

La Porte Independent School District

**Special Education Administrative
Procedures**

SUPERINTENDENT

Dr. Walter Jackson

EXECUTIVE DIRECTOR OF SPECIAL PROGRAMS

Cynthia Anderson

DIRECTOR OF SPECIAL PROGRAMS

Jennifer Upshaw

The La Porte Independent School District (LPISD) provides special education services to all eligible students in accordance with all applicable federal law and regulations, state statutes, rules of the State Board of Education (SBOE) and commissioner of education, and the State Plan Under Part B of the Individuals with Disabilities Education Act (IDEA).

A compilation of the state and federal requirements for special education organized by topic in a user-friendly format can be accessed on [The Legal Framework](#). This site was created through a partnership with the Texas Education Agency and Region 18 Education Service Center. The LPISD's school board policies are linked to the framework and can be accessed by entering the county-district number (101-916).

The LPISD complies with all special education rules and regulation, and LPISD school board policy. The following guidelines describe how we fulfill our obligation and outline our district procedures.

Section 1: Child Find Duty

What is Required (Legal)

Child Find is a component of the Individuals with Disabilities Education Act (IDEA) 2004 that requires States and Local Education agencies (school districts and charter schools) to identify, locate, and evaluate all children with disabilities residing in the State, regardless of the severity of their disabilities, and who are in need of special education and related services ([34 CFR § 300.111](#)). Child Find is a continuous process of public awareness activities, screening and evaluation designed to locate, identify, and evaluate children with disabilities who are in need of Early Childhood Intervention (ECI) programs (Part C) or Special Education and Related Services (Part B). In addition to children enrolled in the public schools, the child find duty extends to children who are homeless or wards of the State or who are attending private schools. [34 CFR 300.111\(a\)\(1\)\(i\)](#) and [20 USC § 1412\(a\)\(3\)\(A\)](#).

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

What we Do

All children ages 0-21 are included in La Porte ISD's Child Find Procedures. All district staff and administrators receive annual training during the beginning of each school year which addresses Child Find and procedures for referral of students for special education evaluation. Public awareness activities and community outreach efforts include:

- notices posted at each school and at the La Porte ISD Administration Building;
- postings on the website: [Special Programs - Child Find Screenings](#) and [ABC Child Find](#);
- the campus Student Success Teams (SSTs);
- a Memorandum of Understanding (MOU) with Head Start;
- developing fliers and pamphlets about the availability of special education services and how to access them, and making these publications available where parents of a student with a disability are likely to be present, including doctor's offices, daycare centers, hospitals, therapy centers, treatment centers, detention and correctional facilities, etc.
- Otherwise providing outreach to the community through public service announcements, media advisories, or press releases
- a yearly private school meeting offering training and information to private schools and homeschool parents regarding child find obligations and the intervention strategies utilized by the District;
- a statement in the student handbook.

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

Pre-Referral Support Services

Before referring a student for possible special education services, the student should be considered for all support services available to all students such as:

- Tutorial;
- Remedial;
- Compensatory;
- Response to evidence-based intervention; and
- Other academic or behavior support services.

Right to Information for Students with Learning Difficulties

Each school year, Campus Personnel must provide notice to the parent of every non-special education student who receives assistance from the District for learning difficulties (including Section 504 students). This notice should be written in English or, to the extent practicable, in the parent’s native language and be provided when the student begins to receive assistance for that school year. It should include the following:

- A reasonable description of the assistance the student may receive, such as any intervention strategies that may be used;
- Any information collected related to interventions that have been previously used with the student;
- An estimated duration for which the assistance will be provided;
- An estimated time frame for when the parent will receive reports on the student’s progress; and
- A copy of the Texas Education Agency’s explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education (TEA’s “Aiding Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services”).

Additional Considerations

The District must comply with the state’s policies and procedures to ensure that students are not inappropriately overidentified or disproportionately represented by race and ethnicity, including students with disabilities with a particular impairment.

Definitions

“Student with a disability” includes a student who was evaluated according to the FIE requirements and determined by an ARD Committee to have an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, 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.

“Specially-designed instruction” means adapting, as appropriate to the needs of an eligible student under the IDEA, the content, methodology, or delivery of instruction:

- To address the unique needs of the student that result from the student’s disability; and
- To ensure access of the student to the general curriculum, so that the student can meet the educational standards within the jurisdiction of 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. 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.

“Intervention strategy” means a strategy in a multi-tiered system of supports that is above the level of intervention generally used in that system with all students. The term includes response to intervention and other early intervening strategies.

Additional Procedures

Referral of students for possible special education services is part of the campus’ overall regular education referral or screening system. For example, annual screenings will be performed by qualified personnel and may include general health screening (including social/behavioral health), vision screening, hearing screening, speech and language screening, screening for home language, academic screening to determine significance of academic delays (including dyslexia screening), and screening at the secondary level for students who are at-risk for dropping out or who have dropped out.

In addition, students experiencing difficulties in the regular education setting should have access to research based instructional interventions strategies provided in the general education program. The student’s response to those intervention strategies is a critical component of information when a special education referral is considered. Each campus will have a student support team process for tiered interventions and special education referrals, which should include input from teachers, parents, and other individuals with relevant knowledge and should be used to address the student’s specific needs including academic, behavioral, emotional, speech, or

social difficulties (“intervention strategies”). When a student is referred to the student support team and at least once every subsequent school year that the student is receiving interventions, the parent must be provided a description of the assistance the student may receive, all information collected related to interventions that have been previously used with the student; an estimated duration for which the assistance will be provided; an estimated time frame for when the parent will receive reports on the student’s progress; and the District’s Aiding Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Services statement.

Implementation of any intervention program or supports by the campus will not serve to delay or deny a referral for a special education evaluation when students are suspected of having a disability and a need for special education services. *See* [REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES].

District Special Education Administration will also ensure compliance with all state policies and procedures to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of students as students with disabilities. The District Special Education Department will monitor and collect data on the race and ethnicity of all students referred to the campus student support team as well as all students evaluated and identified as a student with a disability in need of special education services. The District Special Education Department will also provide training to campuses and special education personnel regarding the needs of students from different linguistic and cultural backgrounds.

I. Referral for Initial Evaluation

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

- La Porte ISD utilizes a 3-tier Response to Intervention (RtI) model. The committee that meets within this model is called the Student Success Team (SST).
- When considering the data gathered, the Student Success Team (SST) should discuss alternatives and not limit itself to the referral for a special education evaluation and/or instructional modification.
- The SST must assure that the basis of the referral is not due to environmental, cultural, or economic factors, nor the result of a lack of educational opportunity or language difference.
- The [MTSS to Referral Flow Chart](#) outlines the La Porte ISD process. There is additional guidance for students with speech concerns ([Speech-MTSS to Referral Process](#)).
- The evaluation cannot to be denied or delayed based on the student’s failure on the hearing and/or vision screening when an auditory or visual impairment is not suspected. If necessary, the multi-disciplinary team can determine if it is adequate for testing purposes.
- Once the SST determines that a referral for a special education evaluation is appropriate, the SST campus chair should send the [Referral Checklist](#) and all required documents to the special programs administrators for review. Once the referral packet is determined complete, the special programs administrators will assign it to the appropriate assessment team member.
- The assessment case manager is based upon the area of suspected disability.
 - o Concerns related to academics, developmental delay, traumatic brain injury and

- o Other Health Impairment (medical) are managed by diagnosticians.
 - o Concerns related to speech and language difficulties are managed by SLPs.
 - o Concerns related to emotional disturbance, behavior (e.g., ADHD) and autism are managed by Licensed Specialist in School Psychology (LSSP).
- The assessment case manager is responsible for coordinating the evaluation and ensuring that the FIE is compiled and completed within timeline.

A. Referral and Evaluation of English Learners (EL) Students

The regular referral process applies to all students who are experiencing difficulty in the regular classroom with additional information being necessary for English Learners (EL) students.

The additional referral information gathered should include:

- Current Language Proficiency Assessment Committee (LPAC) reports
- A copy of the Home Language Survey (HLS) and current information about language use in the home
- History of language exposure and use
- Language proficiency testing (LAS/Pre-LAS or WMLS 3: English – Subtests 1-4; Spanish – Subtest 1-4, if HLS indicates Spanish).
- Information about culture and home life
- Information about current and previous language of instruction
- Standardized test results including: MAP, STAAR, Texas English Language Proficiency Assessment System (TELPAS), etc.

B. Referral for Students who are Deaf or Hard of Hearing (formerly Auditory Impairment)

Students who are documented as deaf or hard of hearing should be immediately scheduled for a Student Success Team (SST) meeting. Evaluation for possible special education services should not be delayed by the Response to Intervention (RTI) process.

La Porte ISD is part of the Tri-County East Regional Day School Program for the Deaf (RDSPD). Goose Creek Consolidated Independent School District is the fiscal agent. A [Request for Professional Assistance](#) form should be completed. Once the form is completed, the necessary information attached, and the signature of the LEA Representative (Executive Director of Special Programs or Director of Special Programs) is obtained, then the form is scanned and emailed to the Tri-County East RDSPD. A Teacher for the Deaf or Hard of Hearing will be assigned and will assist with the evaluation.

C. Referral for Students with a Visual Impairment

Students with a documented Visual Impairment (VI) should be immediately scheduled for a Student Success Team (SST) meeting. Evaluation for possible special education services should not be delayed by the Response to Intervention (RTI) process.

- A referral is made by the campus SST team with a copy of the state eye report.
- Informed consent is obtained through the Success Ed system by the case manager.
- As part of the evaluation, the VI teacher and the O&M specialists complete the VI eligibility testing which includes a functional vision evaluation/learning media assessment (FVE/LMA) along with orientation and mobility (O&M) assessment.

D. Consent for Initial Evaluation

- The school may not evaluate a child for special education services without the parent's consent.
- Informed parental consent means that the parent understands and agrees in writing to allow the school to test his/her child. (SuccessEd forms: Notice of Evaluation and Consent for Evaluation; Procedural Safeguards)
- If the parent does not consent to the initial evaluation, the school district may, but is not required to, ask for mediation or request a due process hearing to evaluate the child.
- If the school district decides not to ask for mediation or to request a due process hearing to override a parent's refusal to consent for evaluation of their child, the school district is not in violation of the Child Find requirements under the IDEA.

II. Parent Request for Assessment

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

Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of being a child with a disability and in need of special education. However, a verbal request does not require the district or charter school to respond within the 15-school-day timeline. All parent requests for an evaluation should be directed to the campus Student Success Team (SST) chair. This is typically the campus counselor. The SST chair will complete the [Parent Request for Evaluation](#) form and follow the process outlined on it.

A. Revoked Consent for Special Education and Related Services

If a parent has revoked consent for services and later requests to re-enroll the student, the LPISD must treat this as a request for an initial evaluation. However, depending on the data available, a new evaluation may not always be required. An initial evaluation requires a review of existing evaluation data that includes classroom based, local, or State assessments, and classroom based observations by teachers and related services providers. On the basis of that review and input from the child's parents, the IEP Team and other qualified professionals must identify what additional data, if any, are needed to determine whether the child is a child with a disability and the educational needs of the child. Therefore, LPISD may not always have to expend resources on a "new" initial evaluation.

B. The child is enrolled in a LPISD school:

- The parent contacts the child's teacher and discuss their concerns, ask questions about their child's reading or math level and overall development in comparison to others in the classroom.
- The Student Success Team (SST) will convene consider the request for evaluation within 15 school days. The necessary assessment team staff will attend the SST.

- Based on the outcome to the SST meeting, the student will either be referred for an initial evaluation under special education and consent obtained or the parent will be provided with a Prior Written Notice as to why their request is being denied.

C. The child is NOT enrolled in a LPISD school (i.e. Special Education Services for Private School Students Residing In LPISD):

An ARD/IEP committee will meet to review the results of an evaluation and to determine eligibility for special education services of a child ages 3 – 21 who has been placed by a parent in a private school located within the attendance boundaries of the district. If a parent makes it clear at the ARD/IEP committee meeting that they will not enroll the student full time in the public school, an IEP offering FAPE does not need to be developed. However, LPISD would continue to have an obligation to consider a student with disabilities for special education services under an Individual Services Plan.

To request special education services for a child with disabilities enrolled in a private school, the parent and private school contact the Special Programs Department at 281-604-7029.

D. Timeline

- Within 15 school days upon written referral by parent, the Notice and Consent or Prior Written Notice for denial will be issued.
- Within 45 school days of receipt of written, signed consent, the Full and Individual Evaluation (FIE) will be completed.
- Within 30 calendar days from FIE date, the ARD/IEP Meeting will be held.

III. The Individual Services Plan (ISP)

Once forms and proof of a child's eligibility for special education services are on file with the district, the Special Programs Department will schedule a meeting with the parent and the private school to develop the child's Individual Services Plan (ISP). All services provided must be linked to measurable goals and benchmarks established for the student as a part of the plan. For a student with an ISP, the service provider will monitor progress toward the annual goal/s and share the student's progress with the parent as outlined in the ISP.

The ISP is required to contain all the elements of a traditional IEP that are appropriate to the student and to the services provided. The ISP Committee is comprised of all members required for any ARD/IEP committee meeting conducted in the district but must also include input from a representative of the private school. Notice of the ISP meeting must be provided to the parent/ adult student at least five school days in advance of the meeting.

IV. Private School Services for Private School Students Residing Outside Of LPISD

LPISD is required to provide special education services to students with disabilities who reside outside of the district's boundaries but attend private schools within the district's jurisdiction. The process for requesting services for a student residing out of the district but enrolled in a private school located within the district are the same as those for a student residing in the district with the following exception: If a child with disabilities was evaluated by a district other than LPISD, the parent must provide a copy of the child's current public school evaluation and most recent ARD/IEP committee meeting before the district may provide services to the child.

A. The Consultation Process

The district is required to “timely and meaningfully” consult with representatives of private schools during the design and development of special education and related services for parentally-placed private school children. The district’s consultation meeting is held in the spring and announced in the newspaper and on the district website. At this meeting, the required consultation topics will be discussed, procedures and timelines to request private school services will be reviewed, and input will be solicited for determination of the special education services to be provided to private school students with disabilities in the coming school year.

B. Private School Services for Eligible Students Ages 3 or 4 Whose Parents Decline Dual Enrollment

Parents of an eligible student ages 3 or 4 who decline dual enrollment for their child may request a services plan using the same process as described above for students residing within and outside of the district. The school district where the private school is located is responsible for the development of a services plan if the student is designated to receive services.

V. Children Transitioning from Early Childhood Intervention (ECI) Agencies

Each public agency must conduct a full and individual initial evaluation (FIE) before providing special education and related services to a child with a disability ([34 CFR 300.301\(a\)](#)). Subsequently, an ARD Committee determines if the child needs special education and/or related services ([34 CFR 300.8\(a\)\(1\)](#)). For information regarding the disability conditions that the [Texas Education Agency \(TEA\)](#) recognizes, see Section 4: Disability Categories.

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

Each public agency must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily ([34 CFR 300.114\(a\)](#)).

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

For Infant and Toddlers (birth through two years of age) with a vision impairment and/or auditory impairment, an [Individualized Family Service Plan](#) (IFSP) will be held in place of an ARD/IEP meeting.

A. Transition from ECI

The Department of Special Programs has a screening team to evaluate children prior to the age of three years who are transitioning from Early Childhood Intervention (ECI) agencies. The following steps are as followed:

- For a child identified and served by ECI agency:
 - o Director of Special Programs schedules a meeting with ECI agency (120-day)
 - o Transition meeting is held with parent.
 - o The child may be referred directly for an evaluation or may be scheduled for a child find appointment. If the parent and child attend child find, then the child will be screened for developmental delays and depending on the results:
 - Parent may be given a Prior Written Notice of refusal and a copy of the Notice of Procedural Safeguards, or
 - The child will be tested in the area(s) of the delay(s)
- If the child will be evaluated:
 - o The Director of Special Programs will assign the student a temporary ID and [manually enter the student into SuccessEd](#).
 - o An assessment case manager is assigned (Educational Diagnostician and/or Speech-Language Pathologist (SLP)).
 - o The assessment case manager will contact the parent within 15 calendar days to obtain informed consent (SuccessEd forms: Notice of Evaluation and Consent for Evaluation; Procedural Safeguards) for the Full and Individual Initial Evaluation (FIIE).
 - o The evaluation team and/or the SLP completes the evaluation.
 - o The assessment team writes an FIIE report, which includes the disability condition criteria.
 - o The assessment case manager schedules a staffing to discuss the assessment results at the appropriate campus.
 - o The assessment case manager schedules the initial ARD/IEP committee within 30 days of the FIIE date and prior to the child's third birthday
 - o Campus personnel are responsible for:
 - Developing the Individualized Educational Program (IEP) in Success Ed based on recommendations in the FIIE report
 - Attending the ARD/IEP meeting at the receiving school to review the results of the FIIE report and documentation of disability
 - Verifying the demographic data for the child, and
 - Submitting the [SpEd - Child Find Special Enrollment - post ARD](#) form to campus registrar.
 - Submitting a request for special transportation if appropriate.
 - o If the student qualifies for services, then upon enrollment, the student's temporary ID in SuccessEd will be updated in by clicking **Change Student Id** on the Student Information Screen.

B. Eligibility

Preschool age children may be eligible for special education and related services under the following categories:

auditory impairment (AI)/ Deaf or Hard of Hearing (DHH)	Autism (AU)	deaf-blind (DB)
emotional disturbance (ED)	intellectual disability (ID)	multiple disabilities (MD)
visual impairment (VI)	orthopedic impairment (OI)	other health impairment (OHI)
speech impairment (SI)	traumatic brain injury (TBI)	Noncategorical Early Childhood (NCEC)

NCEC cannot be used when a child meets the criteria for Multiple Disabilities.

