabilities of a student with a disability.
- Adapted equipment – examples include a footstool for a student whose feet do not comfortably reach the floor when sitting in a regular desk or wheelchair accessible playground equipment.
- Adapted materials – examples include large-print textbooks, writing tablets with raised lines, or soft pencil grips to help with manual dexterity.



- Communication aids – examples include sign language, interpreting services and assistive and augmentative communication devices.
- Resource support – one-on-one or small group work in subject areas where the student needs re-teaching, tutoring or slower-paced instruction.
- Paraprofessional support – sometimes called an “aide,” the paraprofessional provides instructional support under the direct supervision of a highly qualified teacher.
- Collaborative teaching – the special education teacher acts as a co-teacher in the general education classroom (direct instruction) or as a “consultant” to the general education teacher (indirect instruction). Note: When the IEP calls for coordination between regular and special education teachers, parents should be clear on how responsibilities will be divided: who will be responsible for instruction, who will be responsible for modifications, and who will assign grades.
- Staff development – this includes training and supports needed by the teacher in order to implement the student’s IEP.
- Peer tutoring or assistance – natural supports in the classroom. Some students learn best through peer modeling and interactions, and this practice often initiates friendships between students with and without disabilities.

Like all special education services, supplementary aids and services are based on the individual needs of the student, not what the parent may want for the student. Supplementary aids and services are provided in addition to related services, although there can be some overlap between the two.

The ARD Committee will explore, recommend, and document the appropriate supplementary aids and services that will support the student in the least restrictive environment. The time to discuss supplementary aids and services should be indicated on the ARD Agenda, following a review of evaluation data, the PLAAFP, and annual goals and objectives. Placement decisions should be made only after the ARD Committee reviews the supplementary aids and support the student will need in order to function in the least restrictive environment. The ARD Committee will also consider those supplementary aids and services as necessary to allow a student with a disability to participate in extracurricular and nonacademic settings with their peers without disabilities. When discussing supplementary aids and services, the ARD Committee should review the student’s entire school day and schedule, including playground activities, lunch, and extracurricular activities.

## Special Education



The unique needs of a student with a disability encompass more than mastering academic subjects. The student's unique needs should be broadly construed to include academic, social, health, emotional, physical, and vocational needs. These needs will be addressed by the student's ARD Committee.

The IDEA does not require a specific instructional methodology. The District, through decisions made by teachers and service providers, must provide the student an instructional methodology that enables the student to access a FAPE.

When a student needs the curriculum modified, the ARD Committee will develop goals and objectives that modify what the student will be taught and what the student is expected to learn. Modifications may include changes to assignment (answer different test questions, do projects instead of tests, complete different homework assignments) or to the curriculum, (learning different materials, being graded using different standards, being excused from projects, etc.).

At least annually, Campus and District Special Education Personnel will receive training in identifying needed special education services using evidence-based interventions. Campuses will provide training on documentation of accommodations and modifications along with services provided through inclusion logs.

### **Related Services**

Related services are a support to the commitment that all students with disabilities have available to them a free appropriate public education with special education services designed to meet their specific needs. Some students may need related services to meet their individually designed special education goals. The need for related services is considered during the students ARD meeting in the review and discussion of the student's evaluation and ongoing assessment data. An ARD Committee's decisions regarding the need for related services to support educational goals must be clearly identified in the student's IEP and must be determined on an individual basis.

In determining whether a particular related service should be provided, the ARD Committee will consider the evaluation and the recommendations of the related service provider who conducted the evaluation. When considering related services, the ARD Committee should be mindful that the IDEA does not include an exhaustive list of related services to be provided. Accordingly, an ARD Committee should consider a variety of services that may assist the student to benefit from special education.

However, the IDEA specifically excludes from related services a medical device that is surgically implanted (e.g., cochlear implant), the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device. This exclusion does not limit the right of a student with a surgically implanted device to receive related services that are determined by the ARD Committee to be necessary for the student to receive FAPE, limit the responsibility of the District to appropriately monitor



and maintain medical devices that are needed to maintain the health and safety of the student, including breathing, nutrition, or operation of other bodily functions, while the student is transported to and from school or is at school; or prevent the routine checking of an external component of a surgically implanted device to make sure it's functioning properly.

The following “best service” practices should be considered by the ARD Committee when making decisions regarding related services:

- Related services are a collaborative, integrative service with a focus on early intervention to minimize deficits and diminish the need for services in later years.
- Related Service Providers are members of the collaborative team, providing needed support to the student, teacher, and other team members.
- Related service evaluations are conducted in natural environments during daily activities and focus on the barriers to learning and participation.
- Related service IEP goals and objectives are expressed in terms of desired educational outcomes and all team members will implement (collaborative IEPs).
- Related service delivery will be provided through a continuum of available options.
- Related service intervention is provided in natural settings during daily routines as the problems are occurring. This allows the Related Service Provider to model strategies/solutions for Classroom Personnel.
- Teachers are the foundation of the integrated model and will incorporate the suggestions of the related service providers throughout the school day.

When considering a related service, the Related Service Provider will conduct an evaluation and make recommendations about the need for the service and for service delivery. The evaluation will be in context of the FIE and will focus on accessing instruction. After considering the need for intensive intervention, the age and developmental level of the student, and the student's effort, attitude, and motivation, the ARD Committee determines whether or not the student is eligible for the related service.

In addition to the evaluation and determination of need, the Related Service Provider will provide recommendations for services. Service delivery options include: monitoring; consultation; classroom based integrated services; pull out in an individual or group setting; community-based services; or a combination of these options. It is critical that the ARD Committee clarify the service delivery model as direct services (provided directly to the student by the service provider regardless of the setting) or indirect services/consultation (services provided to teachers or other staff, regardless of setting,





to assist the student in accessing the curriculum). Recommendations will also include goals and objectives, and frequency, duration, and location of sessions.

At least annually, Campus and District Special Education Personnel will receive training in identifying needed related services and documenting and considering their effectiveness. Related Services providers will be trained on documentation of services provided through session logs.

