



# TASB Student Solutions

## FAPE

### RULE OF CONSTRUCTION

August 1, 2025



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## RULE OF CONSTRUCTION

### What is Required

The District will establish an ARD Committee for each eligible student with a disability and for each student for whom an evaluation is conducted. See [EVALUATION]. The ARD Committee is the group of qualified professionals and the parent of the student that determines whether the student is a student with a disability and the educational needs of the student. The ARD Committee is the team that develops the IEP for the eligible student with a disability and determines the educational placement of the student.

The IEP is the written statement for each student with a disability that is developed, reviewed, and revised by the ARD Committee. The IEP must include:

- A statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or for preschool students, as appropriate, how the disability affects the student's participation in appropriate activities;
- A statement of measurable annual goals, including academic and functional goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum; and meet each of the student's other educational needs that result from the student's disability, and, for students with disabilities who take alternate assessments aligned to alternate academic achievement standards, a description of benchmarks or short-term objectives;
- A description of how the student's progress toward meeting the annual goals described above will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of 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, and to participate in extracurricular and other nonacademic activities; and to be educated and

participate with other students with disabilities and nondisabled students;

- An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class;
- A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on State and districtwide assessments;
- If the ARD Committee determines that the student must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why the student cannot participate in the regular assessment; and why the particular alternate assessment selected is appropriate for the student; and
- The projected date for the beginning of the services and modifications described above, and the anticipated frequency, location, and duration of those services and modifications.

The ARD Committee may use the TEA's model IEP form. Other than the elements listed above and what is included in TEA's model IEP form, additional information need not be included in the student's IEP. In addition, the ARD Committee need not include information under one component of the student's IEP that is already contained elsewhere in the IEP.

## **Additional Procedures**

Campus Special Education Personnel will be responsible for compiling and processing the student's ARD paperwork in accordance with the ARD forms utilized by the District. District Special Education Personnel may periodically review a random sampling of ARD documents within the District to ensure that all required components of the IEP are addressed by the ARD Committee for each student with a disability.

District Special Education Personnel will provide training regarding the role and duties of the ARD Committee and the components of the ARD document for all Campus Personnel. 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.

## WRITTEN REPORT OF THE ARD MEETING

### 19 TAC § 89.1050

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Committee Deliberations are the way the school district tells the story of the ARD meeting. The required pieces of the meeting are documented in the ARD paperwork via eSped, and the Committee Deliberations assist with an understanding of the process and document how the ARD committee made the decisions and also include information that may not be addressed on the ARD paperwork. The documentation should be factual. If the parent has concerns, those concerns, along with the campus' response should be addressed and noted in the deliberations. If the parent disagrees with the Committee Deliberations, it should be noted in the Committee Deliberations.

The parent can provide additional information (e.g. notes, writings, etc.). However, the ARD Committee should document where the official Committee Deliberations end and the parent's additions begin.

An ARD Agenda should be utilized for all Annual ARD meetings. The agenda will assist the ARD committee with the sequence of the meeting. The following information provides additional guidance regarding the **GCCISD ARD Agenda**:

#### 1. Introductions

#### Statement of Confidentiality & Norms for the Meeting

- “According to state and federal law, all information concerning a student with disabilities is confidential and may not be discussed with anyone except those who have a legitimate educational interest in the student. All information discussed during this ARD meeting will be kept confidential.”
- “In order to facilitate a collaborative environment, participants will conduct

themselves in a courteous manner. This expectation must be followed in order to work together to develop an appropriate educational plan for \_\_\_\_\_." (say student's name)

2. Confirm Receipt of Procedural Safeguards
3. Statement of the Purpose of the ARD meeting.
4. Discussion of Disability condition and confirmation of continued need for specialized instruction. (Student) meets eligibility criteria as a student with (state eligibility condition(s)).
  - Review of assessment data
  - FIE-current or recently completed
  - REED/Reevaluation needed?
5. Discussion of Progress from all service providers (including performance on state assessment)
  - Updated goals and objectives
  - PLAAFP
  - Review Accelerated Instruction Plan and progress if required (not STAAR-Alt2)
6. Transition Supplement (Post-secondary goals for all students and entire supplement for students before they turn 14 years).
7. Graduation (Starting in 8th grade)
8. Proposed goals/objectives (including BIP if needed)

9. Accommodations /Supplementary Aids and Services

10. Participation in District/State Assessments – Current and Next School Year

- STAAR/STAAR Alt 2-participation requirements
- District Assessments (i.e., dyslexia screener, CBA, Benchmark)

11. Schedule of Services

- Course Enrollment (Gen Ed or Spec Ed)
- Support Services (inclusion, consultative support, etc)
- Related Services (i.e. Transportation, OT, PT, Psyc Services, Counseling)

12. Consideration of Least Restrictive Environment/Harmful Effects

13. Supplements-AU, Dyslexia, VI, DHH, ESY, Transportation, etc.

14. PDSES- document that flyer was provided to parent OR that parent shared they have already applied

15. Review of Prior Written Notice and Deliberations

16. Assurances- Read verbatim by LEA Representative

17. Signatures

**Evidence of Implementation**

- ARD/IEP
- ARD Committee meeting Attendees Sheet
- ARD Committee meeting Signature Page
- ARD Committee Training

- ARD/IEP Training
- Documentation for the state in TSDS, PEIMS, and SPP
- Frontline forms
- GCCISD ARD Agenda

## **Resources**

[\*\*The Texas Legal Framework for the Child-Centered Special Education Process: Rule of Construction Framework – Region 18\*\*](#)

[\*\*IEP Model Form – Texas Education Agency\*\*](#)

[\*\*Model Form: Individualized Education Program – U.S. Department of Education\*\*](#)

[\*\*Admissions Review Dismissal \(ARD\) Committee - SPEDTEX\*\*](#)

## **Citations**

34 CFR 300.306(a)(1), 300.116(a), 300.320(a), 300.320(d), 300.321(a); Texas Education Code 29.005(f), 29.0051(c); 19 TAC 89.1040(b), 89.1050(a), 89.1055(a)