VI. Non-enrolled Children (ages 3-5)

Child Find Screening

The Department of Special Programs assesses children who are not enrolled in school and are suspected of having a disability. The following steps are followed:

- Parents must contact the Director of Special Programs in LPISD for a child find screening appointment. The child find screenings are held periodically throughout the school year.
- The child will be screened for developmental delays and depending on the results:
 - Parent may be given a Prior Written Notice of refusal and a copy of the Notice of Procedural Safeguards, or
 - The child will be tested in the area(s) of the delay(s)
- If the child will be evaluated:
 - The Director of Special Programs will assign the student a temporary ID and [manually enter the student into SuccessEd](#).
 - An assessment case manager is assigned (Educational Diagnostician and/or Speech-Language Pathologist (SLP)).
 - The assessment case manager will contact the parent within 15 calendar days to obtain informed consent (SuccessEd forms: Notice of Evaluation and Consent for Evaluation; Procedural Safeguards) for the Full and Individual Initial Evaluation (FIIE).
 - The evaluation team and/or the SLP completes the evaluation.
 - The assessment team writes an FIIE report, which includes the disability condition criteria.
 - The assessment case manager schedules a staffing to discuss the assessment results at the appropriate campus.
 - The assessment case manager schedules the initial ARD/IEP committee within 30 days of the FIIE date
 - Campus personnel are responsible for:
 - Developing the Individualized Educational Program (IEP) in Success Ed based on recommendations in the FIIE report
 - Attending the ARD/IEP meeting at the receiving school to review the results of the FIIE report and documentation of disability
 - Verifying the demographic data for the child, and
 - Submitting the [SpEd - Child Find Special Enrollment - post ARD](#) form to campus registrar.
 - Submitting a request for special transportation if appropriate.

- o If the student qualifies for services, then upon enrollment, the student's temporary ID in SuccessEd will be updated in by clicking **Change Student Id** on the Student Information Screen.

VII. Students Residing in Residential Facilities within LPISD Boundaries

Today's Harbor for Children is a residential facility (RF) that is licensed by appropriate state agencies and located within the LPISD's boundaries. LPISD must provide special education and related services to eligible students residing in the facility. If, after contacting the facility to offer services to eligible students with disabilities, the district determines that educational services are provided through a charter school, approved non-public school, or a facility operated private school, the district is not required to provide services. However, the district shall annually contact the facility to offer services to eligible students with disabilities.

Section 2: The Evaluation Process

Each public agency must conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability under this part [34 CFR 300.301\(a\)](#). The initial evaluation must consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child [34 CFR 300.301\(c\)\(2\)](#). The initial evaluation must be conducted within 45 school days of receiving parental consent for the evaluation [19 TAC 89.1011\(c\)\(1\)](#).

I. Full and Individual Initial Evaluation

An initial full and individual evaluation must be conducted before the initial provision of special education and related services for a student with a disability. 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:

- ☐ a licensed specialist in school psychology (LSSP), 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.

A. Conducting the Evaluation

Federal law requires that any standardized tests given to the student must be validated for the specific purpose for which they are used and must be administered by trained personnel in conformance with the instructions supplied by their producer.

The evaluation specialist determines the degree of evaluation needed in each area depending on the eligibility criteria for the suspected disability. The area of language dominance is evaluated first to determine the language that will be used in further evaluation.

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

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

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

- Health,
- Vision,

- Hearing,
- Social and emotional status,
- Cognitive processing (intellectual abilities),
- Adaptive Behavior (independent living skills)
- Academic performance,
- Communicative status, and
- Motor abilities.

The evaluation cannot to be denied or delayed based on the student's failure on the hearing and/or vision screening when an auditory or visual impairment is not suspected. If necessary, the multi-disciplinary team can determine if it is adequate for testing purposes.

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

All data is reviewed, interpreted, and compiled into a Full and Individual Initial Evaluation (FIE) report. A written report of a full individual and initial evaluation of a student for purposes of special education services shall be completed not later than the 45th calendar day following the date on which the school district receives written consent for the evaluation, signed by the student's parent or legal guardian, except that if a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent.

All initial evaluations must be reported to the Texas Education Agency (TEA) under State Performance Plan (SPP) Indicator 11. Therefore, all initial evaluations should also be noted on the evaluator's log. This includes Out-of-State transfers who must be evaluated if the FIE is NOT received or does not meet Texas eligibility.

B. Eligibility Determination and Documentation

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

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

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

- Limited English proficiency

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

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

If it is determined, through an appropriate evaluation under the full and individual evaluation frameworks, that a child has one of the disabilities but only needs a related service and not special education, the child is not a child with a disability under the Individuals with Disabilities Education Act.

II. Review of Existing Evaluation Data (REED) Process

Before any evaluation, a Review of Existing Evaluation Data (REED) must be completed to determine which specific evaluations, if any, are needed. A REED should be a continuous, on-going process.

A REED helps the ARD committee decide whether current information in the student's school file and existing data can be used to determine if additional data is needed. A REED does not have to take place in a meeting. However, it must involve the ARD committee team members (this includes the parent, a district representative and other qualified professionals).

A REED for a student includes:

- ☐ Evaluations and information provided by the parent and other programs (for example, early childhood programs);
- ☐ Observations made by teachers and specialists (for example, speech therapists, Classroom-based, local, or state assessments, and classroom-based observations);
- ☐ Response to interventions and support services like tutorial, remedial, compensatory, and other services.

A REED is NOT an evaluation. A REED is the starting point of any evaluation.

Based on the review of the existing evaluation data, along with input from the parent, the ARD Committee must identify any additional information needed to determine:

- ☐ Whether the student is or continues to be “a student with a disability” and the educational needs of the student;
- ☐ Whether the student needs or continues to need special education and related services;
- ☐ The present levels of academic achievement and functional performance of the student (PLAAFP); and
- ☐ Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in his or her IEP and to participate, as appropriate, in the general education curriculum.

If the ARD Committee determines that no additional data are needed beyond the REED to complete the evaluation, the parents must be notified in writing of this decision and the reasons for the determination. At this point, the school is only required to proceed with further testing at the parents' request. *Therefore, parents should make any requests for further assessment in writing and in a timely manner.*

REEDs Conducted During ARD/IEP Meetings

The REED will be completed no sooner than 3-4 months prior to the assessment due date. The only exception to this timeline would be in cases where the assessment is due prior to November 1st of the following school year or in special rare circumstances based on the complexity of the requested evaluation or availability of resources.

For REEDs conducted during ARD/IEP Meetings:

- ☐ The ARD notice should reflect the intent of discussing a REED.
- ☐ The appropriate assessment staff shall be invited to the ARD.
- ☐ The REED will be drafted under SE Manager in SuccessEd prior to the ARD with input from all stakeholders.
- ☐ During the ARD/IEP meeting, the committee members will consider the need for any new assessments. Typically, the student should have two complete evaluations prior to the ARD committee considering that no additional assessment is needed. However, the committee should look critically as to whether a complete re-evaluation is needed or if a more focused evaluation is more appropriate.
- ☐ The ARD committee can either:
 - Determine additional assessment is needed.
 - The evaluation due date and follow up ARD/IEP meeting date will be noted.
 - Follow the LPISD Re-evaluation and Additional Assessment process.
 - or
 - Determine that NO additional assessment is needed.
 - REED will serve as the student's FIE.
 - Parent is notified as to the reasons why no additional assessments are needed.
 - Parent is made aware of their right to request an evaluation.
 - Steps In SuccessED:
 - SE Manager,
 - In IEP meeting, under I. Review of Evaluation Data, the FIE Current Date under should be updated to match the ARD & REED date.
 - Lock REED as part of ARD form set.
 - SE FIE
 - Add Full and Individual Evaluation form
 - Report Title: Review of Existing Evaluation Data
 - Click Import REED data from SE Manager
 - Click Save
 - Click on Recommendations and Assurances section.
 - Write Recommendations and note Multidisciplinary Team members(s)
 - Click Save
 - Add and complete all needed Disability Reports.

- Click View All Drafts.
- Click Lock Form Set
- Move draft forms to be included in locked set to the right hand side (put disability reports in order of disabilities).
- Click Lock.
- Print form set and obtain signatures.
- Provide copy to the parent.

REEDs Conducted During Staffings

- The appropriate assessment staff is invited to the staffing.
- Parent information is needed. This can be obtained by inviting the parent to the staffing or gathering their information prior to the staffing.
- The REED is drafted under SE FIE in SuccessEd prior to the staffing with input from all stakeholders.
- During the staffing, the ARD committee members will consider the need for any new assessments. Typically, the student should have two complete evaluations prior to the ARD committee considering that no additional assessment is needed. However, the committee should look critically as to whether a complete re-evaluation is needed or if a more focused evaluation is more appropriate.
- The ARD committee members can either:
 - Determine additional assessment is needed.
 - The evaluation due date and follow up ARD/IEP meeting date will be noted.
 - Follow the LPISD Re-evaluation and Additional Assessment process.
 - or
 - Determine that NO additional assessment is needed REED will serve as the student's FIE.
 - Parent is notified as to the reasons why no additional assessments are needed.
 - Parent is made aware of their right to request an evaluation.
 - Steps in SuccessED:
 1. SE FIE
 - a. Lock REED.
 - b. Add Full and Individual Evaluation form
 - c. Report Title: Review of Existing Evaluation Data
 - d. Click Import REED data from SE Manager
 - e. Click Save
 - f. Click on Recommendations and Assurances section.
 - g. Write Recommendations and note Multidisciplinary Team members(s)
 - h. Click Save
 - i. Add and complete all needed Disability Reports.
 - j. Click View All Drafts.
 - k. Click Lock Form Set
 - l. Move draft forms to be included in locked set to the right-hand side (put disability reports in order of disabilities).
 - m. Click Lock.
 - n. Print form set and obtain signatures.
 - o. Provide copy to the parent.

Re-Evaluation

A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with §§300.304 through 300.31134 if the public agency determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parent or teacher requests a reevaluation.

A reevaluation conducted may occur not more than once a year, unless the parent and the public agency agree otherwise; and must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary.

As part of the re-evaluation process, current academic achievement data, attendance, discipline, any additional school records, vision/hearing screening results and sociological information should be obtained.

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:

- ☐ a licensed specialist in school psychology (LSSP), 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.

The assessment case manager is based upon the area of suspected disability.

- ☐ Concerns related to academics, developmental delay, traumatic brain injury and Other Health Impairment (medical) are managed by diagnosticians.
- ☐ Concerns related to speech and language difficulties are managed by SLPs.
- ☐ Concerns related to emotional disturbance, behavior (e.g., ADHD) and autism are managed by Licensed Specialist in School Psychology (LSSP).

The assessment case manager is responsible for coordinating the evaluation and ensuring that the FIE is compiled and completed within timeline.

Prior to beginning the assessment, the assessment case manager should schedule a time to meet with the parent and explain the need for re-evaluation and obtain consent in the instance new data is being collected. The assessment specialist provides procedural safeguards and notice of evaluation to the parent/guardian, and obtains informed consent from the parent. The assessment case manager will notify all multidisciplinary team members that consent has been obtained and the due date of the evaluation.

Additional Assessment – Additional Suspected Disability

- When the ARD committee suspects that a student has an additional disability condition following their initial placement ARD, and prior to their triannual re-evaluation, they should collect and discuss intervention data and documentation prior to referral consideration by the ARD committee members. See [Flowchart - role of MTSS for students who are in special education](#) for additional guidance.
- As part of this additional assessment process, current academic achievement data, attendance, discipline, any additional school records, vision/hearing screening results and sociological information should be obtained.

- In the event that referral for additional assessment is considered, then the assessment specialist will assist the ARD committee members with reviewing their documentation of general education and special education support and completing the Review of Existing Evaluation Data (REED).
- The evaluation case manager is based upon the area of suspected disability.
 - o Concerns related to academics, developmental delay, and Other Health Impairment (medical) are managed by diagnosticians.
 - o Concerns related to speech and language difficulties are managed by SLPs.
 - o Concerns related to emotional disturbance, behavior (e.g., ADHD) and autism are managed by Licensed Specialists in School Psychology (LSSPs).
- In the event that the ARD committee recommends additional assessment be conducted, the assessment specialist provides procedural safeguards and notice of evaluation to the parent/guardian, and obtains informed consent to the parent.

Additional Assessment – Related Services

- When the ARD committee suspects that a student has a need for a related service, the related service prior should be a part of the ARD/IEP meeting.
- In the event that referral for additional assessment is considered, then the assessment specialist will assist the ARD committee members with reviewing their documentation of general education and special education support and completing the Review of Existing Evaluation Data (REED).
- In the event that the ARD committee recommends additional assessment be conducted, the assessment specialist provides procedural safeguards and notice of evaluation to the parent/guardian, and obtains informed consent to the parent.

Evaluations for Dyslexia – Updated based on 2021 Dyslexia Handbook Updated

What is Required

Screening and Treatment for Dyslexia and Related Disorders

- (a) Students enrolling in public schools in this state shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.
- (b) In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.
- (b-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.
- c) Subject to Subsection (c-1), the State Board of Education shall adopt any rules and standards necessary to administer this section.
- (c-1) The agency by rule shall develop procedures designed to allow the agency to:
- (1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section, including the program approved by the State Board of Education under this section;

- (2) identify any problems school districts experience in complying with this section, including the program approved by the State Board of Education under this section; and
- (3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished.

(d) In this section:

- (1) "Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.
- (2) "Related disorders" includes disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

TEC §28.006 (State Law)

Reading Diagnosis

(a) The commissioner shall develop recommendations for school districts for:

- (1) administering reading instruments to diagnose student reading development and comprehension;
- (2) training educators in administering the reading instruments; and
- (3) applying the results of the reading instruments to the instructional program.

(b) The commissioner shall adopt a list of reading instruments that a school district may use to diagnose student reading development and comprehension. For use in diagnosing the reading development and comprehension of kindergarten students, the commissioner shall adopt a multidimensional assessment tool that includes a reading instrument and tests at least three developmental skills, including literacy. A multidimensional assessment tool administered as provided by this subsection is considered to be a reading instrument for purposes of this section. A district-level committee established under Subchapter F, Chapter 11, may adopt a list of reading instruments for use in the district in a grade level other than kindergarten in addition to the reading instruments on the commissioner's list. Each reading instrument adopted by the commissioner or a district-level committee must be based on scientific research concerning reading skills development and reading comprehension. A list of reading instruments adopted under this subsection must provide for diagnosing the reading development and comprehension of students participating in a program under Subchapter B, Chapter 29. (b-1) The commissioner may approve an alternative reading instrument for use in diagnosing the reading development and comprehension of kindergarten students that complies with the requirements under Subsection (b).

(c) Each school district shall administer, at the first and second grade levels, a reading instrument on the list adopted by the commissioner or by the district-level committee. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1). (c-1) Each school district shall administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the assessment instrument in reading administered under Section 39.023(a) to the student in grade six did not demonstrate reading proficiency, as determined by the commissioner. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1). (c-2) Each school district shall administer at the kindergarten level a reading instrument adopted by the commissioner under Subsection (b) or approved by the commissioner under Subsection (b-1). The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1). (c-3) The commissioner by rule shall determine the performance on the reading instrument adopted under Subsection (b) that indicates kindergarten readiness

(d) The superintendent of each school district shall:

- (1) report to the commissioner and the board of trustees of the district the results of the reading instruments;
- (2) not later than the 60th calendar day after the date on which a reading instrument was administered report, in writing, to a student's parent or guardian the student's results on the instrument; and
- (3) using the school readiness certification system provided to the school district in accordance with Section 29.161(e), report electronically each student's raw score on the reading instrument to the agency for use in the school readiness certification system.

(d-1) Repealed by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. 3), Sec. 4.001(a)(11), eff. September 1, 2019.

(e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. 3), Sec. 4.001(a)(11), eff. September 1, 2019.

(f) The agency shall ensure at least one reading instrument for each grade level for which a reading instrument is required to be administered under this section is available to school districts at no cost.

(g) A school district shall notify the parent or guardian of each student in kindergarten or first or second grade who is determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties. The district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to those students and shall determine the form, content, and timing of that program. The admission, review, and dismissal committee of a student who participates in a district's special education program under Subchapter B, Chapter 29, and who does not perform satisfactorily on a reading instrument under this section shall determine the manner in which the student will participate in an accelerated reading instruction program under this subsection.

(g-1) A school district shall provide additional reading instruction and intervention to each student in seventh grade assessed under Subsection (c-1), as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument. Training and support for activities required by this subsection shall be provided by regional education service centers and teacher reading academies established under Section 21.4551, and may be provided by other public and private providers.

(g-2) In accordance with a notification program developed by the commissioner by rule, a school district shall notify the parent or guardian of each student determined, on the basis of a screening under Section 38.003 or other basis, to have dyslexia or a related disorder, or determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties, of the program maintained by the Texas State Library and Archives Commission providing students with reading disabilities the ability to borrow audiobooks free of charge.

(h) The school district shall make a good faith effort to ensure that the notice required under this section is provided either in person or by regular mail and that the notice is clear and easy to understand and is written in English and in the parent or guardian's native language.

(i) The commissioner shall certify, not later than July 1 of each school year or as soon as practicable thereafter, whether sufficient funds have been appropriated statewide for the purposes of this section. A determination by the commissioner is final and may not be appealed. For purposes of certification, the commissioner may not consider Foundation School Program funds.