### **Other Supports**

The ARD Committee should be knowledgeable of the various opportunities for a special education student to interact with the student's nondisabled peers both in education-related settings and in extracurricular and nonacademic settings to determine if supports are necessary.

Although training on IEP implementation is only required for staff members who work primarily outside of special education, the District will provide training to staff who work with special education students. The District will solicit input from staff who work directly with students in determining the professional development and training opportunities that the District offers. This training will address how to identify needed supplementary aids and services and program modifications and how to document and consider their effectiveness. Additionally, this training will address how to identify needed supports for school personnel and how to document and consider their effectiveness. . Campuses will provide training on the use of accommodations and modifications and evaluate their effectiveness through the accommodations log.

If a student is not making appropriate progress in light of the student's unique circumstances, the ARD Committee should convene and review the student's current special education and/or related services. For example, the ARD Committee may consider increasing the amount of inclusion minutes or making the student's placement more restrictive if the student is not progressing. Changes such as these will be reflected in the student's IEP.

The ARD Committee can determine to place a student at a District campus other than the student's zoned residential campus. The ARD Committee may make this decision if it believes another District campus can provide more appropriate supports for the student to access the general education curriculum. If an ARD Committee places a student in a campus other than the student's zoned residential campus, the parent's other children who reside at the home also have the right to attend the campus, if they are otherwise eligible to attend school in the District. The purpose of this transfer rights policy is to accommodate parents with multiple children in the District. Campus Administrators will be made aware of this transfer procedure and must not deny enrollment solely because the other student was not placed at the school by an ARD Committee.

Campus Special Education Personnel will ensure that the student's ARD Committee





develops an appropriate accelerated reading instruction program for all students in special education who do not perform satisfactorily on a state or District-adopted reading instrument in grades Kindergarten through Second and Seventh to determine students' reading development and comprehension. This program should not, however, replace the ARD Committee's and/or District Assessment Personnel's responsibility to determine whether the student requires an additional special education evaluation to properly assess a student's reading difficulties and determine the presence of a specific learning disability in reading, including dyslexia or a related disorder.

Campus Special Education Personnel shall also ensure that an ARD Committee meeting is held for each student receiving special education services who is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade 9 to address expectations for academic growth of the student. The student's IEP that properly addresses expectations for academic growth of the student will constitute the student's Intensive Program of Instruction.

For a student receiving special education services who requires accelerated instruction, the ARD Committee may convene to modify the student's IEP based on the accelerated instruction requirements but is not required to do so. If the ARD Committee does not convene, Campus Personnel shall apply the same processes and procedures for a student with an IEP as it does with all other students to implement the accelerated instruction requirements. Campus Special Education Personnel will ensure that the student's ARD Committee reviews and discusses the student's progress in accelerated instruction during the next annual ARD Committee meeting for the student and document this discussion in the deliberations of the IEP.

The District will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

## **Evidence of Implementation**

- FIE
- ARD/IEP
- Referral Documentation
- Teacher Input
- Parent Input
- Support Service Documentation
- Related Service Provider Documentation
- Session Notes
- Progress Reports on Annual Goals
- Report Card Grades
- Benchmarking Testing

- State Assessment Results
- District-Wide Assessment Results
- Campus Enrollment Documentation
- Staff Training
- Evidence of Intensive Program of Instruction
- Evidence of Supplemental Instruction Provision
- Documented Progress in Supplemental Instruction Program
- Documented Progress in Accelerated Education Plan
- Evidence of Accelerated Instruction Programs
- Documentation for the state in TSDS, PEIMS, and SPP

## **Resources**

[Accelerated Instruction – Texas Education Agency](#)

[HB 1416 Frequently Asked Questions – Texas Education Agency](#)

[Minimum Middle/Junior High School Personal Graduation Plan \(PGP\) Standards and Guidance Associated with Intensive Programs of Instruction \(IPI\)](#)

[Scientifically Based Research - Region 10](#)

[Response to Intervention \(Rtl\) Resources – Region 10](#)

[Accelerated Instruction and Intensive Programs of Instruction for Students in Special Education Programs – Texas Education Agency](#)

[Related Services for Students with Disabilities–Questions and Answers – Texas Education Agency](#)

[National Center on Intensive Intervention – OSEP Technical Assistance Center](#)

[Center for Parent Information and Resources – OSEP Technical Assistance Center](#)

[National Center on Accessible Educational Materials – OSEP Technical Assistance Center](#)

[OSERS Dear Colleague Letter \(November 16, 2015\) – U.S. Department of Education](#)

[OSEP Letter to Chambers \(May 9, 2012\) – U.S. Department of Education](#)

[OSERS Dear Colleague Letter \(Oct. 23, 2015\) – U.S. Department of Education](#)

[OCR Dear Colleague Letter \(Dec. 26, 2007\) – U.S. Department of Education](#)

[OSEP Letter to McWilliams \(July 16, 2015\) – U.S. Department of Education](#)

[OSEP Letter to Spitzer-Resnick, Swedeen, and Pugh \(June 22, 2012\) – U.S. Department of Education](#)

[OSEP Letter to Anonymous \(Sept. 11, 2007\) – U.S. Department of Education](#)

[OSERS Questions and Answers On Individualized Education Programs \(IEPs\), Evaluations, and Reevaluations \(Sept. 2011\) – U.S. Department of Education](#)

[OSERS Questions and Answers on Serving Children with Disabilities Eligible for Transportation \(Nov. 2009\) – U.S. Department of Education](#)

[OSEP Letter to Ackron \(Nov. 20, 1990\) – U.S. Department of Education](#)

[OSEP Letter to Ackerhalt \(Sept. 6, 2012\) – U.S. Department of Education](#)

[White v. Ascension Parish School Board \(5th Cir. 2003\)](#)

[OSEP Letter to Trigg \(Nov. 30, 2007\) – U.S. Department of Education](#)

[OSEP Letter to Clarke \(Mar. 8, 2007\) – U.S. Department of Education](#)

## **Citations**

Board Policy EHBA and Board Policy EHBAB (Supplementary Aids and Services; Special Education; Related Services; Program Modifications and Supports for School Personnel; Initiation Frequency, and Duration of Services; Location); Board Policy EHBC, Board Policy EKC, and Board Policy EIE (Accelerated Reading Instruction; Student Success Initiative for Children in Grades Three Through Eight); 34 CFR 300.320 (Special Education; Program Modifications and Supports for School Personnel; Initiation, Frequency, and Duration of Services; Location), 300.39(a) (Special Education), 300.42 (Supplementary Aids and Services), 300.34 (Related Services), 300.107 (Program Modifications and Supports for School Personnel), 300.117 (Program Modifications and Supports for School Personnel); Texas Education Code 38.033 (Related Services), 21.451 28.0023(d) (Program Modifications and Supports for School Personnel), 28.0211,



28.0213, 39.023 (Intensive Program of Instruction), 28.006 (Accelerated Reading Instruction), 28.0211 (Student Success Initiative for Children in Grades Three Through Eight), 28.0212(c) (Initiation, Frequency, and Duration of Services), 25.0343 (Location); 19 TAC 89.1050(a)(1) (Supplementary Aids and Services, Special Education, Related Services, Program Modifications and Supports for School Personnel), 89.1090 (Related Services), 74.38(e)(1) (Program Modifications and Supports for School Personnel), 89.1050(a)(10) (Intensive Program of Instruction), 89.1050(a)(7) (Accelerated Reading Instruction), 89.1050(a)(7) (Personal Graduation Plan in Junior High and Middle School), 89.1075(e) (Initiation, Frequency, and Duration of Services)

# STATE AND DISTRICTWIDE ASSESSMENTS

## What Is Required

### Participation in State and Districtwide Assessments

All students with disabilities are included in general and Districtwide assessment programs. When necessary, the student's IEP should include the appropriate accommodations and alternate assessments needed for the student, as determined by the ARD committee.

### Accommodation Guidelines

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) must develop guidelines for appropriate accommodations. The guidelines will 1) identify those accommodations that do not invalidate the assessment score; and 2) instruct the ARD Committee to select the appropriate accommodations for each assessment.

### Paper Administration

On request of the parent, guardian, or teacher in the applicable subject area, the District may administer the STAAR in paper format to up to 3 percent of students enrolled in the District. This limitation does not include any student whose ARD Committee determines the student requires paper administration in accordance with their IEP.

### Alternate Assessments

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) will create guidelines for alternate academic achievement standards for students with significant cognitive disabilities who cannot participate in general assessments, even with IEP accommodations. The guidelines will 1) align with state academic content standards and alternate academic achievement standards under the Every Student Succeeds Act ("ESSA"); and 2) measure the achievement of students with the most significant cognitive disabilities.

The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) must provide the ARD Committee with a clear explanation of the difference between alternate assessments and those based on grade-level academic achievement standards. The TEA (for statewide assessments) or District Special Education Administration (for Districtwide assessments) will inform the parents of students selected to take an alternate assessment that their child's achievement will be measured based on alternate academic achievement standards. The TEA or District Special Education Administration must also provide the ARD Committee, including the

student's parent, information about how the student's education may be impacted due to taking an alternate assessment. For example, a student who takes an alternate assessment may not meet the requirements for a regular high school diploma or may be delayed in receiving a diploma. However, the TEA or District Special Education Administration shall not preclude a student from attempting to complete the regular high school diploma requirements.

### **Assessment Requirements for Graduation**

A special education student is not subject to the individual graduation committee requirements set forth in Texas law. The ARD Committee must determine if special education students in grades 9 through 12 are required to achieve satisfactory performance on an end-of-course assessment to graduate and receive a high school diploma. See [GRADUATION].

### **IEP Documentation**

The ARD Committee will include in the student's IEP a statement about the appropriate and allowable testing accommodations that are needed to measure a student's academic and functional performance on a state or Districtwide assessment.

If the ARD Committee determines that a student will take an alternate state or Districtwide assessment, the IEP will include a statement of why the student cannot participate in the general assessment, as well as the alternate assessment selected by the ARD Committee for the student.

For Emergent Bilingual ("EB") special education students, the ARD Committee and the language proficiency assessment committee ("LPAC") will select the appropriate assessments and document the decisions and justifications in the student's IEP. The ARD Committee will also document any testing accommodations in the IEP.

### **Annual Assessment of English Language Proficiency**

The District must annually administer a state-identified EL assessment to an EL student in kindergarten through grade 12 in the areas of listening, speaking, reading, and writing. The ARD Committee and the LPAC may determine the special education services for the student to participate in the English language proficiency ("ELP") assessment due to the student's disability. The committees' decision and justification must be clearly stated in the student's IEP. An EL student who receives special education services may also receive testing accommodations, to be determined by the ARD Committee and the LPAC. See *above* [SPECIAL FACTORS].

### **Definitions**

"English Learner" is a student whose native language is language other than English or



who comes from an environment where a language other than English is dominant and who has difficulty speaking, reading, writing, or understanding the English language.

A student with a “significant cognitive disability” is a student who:

- exhibits significant intellectual and adaptive behavior deficits in their ability to plan, comprehend, and reason, and also indicates adaptive behavior deficits that limit their ability to apply social and practical skills such as personal care, social problem-solving skills, dressing, eating, using money, and other functional skills across life domains;
- is not identified based on English learner designation or solely on the basis of previous low academic achievement or the need for accommodations; and
- requires extensive, direct, individualized instruction, as well as a need for substantial supports that are neither temporary nor specific to a particular content area.

## **Additional Procedures**

### **State and Districtwide Assessments**

Goose Creek CISD administers all required statewide assessments such as STAAR, STAAR-ALT 2, TELPAS, and TELEPAS Alternate. In addition, the district administers common assessments and benchmarks for Social Studies. For Reading, Math and Science common assessments are utilized along with the screener Measure of Academic Performance (MAP) which is administered at the beginning of the year (BOY), middle of the year (MOY), and end of the year (EOY). This screener is tied to the TEKS. The only exception is iStation is utilized for 7<sup>th</sup> grade Reading. The district also utilized Common Unit Assessments (CUAs) for measuring student progress on the curriculum.