(j) No more than 15 percent of the funds certified by the commissioner under Subsection (i) may be spent on indirect costs. The commissioner shall evaluate the programs that fail to meet the standard of performance under Section 39.301(c)(5) and may implement interventions or sanctions under Chapter 39A. The commissioner may audit the expenditures of funds appropriated for purposes of this section. The use of the funds appropriated for purposes of this section shall be verified as part of the district audit under Section 44.008.

(k) The provisions of this section relating to parental notification of a student's results on the reading

instrument and to implementation of an accelerated reading instruction program may be implemented only if the commissioner certifies that funds have been appropriated during a school year for administering the accelerated reading instruction program specified under this section. Text of subsection as added by Acts 2019, 86th Leg., R.S., Ch. 450 (S.B. 2075), Sec. 2

(l) The agency by rule shall develop procedures designed to allow the agency to:

(1) effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with this section;

(2) identify any problems school districts experience in complying with this section;
and

(3) develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of this section are accomplished. Text of subsection as added by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. 3), Sec. 2.012

(l) The commissioner may adopt rules as necessary to implement this section. Section 2001.0045, Government Code, does not apply to rules adopted under this subsection.

Procedures for Identification of a Student Suspected of Having Dyslexia

- Counselor will inform the parent that all initial requests for dyslexia evaluations need to be conducted under the IDEA process to ensure parents are informed of the rights and that the Educational Diagnostician or LSSP will be contacting them to explain the evaluation process and obtain informed consent under IDEA.
- The Counselor will prepare the referral folder and give to the Educational Diagnostician or LSSP. The dyslexia teacher may be asked to assist in gathering information for the referral. The District has 15 school days from the date of the request until the Informed Consent meeting with the parent, so there should be increased collaboration on the referral process.
- The Educational Diagnostician or LSSP will contact the parent and hold the informed consent meeting with the parent. A face-to-face meeting is preferred, but if the parent is not available to attend the meeting at the school, the Educational Diagnostician or LSSP will conduct the meeting over the phone and then send the documents home to the parent.
- In the interim until the FIE is completed, the SST should meet to develop an intervention plan if the student is not currently receiving interventions. Based on the plan, additional data regarding the student's response to the intervention(s) should be provided to the evaluator. If the student is currently identified as receiving 504 services, the 504 committee should meet to note the referral for the FIE under IDEA/Special Education and also develop and document an intervention plan until the FIE is completed. Based on the plan noted in the 504 meeting, the additional data should be provided to the evaluator.

Parent denies a Full Individual Evaluation under Special Education/IDEA

- Counselor/ARD Facilitator will inform the parent that all initial requests for dyslexia evaluations need to be conducted under the IDEA process to ensure parents are informed of the rights and that the

Educational Diagnostician will be contacting them to explain the evaluation process and obtain informed consent under IDEA.

- The Counselor will prepare the referral folder and give to the Educational Diagnostician. The Dyslexia teacher may be asked to assist in gathering information for the referral. The District has 15 school days from the date of the request until the Informed Consent meeting with the parent, so there should be increased collaboration on the referral process.
- The Educational Diagnostician will contact the parent and hold the informed consent meeting with the parent. A face-to-face meeting is preferred, but if the parent is not available to come up to the school, the Educational Diagnostician will conduct the meeting over the phone and then send the documents home to the parent.
- If the parent denies consent for an initial Full Individual Evaluation under IDEA/Special Education, the Educational Diagnostician will document parent refusal in the contact log, complete the Notice of Evaluation, Notice of Decision, complete the LPISD Ready/Willing/Able letter, and Consent Form documenting the parent's denial to allow the school district to conduct the Initial Full Individual Evaluation under IDEA/Special Education.
- Documentation will then be given to the parent and locked in Success Ed for documentation.
- The Educational Diagnostician will notify through email to the Counselor that the parent has denied a Full and Individual Evaluation.

Parent denies a Full Individual Evaluation under Special Education/IDEA but still wants a dyslexia evaluation under 504

- The Counselor will verify through written documentation that the parent has been given informed consent under IDEA/Special Education by an Educational Diagnostician and is denying the school district to conduct the Initial Full Individual Evaluation under IDEA/Special Education see Consent form, Notice of Decision, Notice of Refusal, Contact Log, LPISD Ready/Willing/Able letter,)
- The Counselor will conduct an informed consent meeting under the 504 evaluation process.
- Once consent has been obtained, the CCC/Counselor will send the referral folder to the campus Diagnostician/LSSP

When a Parent Requests a Dyslexia Evaluation

- CCC/Counselor/ARD Facilitator will inform the parent that all initial requests for dyslexia evaluations will be conducted under the IDEA process to ensure parents are informed of the rights and that the Educational Diagnostician or LSSP will be contacting them to explain the evaluation process and obtain informed consent under IDEA.
- If parent shares that they do not want an initial Full Individual Evaluation under the IDEA/Special Education process, the CCC/Counselor will acknowledge the parent's wishes and also indicate that those wishes must be properly documented by the Educational Diagnostician/LSSP at the informed consent meeting.
- The Educational Diagnostician or LSSP will contact the parent and hold the informed consent meeting with the parent. A face-to-face meeting is preferred, but if the parent is not available to come up to the school, the Educational Diagnostician or LSSP will conduct the meeting over the phone and then send the documents home to the parent.
- If the parent denies consent for an initial Full Individual Evaluation under IDEA/Special Education, the Educational Diagnostician will document parent refusal in the contact log, complete the Notice of

Evaluation, Notice of Decision, complete the LPISD Ready/Willing/Able letter, and Consent Form documenting the parent's denial in allowing the school district to conduct the Initial Full Individual Evaluation under IDEA/Special Education.

- Documentation will then be given to the parent and locked in SuccessEd.
- The Educational Diagnostician/LSSP will notify through email to the CCC/Counselor that the parent has denied a Full and Individual Evaluation, and the parent can obtain a dyslexia evaluation through 504.

Frequently Asked Questions

1. *What if the parent refuses to attend the informed consent meeting under IDEA/504, how is that documented?*

The Educational Diagnostician will still update the contact log, prepare the Notice of Evaluation, Notice of Decision, LPISD Ready/Willing/Able letter, and Consent Form. All paperwork will be sent home and uploaded/locked in SuccessEd for documentation purposes.

2. *Can a student receive intervention from the dyslexia teacher during the initial FIE process until it is completed?*

Yes, utilizing classroom data, the campus staff can create a plan to address phonics/reading. The data collection obtained from intervention will be beneficial not only to inform ongoing intervention, but the student's response to the interventions also assists the evaluators during the FIE process.

3. *Can the dyslexia teacher assist in the FIE process?*

Yes, the dyslexia teacher can assist in the FIE process. The dyslexia teacher may be or may previously have worked with the student and can provide data to inform the FIE (i.e., data points, work samples, observations).

4. *Is a screening for dyslexia required before a referral for an FIE?*

Although TEA requires universal screenings for all students in grades K and 1 as part of the early identification process, an individual screening or consultation is not required prior to parent or staff member requesting an evaluation. The process for Student not identified as receiving special education services and/or student receiving 504 services should be implemented.

5. *Is it considered best practices with regard to least restrictive environment to assess for speech first, come back and consider dyslexia testing, and then, if needed, come back and assess for a learning disability?*

No, the team must consider all the data collected and look at the student's current learning profile in order to determine the type of evaluation the student needs to assess all areas of concern.

6. *What additional evaluations must be administered for ELL students?*

Oral language proficiency should be evaluated. If the student has received instruction in English and

Spanish, then all testing needs to be completed in both languages.

7. *If a student is receiving special education services for a learning disability in reading and is also determined to have dyslexia, does the student need an IEP (goals/objectives for reading)?*

Yes. The components of reading instruction required for students with dyslexia/LD in Reading must be addressed in the IEP (goals/objectives):

- Phonemic awareness instruction (detect, segment, blending, manipulating sounds) Phonemic Awareness (phonics) – words that carry meaning are made of sounds and the sounds are written with letters in the correct order
- Language structure instruction that encompasses morphology, semantics, syntax, and pragmatics
- Linguistic Instruction – proficiency and fluency with patterns of language so words and sentences carry their meanings
- Strategy-Oriented Instruction – strategies for decoding, encoding, word recognition, fluency, and comprehension.

8. *If a student qualifies for special education with a reading disability, but the committee determines that the dyslexia program in the general education setting is the best program for the student, who writes the IEPs?*

The special education teacher will complete the IEPs in Success Ed with collaboration from the dyslexia teacher. The Special Education teacher will continue to consult with the dyslexia teacher to gather information to report progress on IEPs. The Special Education teacher is responsible for updating the student's IEPs.

Section 3: Disability Categories

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

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:

- ☐ a licensed specialist in school psychology (LSSP), 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.

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

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

An evaluation for a suspected auditory impairment will include a teacher for the DHH representative from the Tri-County East Regional Day School for the Deaf (RDSPD)

Students who exhibit a severe hearing loss may be in need of placement in the Tri-County East RDSPD, a Texas Regional Program for the Deaf (RDSPD). It provides certified teachers of the deaf to attend ARDs for all students who are deaf or hard of hearing and to provide itinerant instructional services to hearing impaired children attending school within the boundaries of La Porte ISD (LPISD). It also provides a total communication program in classes that are held in Goose Creek.

When referring a student to Tri-County East Regional Day School Program for the Deaf (RDSPD), numerous contacts and consultations are first established between the parents, RDSPD representatives and LPISD special education personnel. At any ARD meeting at which the student's needs are discussed, an RDSPD representative must be present.

If a student has a documented hearing loss, then LPISD initiates the process with the RDSPD. La Porte ISD will monitor the eligibility process, sign the [Request for Professional Assistance](#) and forward it to the RDSPD. At this point, a Request for Assistance should be initiated to enable the RDSPD representative to conduct a classroom observation. When the DHH (formerly AI) eligibility documentation is complete, a [Request for Professional Assistance](#) for ARD attendance will be signed and forwarded to the RDSPD.

If this is an initial referral, the LPISD will collaborate with the RDSPD and provide the name of the representative from the RDSPD to the home campus to initiate scheduling the ARD. Some days and times may be received to share with the LPISD to schedule a convenient time with the representative from the RDSPD, the LPISD and the home campus personnel. It is the responsibility of the home campus to schedule the ARD at a convenient time with the representative from the RDSPD, the LPISD and the home campus personnel within legal timelines.

If this is an annual ARD, the home campus will contact their RDSPD representative (look to see who was invited to the previous ARD) and begin the process of receiving several days and times from them. The home campus will then communicate this information to the LPISD and secure a day and time for the Annual ARD, complete the [Request for Professional Assistance](#) for ARD attendance and email the request to the special program administrators for review and signature. The special program administrator will forward it to the RDSPD.

If this is a temporary ARD, complete the [Request for Professional Assistance](#) for ARD attendance and email it to the special program administrators for review with as much information as possible i.e. previous school district attended, eligibilities, pertinent information, etc. The special program administrator will forward it to the RDSPD.

If the student is being served at least 45 minutes a week by Tri-County East Regional Day School Program for the Deaf (RDSPD) and needs equipment:

- 1st resource: Tri-County East Regional Day School Program for the Deaf (RDSPD) Assistive Technology (AT) inventory
- 2nd resource: LPISD's AT inventory
- 3rd resource: LPISD will collaborate with Tri-County East Regional Day School Program for the Deaf (RDSPD) and jointly pay for whatever is recommended by the ARD.

In addition, the Tri-County East Regional Day School Program for the Deaf (RDSPD) will pay for audio logical evaluations if the LPISD student is receiving itinerant services from Tri-County East Regional Day School Program for the Deaf (RDSPD).

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

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

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

An evaluation for suspected autism will include:

- A multidisciplinary team including the Licensed Specialist in School Psychology (LSSP) and Speech-Language Pathologist (SLP). If there are significant concerns about sensory issues, the OT should be involved. Even if an Occupational Therapist (OT) is not involved, the LSSP needs to obtain information from parent and teachers about sensory issues.
- Current information regarding intellectual functioning and adaptive behavior is needed. Adaptive behavior needs to be formally assessed. Cognitive testing should address differences in verbal and nonverbal abilities.
- Information from school: discipline history, behavioral concerns, intervention history, etc. Obtain interview information from teachers regarding their concerns with questions tailored to suspected disabilities.
- Clinical interview with parent/guardian: Gather detailed information regarding the child's developmental and medical history, their sociological and language background, and the parent's concerns about behavior, learning, adaptive behavior, and social interactions. A lot of this information can be obtained through forms like the BASC-3 Structured Developmental History (BASC-3 SDH), but it is usually necessary to conduct a verbal interview with the parent at some point to get clarification or elaboration on responses on standardized protocols or the SDH. During a phone call or a face to face interaction, a parent often provides additional information that is useful for case conceptualization.
- If child has any current doctors or therapist, obtain information from them.
- Observation of child in a structured and unstructured settings (e.g., recess, lunch). The unstructured setting is important to see how they navigate social situations.
- Broad-based measure of several types of behaviors and concerns can be helpful - obtain protocols from home (parent/guardian) and school (teacher(s)). This is important to rule out any other areas of concern.
- At least two narrow-based measures of specific area of concern (information from home and school). For example, the LSSP could combine an autism-specific questionnaire (e.g., ASRS or PDDBI) with the CARS-2 (completed with information from evaluators and taking into consideration behaviors reported by school and home). The LSSP could also directly assess as a team using the ADOS-2 and an autism-specific questionnaire.
- Depending on child's age and level of functioning (and whether direct testing was completed with ADOS-2), a student interview and behavior questionnaires could be administered to child.
- In some cases, the student's executive functioning (e.g., through NEPSY-II, different types of executive functioning rating scales, etc.). may need to be directly or indirectly assessed.
- Ensure that through the course of the evaluation the child's abilities and specific needs as related to social, emotional, behavioral, adaptive, cognitive, and academic well-being are documented. This will help create PLAFFPs and goals specific to the child's needs.

III. Deaf-Blindness (DB) [300.8\(c\)\(2\)](#), [89.1040\(c\)\(2\)\(A\)](#), [1401\(3\)\(A\)](#) means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

An evaluation for suspected deaf-blindness will include an evaluation by the teacher for the visually impaired and a teacher for the auditory impaired.

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

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

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

When an Emotional Disturbance is suspected:

- A student's initial evaluation should consist of a complete and thorough cognitive profile and academic/achievement assessment is needed to determine the student's abilities and specific needs.
- Academic assessment should also include state testing scores, Curriculum-Based Assessments (CBAs), intervention history, etc. should be reported as evidence of current academic achievement.
- Clinical interview with parent/guardian: Gather detailed information regarding the child's developmental and medical history, their sociological and language background, and the parent's concerns about behavior, learning, adaptive behavior, and social interactions. A lot of this information can be obtained through forms like the BASC SDH, but it is usually necessary to conduct a verbal interview with the parent at some point to get clarification or elaboration on responses on standardized protocols or the SDH. During a phone call or a face to face interaction, a parent often provides additional information that is useful for case conceptualization.
- If the child has any doctors or therapists, obtain information from them.
- Obtain interview information from teachers, with questions tailored to the student's suspected disabilities. Also get data on discipline referrals, behavior interventions, etc. Get information from school nurse and campus about whether the student frequently visits for health related concerns, or frequently goes home or is absent.
- Observations tailored to referral question.
- Broad-based behavior questionnaire to parent and teachers (e.g., BASC-3).
- Depending on child's age and level of functioning, complete a student interview, broad-based behavior questionnaire (BASC-3), and narrow-based questionnaires (e.g., CDI-2 if depression is an area of concern, RCMAS-2 if anxiety is an area of concern). Projective techniques might be useful, depending on age and specific situation (e.g., CSRPI, Kinetic Family and School Drawing, Roberts-2, TAT, a sentence completion task).
- In some cases, the student's executive functioning (e.g., through NEPSY-II, different types of executive functioning rating scales, etc.) may need to be directly or indirectly assessed.
- Ensure that through the course of your evaluation you have documented in the evaluation the child's abilities and specific needs as related to social, emotional, behavioral, adaptive, cognitive, and academic well-being. This will help create PLAFFPs and goals specific to

the child's needs.

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

An evaluation for a suspected intellectual disability will include:

- an observation in the child's learning environment, if possible
- parent information regarding sociological background, developmental history, and health history
- teacher information regarding academics, behavioral, and emotional performance
- current hearing and vision screening
- parent and teacher information regarding communication skills
- formal academic achievement assessment
- educational record review
- an individually administered test of cognitive ability which results in overall IQ score; the standard error of measurement of the assessment given may be taken into consideration. If a student is very young and/or has a severe disability or a severe sensory impairment, a developmental scale may be administered instead of intelligence tests. The student's performance must be within the intellectual disability range on the developmental scale.
- a second measure of cognitive abilities is recommended for an initial intellectual disability evaluation.
- an adaptive behavior scale must be administered and documented deficits in at least two of the areas of adaptive behavior.

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

VII. Noncategorical Early Childhood (NCEC) [89.1040\(c\)\(13\)](#) refers to a student between the ages of three through five who is evaluated as having intellectual disability, emotional disturbance, a specific learning disability, or autism impairments may be eligible for services as noncategorical early childhood (NCEC).

Document that the student is evaluated as having one of the following:

- autism,
- emotional disturbance,
- learning disability, or
- intellectual disability.