### **Accommodation Guidelines**

Prior to an ARD meeting about accommodations or alternate assessments, Campus Special Education Personnel should collect baseline data about the student’s educational and behavioral performance. An ARD Committee should then review the data and describe its considerations for accommodations and/or alternative assessments in detail in the IEP.

When considering accommodations that do not invalidate the assessment score, the ARD Committee should consider TEA’s policies on accommodations for alternative assessments. The policies are categorized by three different types of accommodations: 1) accessibility features; 2) locally-approved designated supports; and 3) designated supports that require TEA approval.





Accessibility features are procedures and materials available to any student who regularly benefits from their use during instruction. Accessibility features may be provided to students based on their needs; however, a student cannot be required to use them during testing. Testing coordinators are responsible for ensuring that test administrators understand the proper implementation of these procedures and use of these materials. In some cases, a student may need to complete the test in an individual setting to eliminate distractions to other students and to ensure that the security and confidentiality of the test are maintained.

Locally-approved designated supports include accommodations that may be made available to students who meet eligibility criteria. The decision to use a designated support during a state assessment should be made by the ARD Committee on an individual student basis and take into consideration the needs of the student and whether the student routinely receives the support during classroom instruction and classroom testing. The twelve locally-approved designated supports available for the STAAR are:

- Basic Transcribing
- Braille/Refreshable Braille
- Calculation Aids
- Content and Language Supports
- Extra Time
- Individualized Structured Reminders
- Large Print
- Manipulating Test Materials
- Mathematics Manipulatives
- Oral/Signed Administration
- Spelling Assistance
- Supplemental Aids

The designated supports requiring TEA approval include complex transcribing, extra day, mathematics scribe, and other. If the ARD Committee determines that the student needs accommodations requiring TEA approval, Campus Special Education Personnel will notify the District Testing Coordinator who will submit an Accommodation Request Form to TEA. TEA's Accommodations Task Force will communicate with the District Testing Coordinator by email once a decision has been made. Campus Special Education Personnel should note the expiration date for the provided accommodation included in the TEA decision email. As this process may take several weeks, Campus Special Education Personnel should make this request within a reasonable amount of time before a scheduled assessment, when feasible. A new accommodation request will need to be submitted each calendar year if the student continues to demonstrate a need. Campus Special Education Personnel should be trained to ensure they understand the process for requesting student assessment accommodations that require TEA approval. The district provides annual training on the allowable accommodations.

## Paper Administration

To request that a student with or without an IEP be allowed to take a STAAR assessment in paper format, the parent, guardian, or teacher in the applicable subject area will submit a request for paper administration to the District Testing Coordinator within legally established timelines.

- For Fall administration – on or before September 15 of the school year in which the assessment will be administered; and
- For Spring administration – on or before December 1 of the school year in which the assessment will be administered.

The District will accept requests in the order received until the maximum number is reached.

Should the parent, guardian, or teacher of a student who receives special education and related services request a paper assessment at any time, the ARD Committee should convene to discuss this request and determine whether the student requires this modification to receive FAPE. If the ARD Committee agrees the student requires this modification and includes it in the student's IEP, the student will not count towards the three percent limitation for paper assessments.

## Alternate State Assessments

The ARD Committee will also determine whether a student in grades 3 through 8 and those in high school, who has a significant cognitive disability, and is receiving special education services needs to take the STAAR Alternate 2 assessment. This decision must be made on a case-by-case basis, considering each student's individual strengths, needs, instruction, and accommodations—as documented in the student's IEP. In determining whether the student is eligible for the STAAR Alternate 2 assessment, the ARD Committee must carefully consider the following criteria:

- Does the student have a significant cognitive disability?
- Does the student require specialized, extensive supports to access the grade-level curriculum and environment?
- Does the student require intensive, individualized instruction in all instructional settings?
- Does the student access and participate in the grade-level TEKS through prerequisite skills?
- Is the STAAR Alternate 2 assessment determination based on the student's

significant cognitive disability and NOT any other factors?

If the answer is “Yes” to all eligibility criteria above, the ARD Committee must discuss assurances related to the student’s participation in the STAAR Alternate 2 assessment. The STAAR Alternate 2 assessment is given in the spring during a three-week period and may include breaks as needed based on the student’s needs. The STAAR Alternate 2 assessment is provided at the student’s campus or at an alternate site if determined necessary based on the child’s individual needs. Campus Special Education Personnel will ensure that the assessment is provided in a testing environment where the student can avoid distractions and receive all individual accommodations.

Student participation in assessments should be reviewed at each annual ARD meeting. The District will provide training to ensure that ARD Committee members are aware of and understand all of the state or Districtwide guidelines on alternate assessments.

### **Assessment Requirements for Graduation**

The ARD Committee can consider different factors for determining whether a student is required to achieve satisfactory performance on an end-of-course assessment. Student progress and demonstrated ability to access the general education curriculum are factors to consider. For example, a special education student may have issues with long-term retrieval that causes the student to perform unsatisfactorily on an end-of-course assessment. Despite this, the student is still making appropriate academic progress and achieving satisfactory scores on classroom assignments and homework. In an instance like this, the ARD Committee may excuse the student from retaking the assessment.

The ARD Committee may also consider whether a special education student improved his or her score on the second administration of the end-of-course exam. If the student does not achieve satisfactory performance but makes improvement the second time, the ARD Committee may excuse the student from retaking the assessment.

A student that takes an alternative assessment will take the STAAR Alternate 2 in all grade levels and subject areas instead of the EOC. The ARD Committee will determine if the student can take standard EOC assessments or will require a modified or alternate form of the assessment.

Student participation in assessments should be reviewed after each assessment in which a student did not meet passing criteria to plan appropriate interventions, and at each annual ARD meeting. Personnel who work with students who do not pass STAAR are provided training on the district’s intervention program.

### **IEP Documentation**

The PLAAFP section of a student’s IEP should clearly document the results of the previous year’s state assessments, as well as any effective accommodations the student



received. Accommodations will also be addressed for each subject area on the state assessment page. Accommodations used on assessments should also be used regularly in the student's academic instruction.

The ARD Committee should include detailed deliberations in the student's IEP that reflect its discussion related to state assessments. The deliberations should include the underlying data the ARD Committee relied upon but need not include a list of each test and/or accommodation recommended, as this is detailed elsewhere in the IEP. Detailed deliberations also help to guide the ARD Committee, educators, related service providers, and other campus staff on the student's expectations. Further, detailed deliberations help demonstrate the ARD Committee's meaningful discussion.

### **Annual Assessment of English Language Proficiency**

The TELPAS Alternate is a holistic inventory that assesses the language domains of listening, speaking, reading, and writing for students with significant cognitive disabilities in grades 2 through 12 who are in the process of acquiring English proficiency in those areas. The ARD Committee in conjunction with the student's LPAC Committee will meet to review participation requirements and determine and document the student's eligibility for TELPAS Alternate. If the TELPAS Alternate is being considered for a student in grade 2, the ARD Committee and LPAC must ask the following questions:

- Is the student identified in PEIMS as LEP/EL?
- Does the student have a significant cognitive disability?
- Does the student require specialized, extensive supports to access the grade-level curriculum and environment?
- Does the student require intensive, individualized instruction in all institutional settings?
- Does the student access and participate in the grade-level TEKS through prerequisite skills?
- Is the assessment determination based on the student's significant cognitive disability and English learner status and NOT any other factors?

If the answer is "Yes" to all of the above criteria, the student is eligible to participate in TELPAS Alternate. If a student entering grades 3 through 12 has been identified as Emergent Bilingual and the ARD Committee has followed the guidelines above in "Alternate Assessments" to determine the student's participation in STAAR Alternate 2, the student will be assessed with TELPAS Alternate.

The District will maintain documentation requirements of compliance associated with

Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

### **GCCISD - Procedure Prior to the ARD**

Prior to the ARD meeting in which State Assessment Decisions will be determined:

- For each student receiving special education services in Grades 3 and above, the case manager should gather as much information about accommodations for testing to present to the ARD committee.

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### **During the ARD**

#### **PLAAFPs**

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The PLAAFP should clearly document the results of previous year's state assessments as well as document accommodations found to be effective.

#### **STATE ASSESSMENT PAGE**

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Each subject area is to be addressed for state and district assessments for the current and next school years.

Accommodations also need to be addressed for each subject area on the state assessment pages.

It is not necessary to also describe in the committee deliberations.

1. Eligibility statements should describe how the student meets TEA's qualifying criteria.
2. Must choose each subject area that the accommodation applies.
3. For the accommodation of Oral Administration, you must describe how this is to be implemented – either totally in its entirety or partially upon student request.
4. For the accommodation of Supplemental Aids, you must list the specific item for each subject area (e.g. Math = multiplication chart; English = blank graphic organizer, Mnemonic devices, etc.)

#### **PARTICIPATION REQUIREMENTS**

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TEA defines the participation requirements as stated below. This information is a direct copy of the state assessment participation requirements provided through the TEA website.

## **ALTERNATIVE ASSESSMENTS**

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Students receiving special education services who have the most significant cognitive disabilities and are unable to participate in the other statewide assessments even with substantial accommodations and/or modifications will be assessed with STAAR Alternate 2.

Admission, review, and dismissal (ARD) committees may decide that a student's knowledge and skills can best be assessed with STAAR Alternate 2 if the student meets all of the following participation criteria. The student:

1. Has a significant cognitive disability
2. Requires specialized, extensive supports to access the grade-level curriculum and environment.
3. Requires intensive, individualized instruction in all instructional settings
4. Accesses and participates in the grade-level TEKS through prerequisite skills
5. The decision to administer the STAAR Alternate 2 assessment is based on the student's significant cognitive disability and NOT any other factors such as the student's racial or economic background, English learner status, excessive or extended absences, location of service delivery, anticipated disruptive behavior or emotional distress, or any other such factors.

## **ARD COMMITTEE DELIBERATIONS**

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This section should highlight the state assessment discussions that were held during the ARD (previous test taken and REED student received, accommodations routinely given in instruction and effectiveness, review of the State-approved accommodations and the TEA Decision Making Guide form, and STAAR Alternate 2 Decision Making Matrix, if appropriate). All of the items should have been discussed and documented in prior ARD pages so the Committee Deliberations may just summarize these and add any additional conversations that ARD committee had with regard to the State Assessment decision-making process. Therefore, it is not necessary to list each test and/or accommodation recommended in the committee deliberations.

## **FITNESSGRAM ASSESSMENT**

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The FitnessGram Assessment measures three components of health related physical fitness that have been identified as important to overall health and function. There are six areas that are

tested. The ARD committee must address each area. The FitnessGram must



be addressed for students in grades 3-12. If a student is receiving Adapted Physical Education services, the APE teacher will make recommendations to the ARD committee regarding the student's ability or inability to participate in the six areas to be assessed.

## **TYPES OF STAAR ASSESSMENTS**

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### **STAAR**

Measures a student's mastery of the state-mandated curriculum, the Texas Essential Knowledge and Skills (TEKS).

### ***STAAR online***

A general assessment administered online with accommodations integrated into the online system, designed for students with disabilities who meet the eligibility requirements.

### ***STAAR-Alternate 2***

STAAR Alternate is an alternate assessment based on academic standards and is designed for students with significant cognitive disabilities receiving special education services. Additionally, the students must meet participation requirements. STAAR Alternate 2 was developed to meet federal requirements of both the Elementary and Secondary Act (ESEA) and the Individuals with Disabilities Education Act (IDEA). ESEA requires that all students be assessed in specific grades and subjects throughout their academic career, whereas IDEA requires that students with disabilities have access to the same standards as their non-disabled peers and be included in statewide assessments. STAAR Alternate 2, which was redesigned as a result of state legislation passed in 2013, is a standardized assessment administered individually to each eligible student.

Students must meet specific requirements to take either assessment. Both assessments are available for the same grades and subjects assessed in the general STAAR program.