In making a decision to identify a child as being eligible under the NCEC eligibility category, multidisciplinary teams and ARD/IEP committees could consider the following:

- the age of the child and/or

- the child's functioning level and/or
- all available formal and informal evaluation data.

A student cannot be NCEC once he/she turns 6. Therefore, the student must be re-evaluated and the evaluation reviewed by the ARD/IEP team. According to TEA, the LPISD should hold the ARD/IEP meeting on or before the student's 6th birthday or on or before the first day of school if the 6th birthday falls during the summer.

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

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

When an ADHD is suspected:

- A student's initial evaluation should consist of a complete and thorough cognitive profile and academic/achievement assessment is needed to determine the student's abilities and specific needs.
- Academic assessment should also include state testing scores, CBA's, intervention history. etc. should be reported as evidence of current academic achievement.
- Clinical interview with parent/guardian: Gather detailed information regarding the child's developmental and medical history, their sociological and language background, and the parent's concerns about behavior, learning, adaptive behavior, and social interactions. A lot of this information can be obtained through forms like the BASC SDH, but it is usually necessary to conduct a verbal interview with the parent at some point to get clarification or elaboration on responses on standardized protocols or the SDH. During a phone call or a face-to-face interaction, a parent often provides additional information that is useful for case conceptualization.
- If the child has any doctors or therapists, obtain information from them.
- Obtain interview information from teachers, with questions tailored to the student's suspected disabilities. Also, get data on discipline referrals, behavior interventions, etc. Get information from school nurse and campus about whether the student frequently visits for health related concerns, or frequently goes home or is absent.
- Student Observations. One of the observations should formally track time spent on and off task (if possible, in comparison to same-sex peers). If there are particular difficulties in a certain setting, observe there.
- Ensure that through the course of your evaluation you have documented in the evaluation the child's abilities and specific needs as related to social, emotional, behavioral, adaptive,

cognitive, and academic well-being. This will help create PLAFFPs and goals specific to the child's needs.

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

Note: Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading (including writing) or math, the multi-disciplinary team must consider as part of the evaluation:

- data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

The defined areas of learning disability are:

- Oral Expression
- Listening comprehension
- Written expression
- Basic reading skill
- Reading fluency skills
- Reading comprehension
- Mathematics calculation
- Mathematics problem solving

An evaluation for a specific learning disability should include:

- an observation in the child's learning environment
- parent information regarding sociological background, developmental history, and health history
- teacher information regarding academics, behavioral, and emotional performance
- current hearing and vision screening
- data gathered as part of the Multi-Tiered Systems of Support (MTSS)/Response to Intervention (RtI) process (for more information, see [Response to Intervention and Learning Disability Eligibility](#))
- parent and teacher information regarding communication skills
- formal cognitive assessment
- formal academic achievement assessment
- educational record review

La Porte ISD has uses a scientific, research-based model of determining a pattern of strengths and weaknesses to identify SLD. This model requires multiple components, including the following:

- The presence of a significant academic deficit
- There must be a significant, normative cognitive processing deficit
- There is an empirical relationship between the cognitive processing disorder and the academic deficit
- The relationships occur within the context of an adequate cognitive ability profile
- The academic achievement is unexpected given the student's profile of both cognitive and academic capabilities
- The processing deficit is domain specific
- In order to determine a pattern of strengths and weaknesses, a variety of data sources must be used.

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

In 2000, a Texas Speech-Language-Hearing Association (TSHA) Task Force was created to develop eligibility guidelines for speech impairment in the four areas recognized in the Individuals with Disabilities Education Act (IDEA) – articulation, language, voice, and fluency. Since that time, guidelines for Language with Other Disabilities and a Cultural and Linguistic Diversity (CLD) Companion to the Articulation Eligibility Guidelines has been completed. La Porte ISD follows these guidelines: <http://www.txsha.org/page/speech-impairment-eligibility-guidelines>.

Guidelines for Eligibility Determination

A student with a speech impairment is one who has been determined to meet the criteria for speech or language impairment as stated in 34 CFR, §300.8(c)(11). The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility based on a speech impairment must include a certified speech and hearing therapist, a certified speech and language therapist, or a licensed speech/language pathologist. [TAC §89.1040 (10)]

Individual evaluations of students suspected of having a disability must be designed for educational relevance. IDEA 2004 provides parameters for the services provided in educational settings, stipulating that the goal of providing services is to help students make progress in the general education curriculum, and/or be successful when integrated in nonacademic settings and extracurricular activities. [34 CFR §300.107(a) (b); §300.117]

A student's communication skills are the foundation for academic achievement, computer literacy, literacy, and social/pragmatic/interpersonal functioning (ASHA, 2007). Concerns from teachers, parents, and other school personnel about articulation, phonology, voice, stuttering, swallowing/feeding, language, and social/interpersonal communication need to be examined in relation to school environments—both academic and nonacademic. Speech language pathologists evaluate the student's communicative competence as well as the language skills needed to meet curriculum expectations in academics.

A student is eligible for speech-language pathology services through IDEA 2004 when s/he exhibits a speech impairment that has an adverse effect on educational performance to the degree that specially designed instruction or related services and supports are needed from the SLP to help the student make progress in the general education curriculum. Determination of eligibility for individualized education program (IEP) services with a speech impairment is a three-stage process that involves collecting data to answer:

TSHA Eligibility Guidelines 2009

Stage 1: Is there a disability condition (i.e., a communication disorder)?

Stage 2: Is there an adverse effect on educational performance (academic achievement and functional performance) resulting from the communication disorder?

Stage 3: If so, are specially designed instruction and/or related services and supports needed from the SLP to help the student make progress in the general education curriculum?

XII. Traumatic Brain Injury (TBI) [300.8\(c\)\(12\)](#), [89.1040\(c\)\(11\)](#), [1401\(3\)\(A\)](#) means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance.

Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech.

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

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

When considering students who have visual impairments, a professional certified in the education of students with visual impairments will be assigned to assist in:

- determining appropriate areas of evaluation;
- developing or determining appropriate evaluation techniques;
- conducting evaluations when appropriate;
- interpreting data to ensure consideration and understanding of the educational, psychological, and social implications of the disability; and
- collecting appropriate medical documentation.

Section 4: Prior Written Notice

A [Prior Written Notice](#) is a notice that must be given to the parents of the child whenever the La Porte ISD proposes to initiate or change or refuses to initiate or change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child.

Prior written notice must include:

- A description of the action proposed or refused by the district
- An explanation of why the agency proposes or refuses to take action
- A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action
- A description of other factors that are relevant to the district's proposal or refusal
- Sources for parents to contact to obtain assistance in understanding the provisions of IDEA Part B
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part
- How a copy of the procedural safeguards can be obtained if not an initial referral for evaluation.
- If proposing to conduct a full and individual evaluation, the prior written notice must also include a description of any evaluation procedures the district proposes to conduct.

I. Timeline and Manner

The La Porte ISD provides at least 5 school days' prior written notice, unless the parent agrees to a shorter timeframe:

- In the native language of the parents, unless it clearly is not feasible to do so; and
- By mail or e-mail communication (if the parent elects this option)

II. Parent Consent

- The activities under the IDEA cannot take place unless the school obtains the parent's consent (English, Spanish).
- The school must fully inform a parent of all the information needed to be able to make a decision including a description (English, Spanish) of the proposed activity.
- The information must be in the parent's native language or other mode of communication.
- If there are records to be released, the school must list the records and to whom they will be released to.
- When a parent gives consent, it means that the parent understands and agrees in writing that the school will carry out the activity for which consent is sought. It is important that the parent understands that consent is voluntary and may be revoked at any time prior to the activity taking place. If a parent revokes consent for an activity, it is not retroactive.

The school must maintain documentation of reasonable efforts to:

- o Obtain parental consent for initial evaluations (including detailed telephone records, copies of correspondence, and detailed records of visits made to the student's home)
- o Provide special education and related services for the first time

- o Complete a reevaluation
- o Locate parents of wards of the state for initial evaluation.

III. Parent Consent is not required to:

- Review existing data as part of a student's evaluation or reevaluation
- Give the student a test or other evaluation that is given to all students (unless parental consent is required for all students)
- For intrastate transfers, the student's current or previous school district is not required to obtain parental consent before requesting or sending the student's special education records.
 - o If the student had an IEP that was in effect, the ARD/IEP Committee must provide the student with a Free Appropriate Public Education (FAPE). This includes services comparable to those described in the previously held IEP in consultation with the parents until the appropriate personnel reviews the previous evaluation data and determines whether the student is a child with a disability in LPISD.
 - o The school requests the records and the evaluation specialist reviews the records and determines if further evaluation is needed.
 - o Evaluation personnel integrates the new evaluation data and other records into a written report and provides information to assist in the development of IEPs for presentation at the 30 day ARD/IEP committee meeting.
 - o The evaluation specialist attends the 30 day ARD/IEP committee meeting, if appropriate.
 - o The ARD/IEP Committee may meet at the time of enrollment to complete the transfer ARD/IEP forms.
 - o If there are special requirements for instruction or related services, the Director of Special Programs or the district behavior specialists will notify the appropriate special education personnel. The student is placed in the least restrictive environment and the evaluation specialist for the school would be notified.

IV. Consent for Initial Evaluation

- The school may not evaluate a child for special education services without the parent's consent.
- Informed parental consent means that the parent understands and agrees in writing to allow the school to test his/her child. (SuccessEd forms: Notice of Evaluation and Consent for Evaluation; Procedural Safeguards)
- If the parent does not consent to the initial evaluation, the school district may, but is not required to, ask for mediation or request a due process hearing to evaluate the child.
- If the school district decides not to ask for mediation or to request a due process hearing to override a parent's refusal to consent for evaluation of their child, the school district is not in violation of the Child Find requirements under the IDEA.

V. Consent for the Initial Provision of Services

- Parental consent to initiate special education and related services must be separately obtained from the parent if it is determined that a child qualifies for special education and related services.
- The school must make reasonable efforts to obtain informed consent from the parent for

- the initial provision of special education and related services.
- Special education and related services will not be provided if a parent refuses consent.

VI. Consent for Reevaluation

- Once a student begins receiving special education and related services, reevaluations are required. The school must make reasonable efforts to obtain the parent's consent for a reevaluation.
- If a parent fails to respond despite reasonable efforts, the school may conduct a reevaluation without the parent's consent.
- If a parent refuses consent to reevaluate his/her child, the school district may, but is not required to, ask for mediation or request a due process hearing to override the parent's lack of consent for reevaluation.
- The school district does not violate its Child Find obligation or its obligation to evaluate the child if the district does not ask for mediation or request a due process hearing.

VII. Revocation of Consent for Special Education Services

If, at any time subsequent to the initial provision of special education and related services, the parent of a child [revokes consent](#) in writing for the continued provision of special education and related services, the La Porte ISD:

- May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
- Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- Is not required to convene an IEP Team meeting or develop an IEP for the child for further provision of special education and related services. However, LPISD will typically convene an ARD/IEP meeting in order to explain all the ramifications of the revocation.

If a parent revocation is received by a LPISD staff member, the Director of Special Programs should be contacted immediately for guidance.

VIII. School Health and Related Services (SHARS) – Medicaid Billing

The LPISD can ask parents if the student receives Medicaid benefits. Once the district has reason to believe a child receives Medicaid, consent can be requested. This will be accomplished through the use of the **Notice to the Parent to Release Information for SHARS** in SuccessEd which includes the Consent to Release Information for SHARS.

The parental consent form may not be provided to all parents of children with disabilities... The parental consent requirement ... is only applicable to a parent of a child with a disability who is enrolled in a public benefit ... program and from whom a public agency seeks to access that parent's or child's public benefits...

Office of Special Education and Rehabilitative Services

Once initial consent is given, the LPISD will provide the parent with annual written notification of the district's intent to continue to seek Medicaid reimbursement for the student. This will be accomplished through the use of the **Notice to the Parent to Release Information for SHARS** in SuccessEd without the Consent to Release Information for SHARS.

Section 5: The ARD Process

Each local educational agency (LEA) must establish an admission, review and dismissal (ARD) committee for each eligible child with a disability and for each child for whom an initial Full and Individual Evaluation is conducted. [19 TAC 89.1050](#)

The ARD/IEP Committee is the:

- (1) Eligibility team defined in federal law IDEA 2004, [34 CFR 300.306](#)
- (2) Individualized education program (IEP) team defined in federal law IDEA 2004, [34 CFR 300.321](#)
- (3) Placement team defined in federal law IDEA 2004, [34 CFR 300.116](#).

- The term IEP means a written statement for each child with a disability that is developed, reviewed and revised in accordance with the ARD/IEP committee framework.
- The ARD committee must review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals are being achieved.
- The ARD committee must determine the child's placement at least annually 34 CFR 300.116(b)(1). The ARD/IEP Committee may meet more often than annually to revise the student's IEP, as appropriate, to address:
 - any lack of expected progress toward the annual goals,
 - the results of any reevaluation,
 - information about the student provided to, or by the parents,
 - anticipated needs of the student, or
 - other concerns.

A parent may request an ARD/IEP committee meeting (at a mutually agreeable time) at any time to discuss educational concerns such as placement, IEP goals and objectives, and the extent of services being provided to the student. The school must either grant the parent's request to have a meeting or contact the Texas Education Agency (TEA) to ask for assistance through mediation.

I. Free Appropriate Public Education (FAPE)

The La Porte ISD must provide all students with a disability with a Free Appropriate Public Education (FAPE). FAPE means special education and related services that

- ☐ Are provided at public expense, under public supervision and direction, and without charge;
- ☐ Meet the standards of the State of Texas, including the requirements of this part;
- ☐ Include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- ☐ Are provided in conformity with an individualized education program (IEP) that meets the requirements of [§300.320 through 300.324](#).

In 1997, the 5th Circuit Court, ruled on *Cypress Fairbanks ISD v. Michael F.*, 118 F.3d 245. In this case, the Court posited that there are four factors that can serve as indicators of whether an IEP is reasonably calculated to provide a meaningful education benefit under IEP. These are:

1. Was the educational program individualized on the basis of the student's assessment and performance?
2. Was the program administered in the least restrictive environment?
3. Were the services provided in a coordinated and collaborative manner by all of the key stakeholders?

4. Were positive academic and non-academic benefits demonstrated?

On March 22, 2017 the U.S. Supreme Court (sometimes referred to as Court) issued a unanimous opinion in [*Endrew F. v. Douglas County School District Re-1*, 137 S. Ct. 988](#) which interpreted the scope of the free appropriate public education (FAPE) requirements in the Individuals with Disabilities Education Act (IDEA). The Court overturned the Tenth Circuit's decision that Endrew, a child with autism, was only entitled to an educational program that was calculated to provide "merely more than *de minimis* [too trivial or minor to consider]" educational benefit. In rejecting the Tenth Circuit's reasoning, the Supreme Court determined that, "[t]o meet its substantive obligation under the IDEA, a school must offer an IEP [individualized education program] that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." The Court additionally emphasized the requirement that "every child should have the chance to meet challenging objectives."

In Texas, the *Endrew F. V. Douglas County School District* ruling supports the four factor test already determined by *Cypress Fairbanks ISD v. Michael F.*

II. ARD Committee Membership

The ARD committee means a group of individuals composed of:

- The parents of a child with a disability
- Not less than one regular education teacher of the child
- Not less than one special education teacher
- A representative of the local education agency (LEA)
- An individual who can interpret the instructional implications of the evaluation
- Other individuals who have knowledge or special expertise regarding the child
- The child with a disability, whenever appropriate
- A teacher who is certified in the education of children who are deaf or hard of hearing or for a child with a suspected or documented deaf or hard of hearing impairment including suspected or documented deaf-blindness
- A teacher who is certified in the education of children with visual impairments for a child with a suspected or documented visual impairment including suspected or documented deaf-blindness
- A member of the language proficiency assessment committee (LPAC) when determining participation in state and district-wide assessments for a child with limited English proficiency, to address the child's language needs; and
- A representative from Career and Technical Education (CTE), preferably the teacher when considering initial or continued placement of a child in CTE.

III. Additional ARD Committee Members – LPISD Specific

- DHH/AI – Deaf Co-op Rep. / Executive Director of Special Programs/Director of Special Programs
 - o Submit the [Request for Professional Assistance](#) to Tri-County East RDSPD) to coordinate the attendance at the ARD for a teacher for the deaf or hard of hearing.

- AT – Campus Liaisons from AT team
- AU – School LSSP / District Autism Specialist
- Career & Tech. Ed. (CTE) Teacher – 8th-12th gr.
- TWC – 12th grade ARD, others as appropriate
- ED – School LSSP
- In-Home or Parent Training – District Autism Specialist
- LEP / ESL – LPAC rep. (note: the LEA rep. (administrator) cannot also be the LPAC rep.)
- MDR ARD – LSSP
- O & M – Rebecca Eagle (reagle@dpisd.org)
- OT/PT – School OT / PT
- Out of District Placement – Executive Director of Special Programs, Director of Special Programs, Applicable District Behavior Specialist, Representative from receiving Out of District Program
- BSP – District Behavior Specialist
- SI – School SLP
- SAIL – District Autism Specialist
- TSBVI / TSD – Executive Director of Special Programs, VI Teacher
- Translator – if ARD needs to be in Spanish
- VI – VI Teacher
- If student is transferring to or being placed on another LPISD campus, invite the receiving campus personnel, including receiving campus administration

IV. Steps to the Admission, Review, and Dismissal Process (ARD)

A. ARD/IEP Notice

Provide Prior Written Notice (ARD Notice) to the parent whenever the district proposes or refuses to initiate or change:

- The identification of a student
- The evaluation of a student
- The educational placement of a student
- The provision of a free appropriate public education (FAPE) for a student
- An ARD/IEP committee meeting as part of the invitation to the admission, review and dismissal (ARD/IEP) meeting, and/or
- An individualized education program (IEP) with which the parent or adult student disagrees.

Provide at least 5 school days' prior written notice:

- In the native language of the parents, unless it clearly is not feasible to do so
- By an electronic mail (e-mail) communication (if the parent elects this option), and
- Early enough to ensure that the parent will have an opportunity to attend in compliance with the parent participation framework.
- For ALL initial, annual, and MDR ARD/IEP meetings, a copy of the [Notice of Procedural Safeguards](#) ([Notice of Procedural Safeguards - Spanish](#)) will also be mailed with the notice. This should be noted on the Procedural Safeguards Log in SuccessEd.

Prior written notice (ARD Notice) must include:

- A description of the action proposed or refused by the district
- An explanation of why the agency proposes or refuses to act
- A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action
- A description of other options considered by the ARD/IEP Committee and the reasons why those options were rejected
- A description of other factors that are relevant to the district's proposal or refusal
- Sources for parents to contact to obtain assistance in understanding the provisions of IDEA Part B
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part
- How a copy of the procedural safeguards can be obtained if not an initial referral for evaluation.
- If proposing to conduct a full and individual evaluation, the prior written notice must also include a description of any evaluation procedures the district proposes to conduct.

B. ARD/IEP Notice Guidance

This serves as general guidance as to how to complete the IEP Notice in SuccessEd. When in doubt as to what mark, please check with the campus ARD facilitator or assessment personnel.

The purpose of the meeting is to	
1	<input checked="" type="checkbox"/> Discuss, at your request, any educational or related service not proposed below
2	<input checked="" type="checkbox"/> Initiate special education services if your child meets eligibility criteria
3	<input checked="" type="checkbox"/> Review your child's program (including results of any new evaluations)
4	<input checked="" type="checkbox"/> Develop and/or review the Individual Education Program (IEP) for your child
5	<input checked="" type="checkbox"/> Consider Extended School Year Services
6	<input checked="" type="checkbox"/> Consider Transition Services/Other Post-Secondary Needs
7	<input checked="" type="checkbox"/> Graduation/Dismissal
8	<input checked="" type="checkbox"/> Other
If other, then	

Types of ARDs

- Annual ARD: 3, 4, 5, 6 (if 13 years or older), 7 (considering graduation)
- Initial ARD (if qualifies): 2, 3, 4, 5, 6 (if 13 years or older), 7 (considering graduation)
- Parent request: 1 and 3-8 as applicable
- Brief ARDs:
 - MDR: 3, 4, 8 (manifestation determination review)
 - Dismissal: 3, 7
- Misc.: depends on the purpose of the ARD.

C. Transfer Students/Transfer Events/ARDs

The purpose of a Transfer is to facilitate the transition of a student with a disability from one district to another to ensure the current district has taken the necessary steps to obtain records and provide comparable services [ref. §99.31 (a)(2), §300.323(g), §300.304(c)(5), §300.323(e), §300.323(f)].

- Once a student with a disability enrolls, the ARD Clerk or ARD Facilitator shall call the previous district to verify special education services.
 - If the student requires a special education program, then contact the follow individual for the appropriate campus placement.
 - ECSE – Director of Special Programs
 - FOCUS – Director of Special Programs
 - SAIL – Autism Specialist
 - BSP (Behavior Support Program) – Behavior Specialist
 - Out of District Placement – Director of Special Programs
- The campus assessment staff will work with the campus registrar, ARD clerk, and/or the special education PEIMS clerk to obtain special education records.
- Add the student to SuccessEd (SE) by following “[Adding a Student \(Import Student from SIS\)](#)” process.
- Click on **SE Manager**. Locate the student.
- Upload the student’s records to the **History** tab in SuccessEd. The Document Description should be: previous district, description of document, and document date (i.e. Somewhere ISD FIE 2-7-18).
- By law, a Transfer ARD is not required. However, a **Transfer Individualized Education Program (IEP)** form MUST be completed in SuccessEd within 5 school days of receipt of records (Note: A Transfer ARD can be held for any students with unique circumstances).
- Notify all stakeholders (special education teacher case manager, campus administration, and related services personal) of transfer student.
- To complete the Transfer process:
 - In SE Manager, add and complete the needed forms:
 - **Transfer Individualized Education Program (IEP)** form.
 - Title Page – enter the Transfer Meeting Date, Services Start Date and Parent 1 Name
 - **Verification of IEP** section - this allows proper reporting to PEIMS on lock of the Transfer form
 - **Schedule of Services** section – enter the Instructional Schedule and Related Services Schedule. Do not worry about entering the

Instructional Accommodations and/or Modifications data as this can be found on the records from the previous district.

- Address other sections as needed.
- **Transportation Information** form, if needed.
- **Consent for Evaluation** (Check with appropriate assessment personnel whether this is needed).
- **Notice of Decision: Prior Written Notice**
 - Obtain necessary signatures from the parent.
 - **Lock Form Set** which includes all forms from the Transfer ARD.
 - Print forms.
 - Send original to the Special Education PEIMS Clerk with the **PEIMS 163 Summary** (PEIMS Sheet).
 - Mail a copy to the parent with Notice of Procedural Safeguards.
 - Make a campus special education folder
 - Notify campus special education teacher case manager so that appropriate sections of the student's IEP (goals, accommodations, BIP, etc.) from the previous district can be distributed to the stakeholders in the student's special education program.
- The annual ARD will be held within 30 school days from the date the student was verified as being eligible for special education services (Transfer IEP date) unless the student is an Out-of-State transfer. For out-of-state transfer, see next section.

D. Out-of-State Transfer Students

- Verify eligibility and services.
- Complete **Transfer Individualized Education Program (IEP)** form to initiate and match as closely as possible the services the student was receiving in the previous out-of-state district.
- Student Special Education Records:
 - If we determine that the received evaluation is sufficient (i.e. meets Texas eligibility for the student's disabilities and no evaluation is needed), then an Annual ARD needs to be held within 30 school days to finalize the IEP (same practice we currently follow).
 - **If the FIE is NOT received or does not meet Texas eligibility**, then we must complete an evaluation. It is considered an Initial Evaluation and must be completed within 45 school days.
 - We do not hold a 30 day/annual ARD.
 - Obtain consent, if it has not already been obtained during the Transfer IEP process.
 - Notify Director of Special Programs of the student as we must report this student as an initial evaluation for State Performance Plan (SPP) Indicator 11. The evaluation should also be noted on the evaluator's log as an initial.
 - Evaluation MUST be completed within 45 school days from consent.
 - ARD must be held within 30 calendar days from the completion date of the FIE.
- When in doubt about which process to follow, consult with the Special Programs administrators.

E. Initial ARD Committee Meeting

(SuccessEd: If the student qualifies, then use Individualized Education Program Meeting form; If the student is a DNQ, then use the Brief Individualized Education Program (IEP) form)

The ARD Committee makes its decisions regarding students referred for a full and initial evaluation (FIE) within 30 calendar days from the date of the completion of the written FIE report. Special education and related services should be made available as soon as possible following the development of the IEP.

If the 30th day falls during the summer and school is not in session, the ARD/IEP Committee has until the first day of classes in the fall to finalize decisions concerning initial eligibility determination, the IEP, and placement, unless the FIE indicates that the student will need Extended School Year (ESY) services during that summer.

If the LEA received the written consent for the evaluation from the parent at least 35 but fewer than 45 school days before the last instructional day of the school year and the child was not absent from school three or more days between the time that the LEA received written consent and the last instructional day of the school year, the ARD committee must meet not later than the 15th school day of the following school year, unless the initial evaluation indicates that the child will need extended school year services during that summer.

After the ARD/IEP meeting, the case manager for the student should submit the [Initial Evaluation Checklist](#) with the completed paperwork.

F. Annual/Anniversary IEP Review

(SuccessEd: Individualized Education Program Meeting)

The ARD Committee reviews the student's IEP not less than annually, to determine whether the annual goals for the student are being achieved and to plan an appropriate program for the next calendar year. The definition of 'one year' in determining whether an IEP is current is one calendar year (365 or 366 days). Also, the student's placement is determined at least annually based on the student's IEP.

G. IEP Revision

(SuccessEd: Brief ARD form)

The ARD Committee may meet at any time to revise the IEP as appropriate to address:

- ☐ Any lack of expected progress toward annual goals and in the general education curriculum
- ☐ Early mastery of goals and objectives
- ☐ The results of reevaluation
- ☐ Information about the child provided to, or by the parents
- ☐ The child's anticipated needs or
- ☐ Other matters relating to the child's Individualized Educational Program (IEP)

H. Amendment to IEP

Changes to the IEP may be made either by amending the IEP rather than by redrafting the entire IEP. In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP

Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.

Eligibility determinations, changes of placement, and manifestation determination reviews (MDRs) will not be conducted through the amendment process.

I. Recessed ARD Meeting to Reach Consensus

Decisions made by the ARD Committee are made by consensus—not by a majority vote. If there are disagreements between school staff members on recommendations for a student, the school-based members of the ARD Committee should hold a staffing prior to the ARD/IEP meeting to establish solid recommendations on behalf of the student. If school district staff members continue to disagree, the administrator present at the meeting and acting as the ‘agency representative’ defines the district’s position.

NOTE: Members of the ARD Committee may recess a meeting for reasons other than the failure of the parent(s) and district to reach mutual agreement about all required elements of the IEP. Should the parent(s) not agree with the program proposed by the school, they should be offered a 10 school-day recess. The date and time for reconvening the meeting should be finalized before the meeting is adjourned and parents should be provided with written notice of the next meeting at this time. The Executive Director of Special Programs should be notified whenever there is an ARD Committee meeting that has not met consensus.

J. Case Manager Responsibilities for ARD/IEP Meetings

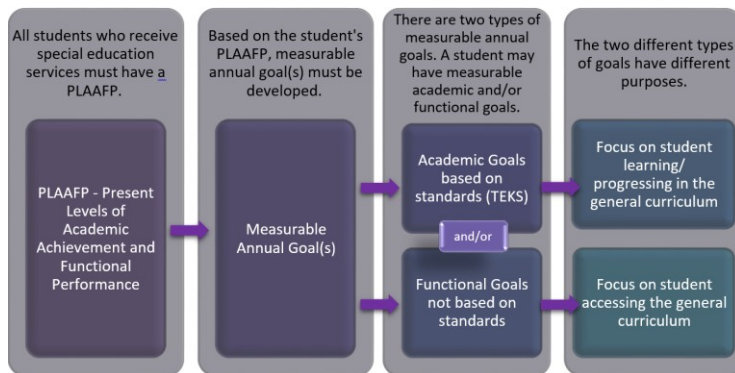
- ☐ Collaborate with classroom teacher(s) and student’s services providers to discuss progress
- ☐ Draft the present levels of academic and functional performance (PLAAFPs), goals/objectives, schedule of services, instructional accommodations, state assessment information, consideration of least restrictive environment, transition (if appropriate) and any necessary ARD supplements
- ☐ Send a copy of draft goals/objectives and behavior intervention plan (BIP) home to the parents 5 days before the ARD
- ☐ Bring a copy of the updated IEPs from SuccessEd
 - The final progress statement (Annual Review) is written just prior to the student’s Annual IEP meeting the next year.

- If the goal is going to be discontinued, then the Progress Status of Discontinued can be selected for the relevant reporting period.
- ☐ Bring a copy of the draft IEPs & BIP, and other relevant information to the ARD
- ☐ See the [Case Manager ARD Checklist](#) for more detailed information.

K. Goals/Objectives

Annual goals identify the areas in which a student with a disability needs special education services/specially designed instruction. The decision to include a goal in a student’s IEP should

be made only after examining the student's PLAAFP. A goal should be based on a critical area of need that is keeping the student from accessing and/or progressing in the general curriculum. The goal should also be something the student can reasonably be expected to attain within one year. The PLAAFP should provide information on where the student is currently performing in both academic and functional skills. Academic goals and functional goals are written using the same four required elements. The only difference between the two is that functional goals do not require a link to the enrolled grade-level content standards. This information allows the ARD committee to determine both a critical area of need and what the student can reasonably be expected to achieve within one year. These goals include skills and/or knowledge that will be mastered, not activities. While all students who receive special education services must have measurable annual goals, some students may have both academic and functional goals, and some students may have only one type of goal (academic or functional) to enable them to have access to the general curriculum as indicated by the student's needs (as defined in his or her PLAAFP) and determined necessary by their respective ARD committees.



Four Critical Components of a Measurable Goal

1. **Timeframe** identifies the amount of time in the goal period and is usually specified in the number of weeks or a certain date for completion.
2. **Conditions** specify the manner in which progress toward the goal occurs. Conditions describe the specific resources that must be present for a student to reach the goal and should outline or explain what facilitates learning for the student. The condition of the goal should link to the behavior being measured. For example, a goal relating to reading comprehension may require the use of a graphic organizer. The graphic organizer is the condition.
3. **Behavior** clearly identifies the performance that is being monitored. It represents an action that can be directly observed and measured.
4. **Criterion** identifies how much, how often, or to what level the behavior must occur in order to demonstrate that the goal has been achieved. The goal criterion specifies the amount of growth that is expected within the goal timeframe.

For those students who take alternate assessments aligned with alternate achievement standards, the IEP must contain a description of benchmarks/short-term objectives as part of the student's annual goals. In Texas, this means all students who take the alternate assessment ([STAAR Alternative 2](#)) must have at least two benchmarks/short-term objectives as part of their measurable annual goals. It does not matter if the goal is academic or functional or if the area is

tested on the state alternative assessment. If a student is going to take the STAAR Alternative 2, all of his/her annual goals must have benchmarks/short-term objectives.

For additional information on goal development, Region 20 offers a free online course titled [IEP Goal Development in Texas](#) or see [IEP Annual Goal Development Q&A Document](#).

L. ARD/IEP Meeting Facilitation

- ☐ The ARD/IEP Meeting facilitator is responsible for prepping the meeting paperwork in SuccessEd and processing the paperwork afterwards. Please put forms in the in order according to the [Forms Checklist - Special Education Documents](#) when submitting the paperwork for the State Audit Folder.

Type of ARD	Individual Facilitating			
	ARD Facilitator	SLP	Campus Diag/ LSSP	Team Diag
Transfer Event/ARD – SI Only		X		
Transfer Event/ARD – All others	X			
Initial ARD – SI only		X		
Initial ARD – AU team				X
Initial ARD – FEEP team				X
Initial ARD – All others			X	
Annual ARDs – SI only		X		
Annual ARDs – All other	X			
Revision ARDs – SI only		X		
Revision ARDs – All other	X			
ARD Amendments – SI only		X		
ARD Amendments – all others	X			

M. Extended School Year (ESY)

Extended school year (ESY) services are defined as individualized instructional programs beyond the regular school year for eligible students with disabilities.

- ☐ The need for ESY services must be determined on an individual student basis by the admission, review, and dismissal (ARD) committee in accordance with [34 CFR, §300.106](#). In determining the need for and in providing ESY services, the LPISD may not:
 - limit ESY services to particular categories of disability; or
 - unilaterally limit the type, amount, or duration of ESY services.
- ☐ The need for ESY services must be documented from formal and/or informal evaluations provided by the district or the parents. 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, not to exceed eight weeks.

- Severe or substantial regression means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services. A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences 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 non-educational 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.

In the LPISD, the special education teachers and services providing should collect on-going data on the student's progress on his/her IEPs. Over the winter and/or spring break, the service providers should collect regression/recoupment data on all students in district programs (ECSE (formerly PPCD), FOCUS, SAIL, BSP) and students who typically have shown difficulty recouping skills (behaviorally or academically) after returning from breaks. For any ESY recommendation, we MUST have the data to support the student's need for ESY. Remember that regression needs to be significant and is not tied to the degree of the student's disability.

Prior to the winter and spring break, the Director of Special Programs will email all service providers to indicate the dates for the pre- and post-break assessment dates. The service providers will utilize the [ESY regression-recoupment data collection form](#) and the [ESY summary form](#). The pre- and post- assessment data can be tracked on the ESY regression-recoupment data collection form or the IEP Progress Tracker from SuccessEd ([How to Print IEP Progress Tracker](#)). The ESY summary form and the collected data for all students tested whether they qualify or not will be sent to the Director of Special Programs. The Director of Special Programs will compile the list of students who qualify for ESY and will notify the ARD facilitators so that ARD/IEP meetings or amendments can be held to address the ESY services.