### ***STAAR Alternate 2 End of Course Exams***

For students enrolled in grades 9-12, the ARD committee will determine which of the STAAR Alternate End of Course exams required for the graduation.

## **TELPAS**

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The Texas English Language Proficiency Assessment System (TELPAS) is designed to assess the progress that Limited English Proficient (LEP)

students make in learning the English language. TELPAS measures English language proficiency in the following domains:

- Grades K–1 reading, listening, speaking, and writing
- Grades 2–12 reading, listening, speaking, and writing

## **TELEPAS ALTERNATE**

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According to the Every Student Succeeds Act (ESSA), the state is required to administer an alternate English language proficiency (ELP) assessment for English learners (ELs) with the most significant cognitive disabilities who cannot participate in the general ELP assessment, even with allowable accommodations. In response, TEA developed the TELEPAS Alternate to evaluate students identified as limited English proficient (LEP) and are also eligible to participate in STAAR Alternate 2.

TELPAS Alternate is a holistic inventory aligned to the Texas English Language Proficiency Standards (ELPs); however, this test is based on alternate Proficiency Level Descriptors (PLDs) that were created to address the specific access needs of this student population. Students will be assessed in four language domains: listening, speaking reading and writing.

## **Determining State Assessment for Transfer Students**

### **IN-STATE**

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For students previously enrolled in a Texas Public School, contact the previous school to confirm which form of the state assessment was taken, the student’s performance, and/or the assessment that was recommended. Make assessment recommendations during the 30-day Transfer Placement period based on previous testing and performance, or recommendations from the previous school. If assessment information is not available from the previous school, the Goose Creek CISD Assessment Department can access information from the state assessment data center with the student’s PEIMS number (Social Security number or state ID number), name, and date of birth. Students considered LEP must be assessed on TELPAS unless the student has been exited from LEP. Confirm participation in TELPAS and/or exit from LEP with the previous district. Both STAAR/TAKS and TELPAS decisions should be considered at the Placement ARD.

### **OUT OF STATE**

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Contact the previous school to:

- Confirm that the student was assessed

- Confirm subject areas assessed
- Ask if that assessment was the general assessment or an alternate assessment. To clarify what type of assessment was administered, it may be necessary to describe the Texas assessments and ask if the assessments are similar.
- Ask if the student received regular, modified, or an alternative curriculum. If the student received a modified or alternative curriculum, find out if the state assessment was designed specifically as an alternate assessment or if alternate norms were applied to the general assessment.
- Ask about performance.
- If the student is LEP, confirm testing and performance measures used in the state to determine level of English acquisition and at what level the student is performing.

Make assessment decisions for the Transfer ARD based on information provided about previous assessments and the type of curriculum on which the student was instructed. For additional guidance, contact your Special Education Program Coordinator.

## **Annual ARD and/or Review ARD**

### ANNUAL ARD

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Student participation in state assessment must be considered at every Annual ARD. The state assessment participation requirements provided by TEA should be followed in the decision-making process:

### REVIEW ARD

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Student participation in state assessment should be reviewed at any Review ARD to confirm that the recommended assessment continues to be appropriate. If the purpose of the Review ARD is to reconsider the student's participation in state assessment, the same decision-making process should be followed as those for the Annual ARD. When considering a waiver of additional testing opportunities or changes in the form of the required assessments in grades 5 and 8, please refer to the most recent Grade Placement Committee Manual for Grade Advancement Requirements of the Student Success Initiative located on the TEA website.

### TELPAS

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When a student receiving special education services is Limited English Proficient (LEP), the ARDC must work in conjunction with the LPAC to ensure that issues related to both the student's disability and language proficiency

are carefully considered when assessment decisions are made. TELPAS assessments should be considered for all ELs receiving special education. Exit from LEP is considered on a case by case basis in collaboration with the ARDC and the LPAC. Standard LEP exit criteria can be waived and alternate criteria set in some circumstances, primarily in the case of severe cognitive disability. The following assessments should be considered:

- K-1: Holistically-scored assessments in speaking, listening, reading, and writing are available. These assessments are administered by a qualified TELPAS rater based on student observations and work samples. Each domain is considered separately and documentation of the justification for not participating in any of the four domains is included on both the form provided by the eSped system and in the ARD Committee deliberations section of the ARD. The ARDC and LPAC should collaborate on the appropriate measures for all LEP students regardless of determined disability(ies).
- Gr. 2-12: Assessments include holistically-scored speaking, listening, and writing assessments rated by a qualified TELPAS rater from observations and writing samples. Students take the TELPAS Reading test either in a paper or online format. TELPAS reading tests for grades 2–12 are designed to determine where ELLs are on the continuum of English language reading proficiency and to measure their growth from year to year. The instrument starts with an initial understanding of high-frequency English words and phrases and culminates with the ability to read and understand texts similar to those written for English- proficient students. Each domain should be considered separately with justification documented when one or more domains is not assessed. Students taking STAAR/TAKS should be assessed in all four domains using the appropriate allowed accommodations for TELPAS.

### **Restricted ARD dates due to State Assessment**

In an effort to reduce testing irregularities and miscommunications regarding State Assessment accommodations, Goose Creek CISD will implement a process of restricting ARD dates two weeks prior to and during state assessment time, for all students enrolled in the corresponding grade levels.

ARDs that are required such as Initial ARDs, MDR ARDs etc., may continue to be held during this period. The dates in which NO ARDs may be held will be determined and sent out on a yearly basis. The dates will be based on the current TEA State Assessment Calendar.