ESY Administrative Planning

1. In early December, send an email to all special education teachers regarding the need to collect pre- and post-break data to determine the students' need for ESY based on the regression/recoupment data.
 - a. Pre-break assessment date – 2-3 days prior to break
 - b. Post-break assessment date – 10 school days after the break
2. Data due by end of January
3. Review data submitted and determine initial ESY student list
4. Email to relevant assessment team members so ARDs or amendments can be conducted to address the need for ESY.
 - a. Include information regarding how to address ESY within SuccessEd.
 - i. Supplement Extended School Year (ESY)
 - ii. Section VI. Extended Year Services within the ARD document

- iii. Transportation Information, if transportation will be needed for ESY
- 5. In early March, send an email to all special education teachers regarding the need to collect pre- and post-break data for any additional students to determine the need for ESY based on the regression/recoupment data.
 - a. Pre-break assessment date – 1-2 days prior to break
 - b. Post-break assessment date – 5 school days after the break
- 6. Data due by end of March
- 7. Review data submitted and determine any additional students who qualify for ESY
- 8. Email to relevant assessment team members so ARDs or amendments can be conducted to address the need for ESY.
 - a. Include information regarding how to address ESY within SuccessEd.
 - i. Supplement Extended School Year (ESY)
 - ii. Section VI. Extended Year Services within the ARD document
 - iii. Transportation Information, if transportation will be needed for ESY
- 9. Work with LPISD administration on location and classroom needs.
 - a. Human Resources (HR) will post positions for ESY teachers and ESY paraprofessionals.
- 10. Send email to current special education staff to illicit interest in working ESY.
- 11. Before the budget is closes for the year:
 - a. Ensure needed ESY supplies (typically gloves, sanitary wipes, baby wipes, tissues, hand sanitizer, clear packing tape, and batteries – AA and AAA) are ordered.
 - b. Open Purchase Order (PO) for Wal-Mart or Kroger in order to purchase snacks (such as fruit chews, animal crackers, goldfish, and pretzels) and supplies (such as napkins, cups, snack size and gallon size sealing bags)
- 12. In April/May, determine ESY classes and staffing needs.
- 13. Determine ESY staff (teachers and paraprofessionals). Submit names to HR and payroll.
- 14. Provide transportation department with list of students needing transportation including which days of the week transportation is needed and a copy of all the transportation information supplements.
- 15. Mail the parents a letter with information regarding ESY. Have the teachers send home an additional copy of the letter with the students.
- 16. Gather information about the students for ESY.
 - a. From the nurse, the student's yellow card and any doctors' orders.
 - b. From the teacher, the student information sheet.
 - c. Ensure a copy of the regression IEP goals and BIP (if appropriate) are available for the ESY teacher.
 - d. Print a copy of the contact information page from eSchool for each student.
- 17. Work with OTs/PTs to determine what student specific equipment (standers, changing table, Hoyer lift, weighted vest) is needed for ESY. Put in work order to have it moved to the ESY campus.
- 18. Provide nutrition with ESY list of students including Student IDs.
- 19. Get bus routes from transportation. Verify that all students are routed correctly (i.e. – correct day(s) of the week, pick up and drop off)
- 20. Put a work order in to move 6 plastic ESY bins from Support Services storage to ESY campus.
- 21. Go shopping for snacks and supplies.

22. Create attendance sheets for the teachers to keep student attendance. It is needed at the end of ESY.
23. Create staff sign in/sign out sheets to use as back up for the time clock in case there are any missed punches.
24. On ESY work day,
 - a. Teachers will need to have their hand scanned and entered into the time clock.
 - b. Teachers will call their students' parents to communicate bus information.
25. Teachers should keep data on goals addressed during ESY. Weekly progress reports should be sent to parents and teachers need to keep a copy.

Upon conclusion of ESY,

26. Teachers will turn in progress reports and attendance.
27. Work orders submitted to move any equipment used to appropriate campus.
28. Work order submitted to move ESY bins back to Support Services.
29. PEIMS clerk will enter ESY attendance in eSchool.
30. PEIMS clerk will file the weekly progress reports in the students' State Audit folders.

N. Transition Services

In Texas, the student's ARD committee must have a transition discussion by the student's 14th birthday. Transition planning may begin even earlier if the ARD committee decides it is right the student.

For all 6th & 7th Grade students who will be 14 years old prior to next annual ARD:

1. Special education teacher will interview student and parent.
 - a. _____ [LPISD Parent Survey \(Parent Survey - Spanish\)](#)
2. [LPISD Student Interview](#)
 - a. _____ Naviance or [Texas Gear Up Discover Quiz](#) information
3. Provide the Texas Transition and Employment Guide to parents/guardians and student at ARD meeting.
4. Complete a draft of the following SuccessEd forms for Transition using the [LPISD Transition Planning Guide](#) prior to the ARD meeting.
 - a. _____ Transition: Coordinated Set of Activities ([Guidance for completion](#))
 - b. _____ Supplement: Transition ([Guidance for completion](#))
 - c. _____ Supplement: Graduation with Foundations
5. Store all copies surveys, interviews, parent communications, graduation plans, etc. in the student's Red Transition folder
6. Send any Red transition folders with the student's campus SPED folder on to their next campus, if applicable.

By age 16, the ARD committee must write goals for the student's life after high school. These goals are based on any further training or education the student will need, work he/she wants to do, and independent living skills he/she will need after graduation. It is important for the student to take an active role in setting the goals. The student and his/her parents must be invited to all ARD committee meetings, and it is important for the student to attend and participate in the ARD committee meetings when transition is discussed.

For all 8th Grade Annual ARDs:

1. Special education teacher or CTE teacher will interview student and parent.
 - a. _____ [LPISD Parent Survey](#) ([Parent Survey - Spanish](#))
 - b. _____ [LPISD Student Interview](#)
 - c. _____ Naviance or [Texas Gear Up Discover Quiz](#) information
2. If the interviews are completed by the CTE teacher, please provide the information to the Special Education teacher. They will be responsible for inputting the information in the proper areas of the ARD document.
3. Invite student to ARD, review what an ARD using agenda, and have student sign Student ARD notice. Provide the student with a copy of the notice and the agenda.
 - a. _____ [Student ARD notice](#)
4. Provide the Texas Transition and Employment Guide to parents/guardians and student at ARD meeting.
5. Check to make sure a CTE Representative has been invited to the ARD.
6. Complete a draft of the following SuccessEd forms for Transition using the [LPISD Transition Planning Guide](#) **prior** to the ARD meeting.
 - a. _____ Transition: Coordinated Set of Activities ([Guidance for completion](#))
 - b. _____ Supplement: Transition ([Guidance for completion](#))
 - c. _____ Supplement: Graduation with Foundations
7. Store all copies surveys, interviews, parent communications, graduation plans, etc. in the student's Red Transition folder
8. Send the Red transition folders to Jennifer Lopez at the end of the student's 8th grade school year.

For all 9th – 11th Grade Annual ARDs:

1. The student's Special education case manager will interview student and parent.
 - a. _____ [LPISD Parent Survey](#) ([Parent Survey - Spanish](#))
 - b. _____ [LPISD Student Interview](#)
 - c. _____ [LPISD Teacher Survey](#) (if appropriate)
2. Invite student to ARD, review what an ARD consist of using the agenda, and have student sign Student ARD notice. Provide the student with a copy of the notice and the agenda.
 - a. _____ [Student ARD notice](#)
3. Provide appropriate grade-level transition packet to parents/guardians at the ARD meeting.
4. Check to make sure a CTE Representative is invited to the ARD.
5. Complete a draft of the following SuccessEd forms for Transition using the [LPISD Transition Planning Guide](#) **prior** to the ARD meeting.
 - a. _____ Transition: Coordinated Set of Activities [Guidance for completion](#)
 - b. _____ Supplement: Transition [Guidance for completion](#)
 - c. _____ Supplement: Graduation with Foundations
 - d. _____ Consent: Transition Release (gain signatures at the ARD meeting)
6. Depending on the student's age you may be required to get signatures from the parent/guardian and the student on the following SuccessEd forms.
***Prior to turning 18 years old, it is the responsibility of the ARD committee to inform the parents/guardian of the transfer of rights from the parent/guardian to the student*

- a. _____ Notice of Transfer of Rights (Parent)
 - b. _____ Notice of Transfer of Rights (Student)
7. Store all copies surveys, interviews, parent communications, graduation plans, etc. in the student's Red Transition folder.

For all 12th Grade Annual ARDs:

1. The student's Special education case manager will interview student and parent.
 - a. _____ [LPISD Parent Survey](#) [Parent Survey - Spanish](#)
 - b. _____ [LPISD Student Interview](#)
 - c. _____ [LPISD Teacher Survey](#) (if appropriate)
2. Invite student to ARD, review what an ARD consist of using the agenda, and have student sign [Student ARD notice](#). Provide the student with a copy of the notice and the agenda.
3. Provide appropriate grade-level transition packet to parents/guardians at the ARD meeting.
4. Check to make sure a CTE Representative is invited to the ARD. Additionally, outside agencies such as TWC, will be invited if appropriate.
5. Complete a draft of the following SuccessEd forms for Transition using the [LPISD Transition Planning Guide](#) prior to the ARD meeting.
 - a. _____ Transition: Coordinated Set of Activities [Guidance for completion](#)
 - b. _____ Supplement: Transition [Guidance for completion](#)
 - c. _____ Supplement: Graduation with Foundations
6. Prior to the ARD prepare and print the following SuccessEd forms to obtain the parent/guardian's and/or student's signatures at the conclusion of the meeting.
 - a. _____ Consent: Transition Release
 - b. _____ Notice of Transfer of Rights (Parent)
 - c. _____ Notice of Transfer of Rights (Student)
7. Store all copies surveys, interviews, parent communications, graduation plans, etc. in the student's Red Transition folder

O. Graduation

Graduation requirements vary depending upon the year that the student entered ninth grade. The ninth grade entry date should be taken into consideration when determining the student's graduation option (for specifics, see [Legal Framework](#)).

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

Graduation ends the school's obligation to provide services to the student with the exception of graduation by one of the following methods:

- ☐ Consistent with the IEP, has obtained full-time employment, based on the child's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the child to maintain the employment without direct and ongoing educational support of the LEA;
- ☐ Consistent with the IEP, has demonstrated mastery of specific employability skills and self-

- help skills that do not require direct ongoing educational support of the LEA; or
- ☐ Has access to services that are not within the legal responsibility of public education or employment or educational options for which the child has been prepared by the academic program.

When a student graduates under one of the above three options, the ARD committee will determine needed educational services upon the request of the student or parent(s) to resume services, as long as the student meets the age eligibility requirements. An evaluation is not required, but the school must give the student a summary of performance to include an evaluation or Review of Existing Evaluation Data (REED).

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

It should be noted that students receiving special education services are no longer permitted to be exempted from the state assessment program and must take the assessment instrument that the ARD/IEP Committee has determined is appropriate.

A student who is dismissed from special education services must perform satisfactorily on the required state assessment, as only students receiving special education are eligible to participate in the Alternate version of the assessment instruments. The ARD/IEP Committees should carefully consider whether a student is capable of passing the statewide exit-level assessment before dismissing the student from special education services.

P. Summary of Performance

Any student who is receiving special education services at the time of graduation must receive a [Summary of Performance \(SOP\)](#) upon graduation. This summary must include:

- ☐ The student's postsecondary goals
- ☐ A summary of the student's academic achievement and functional performance
- ☐ Recommendations on how to assist the student in meeting his/her postsecondary goals
- ☐ As appropriate, recommendations from adult service agencies on how to assist the student in meeting his/her postsecondary goals
- ☐ Evaluation – The ARD committee determine whether to complete a new evaluation or REED.

Q. Implementation of the IEP

After the ARD/IEP meeting, the student's special education case manager will:

- ☐ Provide a current copy of all accommodation/modification pages and behavior intervention plans, if applicable, to all current teachers with any explanation needed to ensure implementation
- ☐ Deliver a copy of all IEP goals/objectives to each teacher providing services in the specified academic areas.
- ☐ Ensure teachers have signed [Receipt of Special Education Records](#) provided

Special education services must be delivered by a certified special education professional or

can be delivered in a consultative manner under the supervision of a certified special education professional. The delivery of special education services must be documented and must match the frequency, duration, and location specified in the student's IEP.

All special education service providers will document services provided to the student on [support staff sign-in sheets](#) in the classroom and in X-logs. Campus administrators can utilize [IEP Implementation and Progress Monitoring - Administrative Considerations](#) when analyzing the effectiveness of the special education services offered on their campus.

R. Progress Reports

The District must report a student's progress toward mastery of all of his/her IEP goals. The ARD committee must note in the student's IEP when the District will provide the student's parents with periodic reports of the student's progress toward meeting his/her annual goals. For the District, the student's progress on the goals and associated objectives (if applicable) are typically on a 9-week cycle for the elementary schools and on a 6-week cycle for the secondary campuses. IEP progress is updated in conjunction with the District grading periods. The case manager and service providers are responsible for documenting this within SuccessEd. The case manager shall ensure that these are sent home to the parent.

S. Grading Guidance

Students with disabilities will be graded in accordance with LPISD grading policies unless otherwise determined by an ARD committee. LPISD is committed to the development and implementation of grading procedures that result in equitable, accountable and effective grading practices for all students. Determination of curriculum accommodations and /or modifications and any recommended alternative grading options will be discussed at each ARD.

The district also recognizes the need for additional guidance regarding grading practices for students with disabilities, as consideration must be given to disability-related needs in determining appropriate grading options. The LPISD [Grading Guidance for Students with Disabilities](#) was created to provide guidance to teachers and parents in effective grading practices for students with disabilities resulting in grades that are data-driven, fair, and true measures of progress.

T. Relation of LPAC to the ARD/IEP Committee

EL students being considered for placement in special education, Section 77.357 of the Texas Education Code requires schools to ensure that each campus LPAC Committee coordinates with the campus ARD/IEP Committee in determining an appropriate placement of EL students with disabilities. Of critical concern is the individual student whose educational needs may be the jurisdiction of both committees. A professional member of the LPAC Committee must participate in the initial and annual ARD/IEP committee meetings when the ARD/IEP Committee reviews EL students. The LPAC representative must be familiar with the student's instructional needs. A preconference meeting prior to the ARD/IEP Committee meeting is encouraged. The signature page of the ARD/IEP forms must clearly indicate (with signature and title) participation of the LPAC member.

U. Referral to Texas School for the Blind

Based on evaluation, data and documentation, the IEP/ARD Committee determines eligibility for placement at Texas School for the Blind and Visually Impaired (TSBVI). In the event that a student is placed by the ARD/IEP Committee at the TSBVI, LPISD is responsible for assuring that a free appropriate public education (FAPE) is provided to the student at the TSBVI. If LPISD and representatives of the TSBVI disagree to a recommendation that the student be evaluated for placement, initially placed, or continued to be placed at the TSBVI, LPISD and the TSBVI may seek resolution through the mediation procedures adopted by the Texas Education Agency or through any due process hearing to which the resident school district or the TSBVI are entitled under the IDEA.

When an ARD/IEP Committee places the student at the TSBVI, LPISD will comply with the following requirements:

- ☐ LPISD will list the services in the student's individualized education program (IEP) which the TSBVI can appropriately provide.
- ☐ The district may make an on-site visit to verify that the TSBVI can and will offer the services listed in the individual student's IEP and to ensure that the school offers an appropriate educational program for the student.
- ☐ LPISD will include in the student's IEP the criteria and estimated time lines for returning the student to the district.

V. Referral to Texas School for the Deaf

In the event that a student is placed by the ARD/IEP Committee at the Texas School for the Deaf (TSD), the LPISD is responsible for assuring that a free appropriate public education (FAPE) is provided to the student at the TSD. If LPISD and representatives of the TSD disagree to a recommendation that the student be evaluated for placement, initially placed, or continued to be placed at the TSD, as applicable, LPISD and TSD, as applicable, may seek resolution through the mediation procedures adopted by the Texas Education Agency or through any due process hearing to which LPISD or the TSD are entitled under the IDEA.

When an ARD/IEP Committee places the student at the TSD, LPISD will comply with the following requirements:

- ☐ For each student, LPISD will list the services in the student's individualized education program (IEP) which the TSD can appropriately provide.
- ☐ The district may make an on-site visit to verify that the TSD can and will offer the services listed in the individual student's IEP and to ensure that the school offers an appropriate educational program for the student.
- ☐ For each student, LPISD will include in the student's IEP the criteria and estimated time lines for returning the student to LPISD.

The TSD will provide services in accordance with TEC, §30.051, to any eligible student with a disability for whom the TSD is an appropriate placement provided that the student has been referred for admission by: (a) the student's parent or legal guardian, (b) a person with legal authority to act in place of the parent or legal guardian, or (c) the student, if the student is age 18 or older.

The TSD will provide services at any time during the school year if the referring person chooses the TSD as the appropriate placement for the student rather than placement in the student's resident school district or regional program determined by the ARD/IEP Committee.

The TSD will be responsible for assuring that a FAPE is provided to the student at the TSD, in accordance with IDEA, state statutes, and rules of the SBOE and the commissioner of education.

W. Out-of-District Placement

An out-of-district placement is a specialized school or program outside of La Porte ISD. This placement is for students whose educational needs cannot be met by LPISD. Students may be placed in public or private schools or at a residential school where they live full time. LPISD contracts with Harris County Department of Education, Academic and Behavior School East for off-home campus services. LPISD may also contract with non-public day schools based on individual student needs.

Prior to an out-of-district placement consideration:

- ☐ the campus must contact the district behavior specialist to review/document previous interventions and consider any additional interventions or changes to the student's programming that may be effective.
- ☐ If behaviors continue, the student should be self-contained in an effort to stabilize behaviors.
- ☐ Special Education administrators should be contacted at this point so they are aware of the situation.
- ☐ If the self-containment is effective in stabilizing behavior, student should begin to be re-introduced into mainstream setting.
- ☐ If unsafe and extremely disruptive behaviors continue despite self-containment, a staffing should be scheduled to discuss possible out of district placement. Staffing should include relevant campus personnel, special education administrator, and behavior specialist.
- ☐ If the members of the staffing determine that all in district resources and interventions have been exhausted and the student continues to be unable to safely participate on a general education campus, then parent should be contacted. Indicate to parent that an ARD will be scheduled and that the likely recommendation will be an Out of District Placement. Provide information regarding the proposed placement and offer to arrange a visit/tour of the proposed placement. Behavior specialist will arrange the visit and accompany the parent on the visit.
- ☐ Schedule ARD. Invite necessary campus personnel, Behavior Specialist, Executive Director of Special Programs or Director of Special Programs, and Out-of-District Placement Representative.
- ☐ Behavior Specialist ensures that the ARD is properly prepared for change of placement, including the Supplement: Out-of-District Placement. This form should include plan for returning the student to the district.