## **Evidence of Implementation**

- The English Language Proficiency Assessment
- FIE
- ARD/IEP
- Report Card Grades
- Progress Reports on Annual Goals
- Teacher and Campus Special Education Administrator Input
- State or Districtwide Assessment Results
- Accommodation Requests/Approval
- Documentation for the state in TSDS, PEIMS, and SPP
- Frontline forms

## **Resources**

[The Legal Framework for the Child-Centered Special Education Process: State and Districtwide Assessments - Region 18](#)

[Assessments for Students with Disabilities – Texas Education Agency](#)

[Accommodation Resources – Texas Education Agency](#)

[2020-2021 Accessibility Features - Texas Education Agency](#)

[Accommodation Request Process - Texas Education Agency](#)

[Guidance Related to ARD Committee and LPAC Collaboration – Texas Education Agency](#)

[OSERS Letter to Anonymous \(August 25, 2009\) – U.S. Department of Education](#)

[STAAR Alternate 2 Resources – Texas Education Agency](#)

[STAAR Alternate 2 Participation Requirements - Texas Education Agency](#)

[TELPAS Alternate Resources - Texas Education Agency](#)

[TELPAS Alternate Participation Requirements - Texas Education Agency](#)

[State Assessments - SPEDTEX](#)

## **Citations**

FAPE

Goose Creek CISD



Board Policy EKB; Board Policy EKBA; 34 CFR 200.1(d), 200.2(e), 300.160(b)–(e), 300.320; Texas Education Code 39.023(a)–(c), 39.02342, 39.025(a-4); 19 TAC 74.1025(n), 89.1055, 89.1203(7), 101.1003(b)–(c), 101.1005, 101.3013(b), 101.3023(a)



## EXTENDED SCHOOL YEAR SERVICES

### What is Required

The ARD Committee must ensure extended school year (“ESY”) services are available as necessary to provide a FAPE to students with disabilities.

ESY services are special education and related services provided to a student with a disability beyond the normal school year of the District in accordance with the student’s IEP and at no cost to the parents of the student that meets the standards set forth by TEA. The ARD Committee must determine whether ESY services are necessary for the provision of FAPE. If the ARD Committee does not propose ESY services for discussion at the annual review of the student’s IEP, the parent may request that the ARD Committee discuss ESY services. The ARD Committee must determine the need for ESY services from formal and/or informal evaluations provided by the District or the parents. For a student enrolling in the District during the school year, information obtained from student’s previous district, as well as information collected during the current year, may be used to determine the need for ESY services.

If the student for whom ESY services were considered but rejected loses critical skills because of the decision not to provide ESY services, and if those skills are not regained after the reasonable period of time for recoupment, the ARD Committee must reconsider the current IEP if the student’s loss of critical skills interferes with the implementation of the student’s IEP.

### **Limitations on ESY**

The District may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services.

ESY services are limited to the educational needs of the student 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 if those services are similar to, or the same as, the services in the students’ IEP. The student should not be denied ESY services simply because the student is receiving care and treatment services from other agencies.

### **Regression-Recoupment Analysis**

A student qualifies for ESY services if, in one or more critical areas addressed in the student’s current IEP (“critical skill”), the student has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be regained within a reasonable period of time.

The reasonable period of time for recoupment of acquired skills must be determined on the basis of needs identified in the student's IEP. If the loss of acquired skills would be particularly severe or substantial, or if such loss results, or reasonably 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 of recoupment of such skills. The period of time of recoupment must not exceed eight weeks.

If the ARD Committee determines the student needs ESY services, the IEP must identify which goals and objectives in the IEP will be addressed during ESY services.

### **Definitions**

“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.

“Critical Skills” – A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following during the first eight weeks of the next regular school year: placement in a more restrictive instructional arrangement; significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum; 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; loss of access to community-based independent living skills instruction or an independent living environment provided by noneducational sources as a result of regression in skills; or loss of access to on-the-job training or productive employment as a result of regression in skills.

### **Additional Procedures**

#### **Determine Student Needs**

District and Campus Special Education Personnel are responsible for collecting regression and recoupment data to support the determination of the need for ESY services throughout the year. The ARD Committee must determine the need for ESY services for all students with disabilities on an individual student basis. The ARD Committee should make recommendations for ESY services based on documentation, including formal and/or informal evaluations provided by the Assessment Personnel, Campus Special Education Personnel, Campus General Education Personnel, and/or the parents, that in one or more critical areas addressed in the current IEP goals and/or objectives the student has exhibited (or reasonably may be expected to exhibit) severe or substantial regression of an acquired critical skill that cannot be recouped within a reasonable length of time, not to exceed 8 weeks.

ESY should be specifically requested and/or recommended at the annual ARD Committee meeting when deemed appropriate based on student data. The request may be made by District Special Education Personnel involved in the student's program or the

parent.

If the annual ARD is held in the fall semester, the ARD Committee must consider whether to delay the decision about ESY services until later in the school year if limited documentation is available. If this is the case, then another ARD must be held in the Spring to revisit the issue.

If the student qualifies for ESY services, ESY services should be documented in the IEP in a supplement or separate section. The ARD Committee must decide on the appropriate IEP goals and objectives the student will work on during the period of time that ESY services are provided. Goals for students recommended for ESY services will be identified from the student's current IEP. These goals should be identified as being critical to the student's academic, behavioral, or functional development, and that without ESY services, the student would suffer regression in that critical skill area that cannot be recouped within a reasonable period of time, not to exceed 8 weeks.

District and Campus Special Education Personnel will be trained at least once annually on the process for determining the need for ESY services.

### **ESY ARD Meeting**

The ARD Committee will consider the following components during the ARD meeting held to consider ESY services:

- ESY Supplement/Section – the ESY ARD Supplement/Section must be completed in its entirety during the ARD and be included in the IEP
- ESY IEP Goals & Objectives – if student meets the ESY recommendation requirements, the ARD Committee must identify current goals that will be addressed during the period of time ESY services will be provided. The ARD Committee documentation must state the time and duration for ESY services.
- Transportation Supplement/Section – transportation, as a related service, will be considered and offered to students with disabilities who need this service to benefit from ESY services. If a parent has declined specialized transportation during the regular school year, but the ARD Committee determines that there will be a need for this service during ESY services, an ARD must be held to add this service. The ARD documentation must indicate that this service will only be for the duration of ESY. In addition, a Transportation Supplement/Section must be completed and submitted along with the other ESY documentation.