Section 6: Related Services

Related services ([34 CFR § 300.34](#)) are defined as transportation and such developmental, corrective, and other supportive services required to assist a child with a disability to benefit from special education. Related services include such services as assistive technology services, audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, counseling, in-home and parent training, orientation and mobility services, school health services, social work services and transportation. Related services do not include cochlear implants or other medical devices that are surgically implanted, the optimization of device functioning, maintenance of the device or replacement of the device.

Related services are determined through the evaluation process as part of a FIE or through a request by the ARD committee for a student who has an existing disability condition and eligibility.

Direct services usually refer to hands-on, face-to-face interactions between the related services professional and the student. These interactions can take place in a variety of settings, such as the classroom, gym, health office, resource room, counseling office, or playground. Typically, the related service professional analyzes student responses and uses specific techniques to develop or improve particular skills. The professional will also typically: monitor the student's performance within the educational setting so that adjustments can be made to improve student performance, as needed, and consult with teachers, administrators and parents on an ongoing basis, so that relevant strategies can be carried out through indirect means at other times.

Indirect services may involve teaching, consulting with, and/or directly supervising other personnel (including paraprofessionals and parents) so that they can carry out therapeutically-appropriate activities. For example, a school psychologist might train teachers and other educators how to implement a program included in a student's IEP to decrease the child's problem behaviors. Similarly, a physical therapist may serve as a consultant to a teacher and provide expertise to solve problems regarding a student's access to instruction.

I. Instructional Support for Previously Identified Students

If the student has a previously identified disability condition and eligibility for special education, the case manager can submit a [request for instructional support](#) in an educator or parent has a concern about a student.

- ☐ The Request for Instructional Support is completed with any additional data requested at the bottom of the form.
- ☐ When completed, inform the parent of the pending request and arrange for the Informed Consent for Instructional Support Request form to be signed. The person explaining the request will also sign.
- ☐ This documentation is then sent to the Special Education PEIMS Clerk in the Special Programs department. The Special Education PEIMS Clerk will log in the instructional support request and forward it to the appropriate assessment team member.
- ☐ The Request for Instructional Support will be completed within 30 school days from the date it is received.
- ☐ Upon completion of the request, the assessment team member will complete a written

Results of Request for Instructional Support and contact the teacher and parent to review the results. A copy of the report will be filed in the student's state folder. A copy will be provided to the parent and the requesting person as well.

- If further program accommodations or instructional supports are indicated, then the campus assessment team manager will schedule the appropriate meeting to implement the recommendations. These meetings should be held within 15 school days of receipt of the Results of Request for Instructional Support.

II. Assistive Technology

Assistive technology (AT) includes both services and devices.

- Assistive technology devices include any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of a child with a disability (IDEA [34 CFR §300.5](#)). The term does not include medical device that is surgically implanted or replacement of a medical device (glasses, hearing aid).
- Assistive technology services include any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device (IDEA [34 CFR §300.6](#)). The term includes:
 - The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment
 - Purchasing, leasing or otherwise providing for the acquisition of AT devices by children with disabilities
 - Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing AT devices.
 - Coordinating and using other therapies, interventions or services with AT devices, such as those associated with existing education and rehabilitation plans and programs
 - Training or technical assistance for a child with a disability as appropriate
 - Training or technical assistance for professions as appropriate

A. Evaluation and Considerations of Assistive Technology

- Assistive Technology is an ongoing process and must be considered for every student eligible for special education as part of their full and individual evaluations, to include initials, re-evaluations and REEDs. The [LPISD AT screener](#) may be used as a guide for this evaluation.
- Assistive technology considerations need to be documented during every ARD/IEP meeting. The Assistive Technology Supplement in Success Ed must be completed for each student at their Initial or Annual ARD/IEP meeting. Assistive technology should be considered in the areas of: communication, self-help, mobility, academics (reading, writing, math, science/social studies), technology, organization, sensory, and physical.

B. Procedure for AT Consultation

- A [request for instructional support form](#) should be obtained if an educator or parent has a concern about a student.
- The Request for Instructional Support Form is completed, signed by the parent and sent to the Special Education PEIMS Clerk at the Special Programs Center. The Request for Instructional Support should include the following:

- Request for Instructional Support and signed Informed Consent for Instructional Support Request documents (pages 2 & 3)
- Report card and/or IEP
- Student schedule
- Work samples if handwriting or written output is the concern.
- The request will be completed within 30 school days from parent consent date.
- The Assistive Technology Specialist, upon completing the consult, will complete a written Results of Request for Instructional Support and contact the teacher and parent to review the consultation results. A copy of the report will be filed in the student's state folder. A copy will be provided to the parent and the requesting person.
- If further evaluation or program accommodations are required, the campus assessment team manager will schedule the appropriate meeting to implement the recommendations. These meetings should be held within 15 school days of receipt of the Results of Request for Instructional Support.

C. Additional Information

- Instructional Technology is defined as technology which is used in the classroom and all students have access to the technology as part of the instructional arrangement.
- Assistive Technology is defined when its use supports an individual student sufficiently to maintain the student's educational placement and its absence requires the student's removal to a more restrictive environment.
- Training is available at request for specific questions regarding the use of assistive technology.

III. Counseling and Psychological Services

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

What to consider before considering a counseling or psychological service:

- ☐ Referral to general education/grade level counselor
- ☐ Review/development of classroom accommodations, strategies, and behavioral interventions
- ☐ Creation of a Behavior Intervention Plan
- ☐ If the student is slow to warm up, anxious about leaving class, does not want to miss class, is rigid and not open to schedule changes, then consider more LSSP consult not psych service

If a campus is bringing a recommendation for services, then they need to be able to say what part of the educational experience the student is having difficulty accessing without the service and what goals the student is not doing well on that the campus wants addressed with a related service.

Related Services are to be addressed in the summary/conclusions of the FIE. Here the evaluator will state which services the child qualifies for. If it is Counseling as a Related Service, the evaluator will address what number of services to be provided and what model of services will be provided next.

If a student is to receive psychological services, it will also be addressed in the summary of the evaluation. When a student has made enough progress to consider dismissal, then an exit evaluation summary will be written and attached to the ARD. Information to include in the exit summary will be related to mastery of goals or other information such as grades and discipline showing why these services are no longer provided.

A. Counseling

Counseling as a related service is not therapy; similar to other related services, the focus is on the student's success in the educational setting. It is possible for a child to benefit from outside services and not qualify for services inside the school setting. Counseling services means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel (IDEA§ 300.34 (c)).

Counseling as a related service focuses on the acquisition is the level of learning. Acquisition involves the appearance of the desired skill or behavior and the reasonably accurate performance of that behavior.

Direct counseling should be short term and very specific; 6-9 weeks (depending on the length of the grading period). It most often gives a maximum number of sessions to occur over a short period of time in order to hone in on the skills being addressed.

When deciding if a student would benefit from counseling as a related service, factors such as age of the student, level of development of the student, the willingness to participate or motivation to change, and consider maturity impulsivity/hyperactivity. If one of these areas is a factor for the student, he/she may better be serviced under a Psychological Service or LSSP consult to staff model.

Students who are NOT in specialized programming but have a behavior intervention plan (BIP) and behavioral/social skills needs would benefit most from this model of support.

Consideration should also be taken into how many people are already involved in the student's education planning/programming. The addition of another adult and a different perspective is not always helpful. Consider that if the student has an outside counselor/psychiatrist and already established rapport with his case manager/general education counselor, it may be more beneficial to support in a way that ensure generalization of strategies and not direct services.

When are times that Counseling as a Related Service would be educationally relevant?

- A significant drop in achievement, and/or a pattern of failure across the core curriculum
- A pattern of excessive absences that threaten school success due to emotional issues (i.e. anxiety, school phobia, etc.)
- Significant social skills or behavioral deficits that impact educational achievement and are NOT developmentally appropriate.

What is NOT considered educationally relevant

- Truancy not related to emotional issues
- Poor academic performance
- Low self-esteem

- Difficulties with peer relations
- Poor organizational skills
- Gang related behaviors/issues
- Home life and/or family issues
- Cultural influences/factors

Exceptions to the What is NOT list includes

- Crisis intervention
- Suicidal ideation
- Homicidal ideation
- Note: a child does not have to be receiving a related service or be in special education to receive services short term and in response to a crisis

When deciding Counseling as a related service versus Psychological Services and LSSP Consult, consider counseling for skills that are to be acquired and psychological services and LSSP Consult when moving into other levels of learning (fluency, maintenance/generalization).

B. Psychological Services

Psychological Services conducted by Licensed Specialist in School Psychology (LSSP) and include consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations; Planning and managing a program of psychological services, including psychological counseling for children and parents; and assisting in developing positive behavioral intervention strategies (IDEA§ 300.34 (c)).

Psychological Service as a Related Service is a supportive service that is sometimes necessary for a child with a disability to benefit from special education. Psychological service focuses on the levels of learning of fluency, generalization and maintenance.

- Fluency involves building on the acquisition of the skill. It is the ability to perform the skill rapidly and with proficiency. For proficiency to occur, the student must consistently perform the skill with a high degree of accuracy.
- Generalization/Maintenance involves the student exhibiting the ability to display the new behavior in multiple settings or in settings which the behavior is expected. Generalization is obtained when the student spontaneously exhibits the behavior in new or unfamiliar situations.

These services offer flexibility in that they can be provided directly or indirectly through in class support, observation, and consultation with staff to discuss strategies and ensure/meet students' needs. Psychological Services is a good transition after receiving Counseling as a Related Service to help generalize and monitor skills that have been obtained but not perfected or generalized.

If a student is in a specialize program and has a BIP, then psychological services/LSSP consult to staff should be provided.

IV. In Home and Parent Training

For students who are identified as having autism or a pervasive developmental delay, the ARD committee must consider the need for in-home training and parent training. The provision of in-home training and parent training, however, is not dependent on disability, but on the individual needs of the student.

In-home and parent training are intended to assist a student who has demonstrated mastery of certain skills within the school environment to generalize those same skills to the home or community environment. The areas that in-home training and parent training cover are behavior, communication, socialization, and self-help skills.

In-Home Training is a service that addresses the generalization of goals from school to home. So if you have a student who is not generalizing goals they have mastered at school into the home environment, then that would be an appropriate time to recommend an In-home Training Assessment. In-home Trainers work directly with students in the home or community modeling the strategies outlined in the In-home Training IEP that was directly developed based on the assessment.

Parent Training is a consultation service that is provided based on the outcome of the In-home and Parent Training Assessment. Parent Trainers do not work directly with students. There is no IEP. Parent Training can happen 1:1 if needed or through large group parent training sessions, like the one we are having tonight. Parent Training can be provided by checking out appropriate materials through the District Autism Library as well.

In the La Porte ISD, eligibility for in-home and parent training is based on an evaluation conducted by a professional experienced in working with children with autism and who has had training in in-home and parent training. Individuals who conduct in-home and parent training are professionals who have had training in the area of autism and in-home training. Parent training may be done individually within the home and community environment, or it may be through parent trainings that are offered throughout the school year by the La Porte ISD. Information from parents regarding training topics is sought annually and the training schedule developed accordingly.

- ☐ ARD committee requests an In-home Training/Parent Training Assessment
- ☐ The LPISD Autism Specialist designates a professional to complete the In-home Training/Parent Training Assessment
- ☐ Once the assessment is complete, the professional will return the assessment to the LPISD Autism Specialist
- ☐ The LPISD Autism Specialist will write a report based on the assessment, using data from the assessment, the determination of In-home/Parent Training Services will be made.
- ☐ If the student qualifies for services, the number of sessions prior to the next annual ARD will be proposed to the ARD committee
- ☐ If the student qualifies for In-home Training Services, the LPISD Autism Specialist will develop a goal and objectives that will be proposed to the ARD committee.
- ☐ Once the ARD committee agrees on the proposed services, goal, and objectives, the LPISD Autism Specialist will assign a trainer.
- ☐ The trainer will contact the parents and make an appointment to schedule the first session.

- During the first session, the parents and the In-home Trainer will review the objectives and will prioritize the objectives and agree upon a schedule to meet on a regular basis.
- Parents and Trainers will sign an agreement for services and that form will be filed in the student's state folder.

V. Occupational and Physical Therapy

Occupational and physical therapy includes improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation, improving the ability to perform tasks for independent functioning, and preventing further impairment or loss of such function.

Educational-based occupational and physical therapists focus on the educational setting of the student and addresses any needs that the student has in order to benefit from his or her special education services. It is not clinical in nature and thus the focus of the therapy is not on the individual child, but on how the child is able to function within the school environment.

In the La Porte ISD, eligibility for occupational and physical therapy is based on an evaluation conducted by a certified occupational or physical therapist. The evaluation process begins with a request for instructional support.

Decisions about a student's need for therapy services, along with service recommendations, are made by the ARD committee. These decisions are based on formal and informal evaluations, teacher and therapist observations, and the Occupational and Physical Therapists' recommendations. When receiving services in the school district, a [prescription/referral](#) from a physician is necessary in order for physical therapy to be provided and also for the school district to bill Medicaid if applicable.

If services are indicated, the therapist works with the classroom teacher to develop collaborative goals and objectives to address specified needs and then becomes one of the implementers on the child's individualized educational program. As such, occupational and physical therapy services are generally done within the regular or special education classroom in order to best support the child within the educational environment.

Therapy services may be provided through a variety of methods including: direct instruction, observation of a student in the school environment, consultation, monitoring, staff training, and/or adaptive equipment provision or equipment modifications. The therapy services may be delivered in a variety of settings (i.e. therapy room, classroom, cafeteria, hallway, gymnasium, playground, etc.). As with other related services, the provision of Occupational and/or Physical Therapy services is based on the individual student's needs and monitored on a regular basis.

VI. Transportation

Transportation services include travel to and from school and between schools, travel in and around school buildings, and specialized equipment if it is required to provide transportation to a student with a disability. There is no specific evaluation for the provision transportation as a related service. However, the ARD committee must document why the student requires special transportation, which is generally based upon disability or program access.

The completed La Porte ISD transportation supplement will be scanned and emailed to the transportation department and the Special Programs PEIMS clerk.

VII. Audiological

Identification of children with hearing loss; Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing; (iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip reading), hearing evaluation, and speech conservation; (iv) Creation and administration of programs for prevention of hearing loss; (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and (vi) Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

VIII. Orientation and Mobility

Orientation and mobility (O&M) services are provided by qualified personnel for blind or visually impaired students to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community. It includes teaching students spatial and environmental concepts and the use of information received by the senses, the use of a cane or service animal to supplement visual travel skills, and instruction in the understanding and use of remaining vision and distance low vision aids.

An O&M evaluation shall be completed for any student who is evaluated for a possible visual impairment. La Porte ISD has a shared-services agreement (SSA) with Deer Park ISD for the provision of O&M services.

IX. School Health Services

School health services and school nurse services means health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP and Individual Health Plan (IHP). School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.

Services are provided to eligible students with disabilities based on ARD/IEP Committee decision. These services documented in the student's Individual Health Plan are in addition to those routinely available to all students and may include, but are not limited, to the following:

- ☐ screening and referral for health needs;
- ☐ monitoring medication needed by students during school hours;
- ☐ consultation with physicians, parents, and staff regarding effects of medication, and emergency care training for staff and parents;
- ☐ counseling students with disabilities and their families concerning health care practices and services; and
- ☐ assistance with catheter, tube feeding and other school health service procedures.

Private Duty Nurse (PDN)

The LPISD and parents agree that the LPISD has offered to provide all necessary and appropriate school health services to student. However, the LPISD and parents agree that a private nurse

employed by or contracted by the parent may accompany the student to school to provide all school health, nursing and medical services the student may require. The terms of this agreement are applicable to any private nurse (and/or any outside agency associated with said nurse) that accompanies the student to school. Parent agrees and does hereby waive and release the student's rights to receive such school health services from the LPISD or to be reimbursed for providing those services through the private duty nurse.

Prior to the Private Duty Nurse accompanying the student to school, the parent must contact the Executive Director of Special Programs to state their desire for the PDN to attend school with the student and to provide the necessary documentation and complete the required forms. As part of this process, the PDN must

- Provide the La Porte ISD with a copy of current Texas Nursing License;
- Complete criminal background check using the La Porte ISD Volunteer Form; and
- Provide proof of negative TB test within the last 12 months.

Section 7: Least Restrictive Environment

The La Porte ISD must ensure that to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are nondisabled ([34 CFR 300.114 \(a\)\(2\)\(1\)](#) and 20 USC 1412(a)(5)(A)).

The La Porte ISD must ensure that special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a student is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR 300.114(a)(2)(1) and 20 USC 1412(a)(5)(A)).

The La Porte ISD must ensure that a continuum of alternative placements is available to meet the needs of students with disabilities for special education and related services (34 CFR 300.115(a)). The following list of instructional programs is not an exhaustive list of all possible placements on the LPISD's continuum. These are just the most common. The ARD/IEP Committee must specify the appropriate instructional arrangement/setting as set forth in 19TAC 90.63(c).