### **Providing ESY Services**

It is not unusual for the teacher or service providers working with a student during ESY to be different than the teacher or service provider(s) during the regular school year. It is imperative that those who are most familiar with the student, the student's needs and the student's IEP goals to share relevant information with the teacher and service provider

who will be providing ESY services. This information should include the critical skills or emerging skills that will be addressed during ESY services, specifics about the BIP if the student has one, specifics about accommodations and any other pertinent information. Additionally, the teacher and service providers providing ESY services must document progress in the student's IEP and communicate the levels of performance the student attained on goals back to the student's campus so the student's teacher will have a good baseline for what was accomplished during ESY. All documentation related to the student's academic and behavioral performance during ESY should be included in the IEP updates and shared with the student's teacher and other service providers.

The District will maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

## **EXTENDED SCHOOL YEAR SERVICES (ESY)**

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### **34 CFR § 300.106; 19 TAC §§ 89.1055, 89.1065**

Extended School Year Services (ESY) is an Individualized Education Program (IEP) for children with disabilities that are provided to students beyond the regular school year. ESY must be considered and addressed at the student's annual ARD meeting. The need for ESY must be discussed on an individual basis by the child's ARD Committee from formal and/or informal evaluations provided by the Assessment Team, Special Education Staff and/ or the parents. The documentation must demonstrate that in one or more critical areas addressed in the current IEP goals and objectives, the child has exhibited, or may be expected to exhibit severe or substantial regression in critical skill area(s) that cannot be recouped within a reasonable period of time or that need to be maintained beyond the regular school year. In considering students with disabilities for ESY, Goose Creek CISD does not limit ESY to particular categories of disabilities or unilaterally limit the type, amount, or duration of ESY. The Assessment Team and/or the Special Education Staff establishes a general timeframe for ESY each year. However, the ARD Committee determines the ESY timeframe to meet the individual needs of the student.

Goose Creek CISD uses the following process to provide Extended School Year Services (ESY) to its students:

1. The need for ESY must be documented on the ESY Data Form for Regression, which will be updated and sent out each school year. The documentation shall demonstrate that in one or more critical areas addressed in the current individualized education program (IEP) objectives, the student has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period of time or the maintenance of those critical skills that extend beyond the regular school

- year.
2. 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.
  3. The reasonable period of time for recoupment of acquired critical skills shall be determined on the basis of needs identified in each student's IEP. If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results, or reasonably may be expected to result, in immediate physical harm to the student or to others, ESY may be justified without consideration of the period of time for recoupment of such skills. In any case, the period of time for recoupment shall not exceed eight weeks.
  4. 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:
    - a. placement in a more restrictive instructional arrangement;
    - b. significant loss of acquired skills necessary for the student to appropriately progress in the general curriculum;
    - c. 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;
    - d. 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; or
    - e. loss of access to on-the-job training or productive employment as a result of regression in skills.
  5. If a student demonstrates the need for ESY, the ARD committee must decide on the appropriate IEP goals and objectives the student will work on during the determined ESY. The determination of IEP goals and objectives for ESY must be identified in an ARD meeting.
  6. Goals for students recommended for ESY should come from their current IEP. These goals should be identified as those being critical to a student's academic, behavioral, or functional development. This may include skills that may have been mastered during the school year, but without ESY participation during the summer, the student would suffer regression in that particular area.

### ESY ARD Meeting

As part of the ARD meeting held to consider ESY, the following components must be discussed and documented:

#### 1. *ESY Supplement*

If the student meets the requirements and there is a valid need for ESY services, then an ARD must be held (if it was not determined at the

annual ARD). The ESY ARD Supplement must be completed in its entirety in eSped during the ARD and included in the IEP.

## 2. *ESY IEP Goals & Objectives*

If the student meets the ESY recommendation requirements, then the committee needs to identify those goals in which the student has shown either regression (which has been noted on the IEP) or is a critical skill on the student's IEP. **The ARD Committee deliberations must specify the time and duration for ESY instructional and/or related services.**

## 3. *Transportation Supplement*

If the student will be receiving specialized transportation during ESY, then it must be indicated in eSped and the transportation supplement must be completed during an ARD. If a parent has declined specialized transportation during the regular school year, but the ARD committee determines that there will be a need for this service during ESY, then an ARD must be held in order to add this service. It should be noted in the deliberations that this service will only be for the duration of ESY. In addition, a Transportation Supplement must be completed and submitted along with the other ESY paperwork. All information must be updated and confirmed before submitting the form.

Once an ARD has been held to make the recommendation for ESY and all paperwork has been completed, the ESY recommendations must be submitted to the Program Manager overseeing the program in which the student receives services. All ESY documents should be uploaded into eSped under the History tab.

## **ESY Guidance**

\*\*\*\*Be sure to note in the deliberations as well as the ESY service page (Section 6 of the ARD document) the time and duration of service reflected on the ESY Supplement. Example - "The ARD committee has determined that ESY will be provided and that the student needs 4 hours per day, 4 days per week, for 4 weeks with no more than a 2 consecutive week break during the summer of ESY services to maintain his current level of academic and/or functional performance of critical skill areas as described on the ESY goals/objectives approved by the ARD committee."

## **Evidence of Implementation**

- Formal/Informal Evaluations by Assessment Team/SPED staff
- ARD/IEP





- ESY Supplement/Section
- Transportation Supplement
- Documentation Collected During ESY
- Documentation for the state in TSDS, PEIMS, and SPP
- Frontline forms

## **Resources**

[The Legal Framework for the Child-Centered Special Education Process: Extended School Year Services - Region 18](#)

[Extended School Year Services for Students with Disabilities - Texas Education Agency](#)

[Special Education Rules & Regulations Side-by-Side - Region 18](#)

[Extended School Year Services - SPEDTEX](#)

[Parent's Guide to the Admission, Review, and Dismissal Process - Texas Education Agency](#)

[OSEP Letter to Kleczka \(Sept. 29, 1998\) - U.S. Department of Education](#)

[What Are Extended School Year Services? - Partners Resource Network](#)

## **Citations**

Board Policy EHBA; Board Policy EHBAA; Board Policy EHBAB; Board Policy EHBAF;  
34 CFR 300.106; 19 TAC 89.1055; 89.1065