I. Co-Teach

Co-teach support is offered in designated core academic areas. In co-teach classes, general and special education teachers collaborate to provide instructional services, accommodations and/or modifications to students in the general education classroom. The special education student remains in the general education classroom and is instructed in the general curriculum (TEKS). Some students served in co-teach environments are able to successfully participate in the general education curriculum at enrolled grade level with instructional accommodations and/or modifications. Others may be unable to successfully participate in the general education curriculum at grade level and, therefore, may need specific IEP goals and objectives developed by the ARD Committee. Co-teach classes provide the ongoing, daily support that these students require to be successful while allowing them to benefit from participation in the general education curriculum.

II. In-Class Support

In-Class Support provides ongoing support that students require to be successful and allows them to benefit from participation in the general education curriculum. Supplementary aids and services or assistive technology devices or services may be made available for the special needs learner in the general education setting, according to the IEP.

In-Class Support is offered in designated core academic areas and may be appropriate for some ancillary instruction. In-Class Support consists of a special education teacher and/or paraprofessional consulting with the general education teacher to assist in the implementation of IEPs and/or accommodations or modifications within the general education classroom.

III. Resource

The resource class is a 'pullout' service delivery model offered in the student's area of educational need. Students placed in resource classes are working on specific individualized and measurable educational goals and objectives developed by the ARD Committee.

A special education teacher in a resource class setting may instruct students with learning difficulties as necessary when they are unable to achieve satisfactorily in regular, remedial or accommodated/modified classes in reading, language arts, and mathematics. This service may also be used to supplement and support students with disabilities whose primary instruction is provided in the general education setting. Emphasis is also placed on development of organizational, study and/or social skills.

IV. Early Childhood Special Education (ECSE)

(Formerly Preschool Program for Children with Disabilities (PPCD))

Service designed for children ages 3 through 5, who require early academic and preschool intervention, as determined by the ARD/IEP committee. Services can be in a variety of setting such as collaborative, self-contained, and regular education with support services.

A. Continuum of Services For Preschool Children

The following continuum of special education services is available for preschool children with disabilities:

- ☐ Speech Therapy Services are provided by a licensed Speech-Language Pathologist-Assistant (SLP-A) and/or Speech-Language Pathologist (SLP) at the child's homeschool, Head Start, or at a daycare within the LPISD boundaries;
- ☐ Inclusion Support Services are provided when a special education teacher or paraprofessional provides instructional support services for preschoolers with disabilities in the general education pre-kindergarten or kindergarten classes; and
- ☐ Self-Contained Services are provided by a special education teacher and paraprofessional in a special education class.
- ☐ It is important to note that the determination of ½ day vs. full day services is based upon the student's needs as outlined in the FIE and the student's age.

B. Child Outcome Summary (COS) Form

The COS form is a template which allows LEA staff to record multiple sources of assessment information regarding a student's level of functioning in each of the prescribed outcome areas.

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

The Child Outcomes Summary (COS) process is a team process for summarizing information on a child's functioning in each of the three child outcome areas using a [7-point scale](#). With the COS process, a team can consider multiple sources of information about a child, including results from standardized assessment, parent input, and provider/teacher observation.

Additionally, the COS process allows programs to synthesize information about children across different assessment tools to produce data that can be summarized across programs in the state, as well as across states for a national picture.

Reporting Early Childhood Outcomes (ECO) requires assessing a student, age three, four or five, at two points in time, “entry” and “exit.” The rating portion of the Entry or Exit COSF may be completed prior to or immediately following an ARDC meeting.

Entry Definitions

- ☐ A new student. Summarize assessment data related to child and record the data on the Child Outcome Summary Form (COSF) within 30 school days after a child, age three, four or five, has been found eligible and placed in the Early Childhood Special Education (ECSE) services (formally Preschool Programs for Children with Disabilities Program (PPCD)).
- ☐ A transfer student from another district. Summarize assessment data related to child and record the data on the COSF within 30 school days after a child, age three, four or five, has transferred into Special Education from another district.

The COSF Entry should be completed in SuccessEd.

1. Choose Child Outcome Summary (COS) from the Student Forms dropdown menu.
2. Click New Draft.
3. Enter COS Entry Date (required field).
4. Enter Date PPCD Services Began.
5. List all Persons involved in deciding the summary ratings by clicking Add Record. After entering the Name and Position for each record, click Insert. Repeat until all persons involved are listed.
6. Indicate how the Family information on the child’s functioning as obtained.
7. Click Save.
8. On COS: Section 1, rate the child for Question 1a.
9. Enter Supporting evidence for the answer to Question 1a. Include detailed supporting evidence.
10. Repeat Steps 8 and 9 for Questions 2a and 3a.
11. Lock the COS.

Exit Definitions

Exit data are reported for a child with Entry Data who has been in the ECSE (formerly PPCD) program at least six months. Summarize assessment data related to child and record the data on the COSF no earlier than 30 school days before a child, age three, four or five, has:

- ☐ aged out of the ECSE (formerly PPCD) program
- ☐ been dismissed from special education by the ARDC

If a 5-year-old child turns six after September 1 of the current school year and the ARDC has determined the child will continue receiving special education services in the ECSE (formerly PPCD) program, then the assessment must be conducted and results recorded on the COSF no earlier than 30 school days (not calendar days) before the child exits the program, which may be at the end of the school year.

If a child turns six after the end of the school year, but before September 1 of the subsequent school year, then assessments are conducted and summarized, progress data on the three outcomes are recorded on the COSF and entered into the online application during the last 30 school days (not calendar days) of the regular school year.

Exit data are not reported for students with entry data who:

- left prior to six months in the program
- were in the program at least six months and moved out of the district before meeting one of the two criteria for Exit data collection.

For the Exit data, a second COS form must be used to record the Exit data. All students who exit from the program will have two completed COSFs in their eligibility folder. Districts must complete questions A and B on a second COSF.

The COSF Exit should be completed in SuccessEd.

1. Choose Child Outcome Summary (COS) from the Student Forms dropdown menu.
2. Click New Draft.
3. Enter COS Entry Date (required field). If an Entry COSF was completed prior to the district use of SuccessEd, then the Entry Date will need to be inputted.
4. Enter Date ECSE (formerly PPCD) Services Began.
5. List all Persons involved in deciding the summary ratings by clicking Add Record. After entering the Name and Position for each record, click Insert. Repeat until all persons involved are listed.
6. Indicate how the Family information on the child's functioning as obtained.
7. Click Save.
8. On COS: Section 1, rate the child for Question 1a. Note: The form in SuccessED will show the answer to question 1a from the COS Entry. This rating should be updated to reflect the current functioning of the child.
9. Enter Supporting evidence for the answer to Question 1a. Include detailed supporting evidence.
10. Indicate Yes or No for 1b (Has the child shown any new skills or behaviors...since the last outcomes summary?) and Describe the progress.
11. Repeat Steps 8-10 for Questions 2a, 2b, 3a and 3b.
12. Lock the COS.

C. PEIMS Instructional Setting Code 45 – Full-Time Early Childhood (ECSE (formerly PPCD))

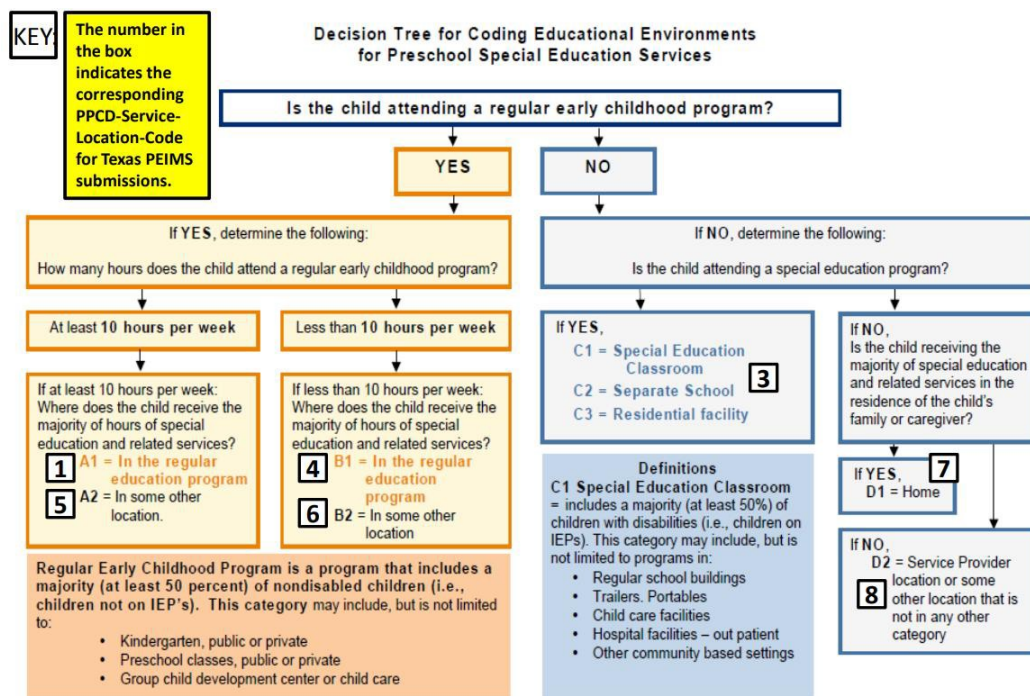
This instructional setting code is used for children 3 through 5 years of age who receive full-time special education and related services in educational programs designed primarily for children with disabilities located on regular school campuses. A student for whom this code is used does not receive any special education and related services in a regular early childhood setting or spend any part of the instructional day in a regular early childhood setting. If a student receives any amount of special education and related services in a regular early childhood setting or spends any part of the instructional day in a regular early childhood setting, this instructional setting code is not applicable.

D. PPCD Location Code

The PPCD Location code is the percent of children ages 3 - 5 years with IEPs attending a:

- ☐ Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- ☐ Separate special education class, separate school or residential facility.

The following decision tree can be utilized to determine the appropriate location code for each student.



This document is available at <http://www.nectac.org/~pdfs/sec010/settingsdecisiontree.pdf> Nancy Skornheim, ND Section 619 Coordinator, Martha Diefendorf & Debbie Cate, NECTAC, June 2010, amended Oct 2010

V. FOCUS (Focus on Communication, Understanding, and Skills)

FOCUS classes are designed for students with more significant cognitive impairments who the ARD committee believes will benefit from instruction in functional academics in a structured, consistent, small group setting. FOCUS classes facilitate the development of self-help, communication, fine motor skills and gross motor skills. FOCUS classes are designed to support students with more severe cognitive disabilities in developing the concepts and skills necessary to perform meaningful activities in a variety of domestic, vocational, recreational, and community environments.

VI. SAIL (Social, Academic and Interpersonal Learning)

The SAIL program which provides services for students with Autism Spectrum disorders or significant social communication difficulties. These students may fully participate in inclusive settings or may be self-contained for portions of the school day.

A. Elementary School Level

Students in this program will receive direct instruction in areas designed to facilitate the student's independence in the general education environment.

Students who would be good candidates for this program include students who:

- Have an Autism Spectrum Disorder or significant social communication difficulties
- Have an Adaptive Behavior Composite above a standard score of 75
- Have independent toileting skills (may need a visual schedule)
- Have at least some splinter skills in the average to above average range on a cognitive assessment
- Have the ability to follow a line drawing or written schedule with prompts and assistance (Students who need a photograph or real object schedule are not appropriate at this time)
- Have demonstrated the ability to benefit from instruction in the general education environment

Skills will be taught to facilitate increased independence in the following areas:

- tolerance for non-preferred tasks
- social skill attainment and generalization
- length of time student can work independently on a task
- ability to initiate and maintain appropriate social exchanges in group settings
- decreased prompt dependency
- improved safety awareness and safety compliance

Services provided in this class may include:

- Direct social skills training up to three times per day (TARGET period at beginning of day, direct social skills instruction during the school day, and / or “wrap up time” the last 30 minutes of the day). A general overview of the week will include: Mondays – new social skill taught; Tuesdays – social skill retaught; Wednesdays – practice new skill with adults; Thursdays – practice new skills with selected general education students; Fridays – utilize new skill in the general education environment.
- Direct exploration / instruction in pre-vocational interests. Each student will develop a binder to follow them throughout their educational career with information on – personal strengths, high interest and special knowledge areas, length of time student can work independently on a structured task, and particular stressors.
- Monitoring in the general education classroom to indicate: new social skills that need to be taught; level of prompting (verbal, gesture, physical) student needs to begin and sustain independent work; how often student needs a break; and coping skills that need to be taught to independently deal with frustration or anxiety.
- Being paired with a general education student who is a good role model to complete pre-vocational tasks such as collating papers and making deliveries to classrooms

Placement Procedures

Placement in this class will be an Admission, Review, and Dismissal (ARD) Committee decision. To provide appropriate data for the ARDC to consider, the following information is requested prior to consideration by the ARDC.

- Current cognitive and achievement testing

- Current adaptive behavior standardized scores
- Observation by the teacher of the SAIL class
- Observation by the LSSP or Autism Specialist assigned to this class
- Data (see attached forms) indicating the child's current abilities in the following areas: average length of time (across at least 10 school days) student can work independently on a task he/she has demonstrated competency in; student's typical response when presented with a non-preferred task; student's stressors; list of techniques / items that help the student calm down; list of medical concerns (ie: seizures)
- Staffing to summarize and compile above data.

B. Secondary School Level

Students in this program will receive direct instruction in areas designed to facilitate the student's independence in the general education environment.

Students who would be good candidates for this program include students who:

- Have an Autism Spectrum Disorder or significant social communication difficulties
- Have an Adaptive Behavior Composite above a standard score of 75
- Have the ability to follow written schedules independently or with minimum assistance
- Have demonstrated the ability to benefit from instruction in the general education and/or resource or co-teach setting
- May require an extra layer of support in the areas of behavior and social skills in order to be independent in the general education and/or resource setting.

The following skills will be taught to facilitate increased independence:

- tolerance for non-preferred tasks
- social skill attainment and generalization
- length of time student can work independently on a task
- ability to initiate and maintain appropriate social exchanges in group settings
- decreased prompt dependency
- improved safety awareness and safety compliance

Services provided in this class may include:

- Direct social skills at a minimum of two times per week. Incidental social skills instruction through monitoring times of the day. The Special Education Teacher will e-mail all general education teachers the social skill lesson being taught for that week so general education teachers can reinforce those skills in the general education setting.
- Direct exploration / instruction in pre-vocational interests. Each student will develop a binder to follow them throughout their educational career with information on – personal strengths, high interest and special knowledge areas, length of time student can work independently on a structured task, and particular stressors.
- Monitoring in the general education classroom to indicate: new social skills that need to be taught; level of prompting (verbal, gesture, physical) student needs to begin and sustain

independent work; how often student needs a break; and coping skills that need to be taught to independently deal with frustration or anxiety.

- Daily Token/Point Sheets for students to earn Fun Friday Activities
- Frequent Communication with Parents utilizing a specific communication form

Placement Procedures

Placement in this class will be an Admission, Review, and Dismissal (ARD) Committee decision. To provide appropriate data for the ARDC to consider, the following information is requested prior to consideration by the ARDC.

- Current cognitive and achievement testing
- Current adaptive behavior standardized scores
- Observation by the teacher of the SILC Program
- Observation by the LSSP and/or Autism Specialist assigned to this class
- Data (see attached form) indicating the child's current abilities in the following areas: average length of time (across at least 10 school days) student can work independently on a task he/she has demonstrated competency in; student's typical response when presented with a non-preferred task; student's stressors; list of techniques / items that help the student calm down; list of medical concerns (i.e. seizures)
- Staffing to summarize and compile above data.

VII. Behavior Support Program (BSP)

The Behavior Support Program is designed to serve special education students who have been identified as having serious emotional and/or behavior problems, typically associated with but not limited to an Emotional Disturbance or Other Health Impairment, that interfere with their ability to be successful in the general education setting.

The purpose of the program is to provide support as well as in-depth, intensive, and individualized instruction in the areas of challenging behavior, social and emotional, development, and, as determined by student need, academic support. The goal of this program of intervention is to allow students to succeed academically, develop self-regulation skills, and function appropriately in the Least Restrictive Environment (LRE).

Placement in the Behavior Support Program (BSP) should ensure that students:

- ☐ Develop academic, social, emotional, and behavioral competencies
- ☐ Develop skills necessary for regulating one's own behavior within appropriate expectations, as stated in the student's Behavior Intervention Plan (BIP)
- ☐ Develop skills to improve academic performance as stated in the Individual Education Plan (IEP)
- ☐ Develop skills in critical thinking and problem solving
- ☐ Develop skills for building and maintaining satisfactory relationships with peers and adults
- ☐ Develop skills in decision making and self-management
- ☐ Are adequately prepared for and supported in participation in inclusive settings

The goal of the Behavior Support Program is to provide students with the academic, behavioral, social/interpersonal, and emotional skills necessary to be educated in inclusive settings. The

program focuses on (1) nurturing appropriate behavior and positive interpersonal relationships, (2) helping students achieve academic success, and (3) helping students develop skills necessary for success in adulthood. This is accomplished through a continuum of services in the school setting that ranges from direct and intensive instruction by the program staff in more restrictive settings, to inclusion behavior support by program staff in general education settings. See Appendix A for BSP Handbook

VIII. Community Based Instruction

In order for our students with developmental disabilities to live successfully in our community, they must have the skills to use community resources such as stores, banks, restaurants, and recreation facilities. Their ability to use these resources clearly affects their quality of life and the perception of other community members.

Most of us learned to use community resources indirectly with the help of our families or peers. Students with developmental disabilities require more formal training in structured opportunities to be able to access resources. Our goal is to make students as independent as possible by teaching skills in the classroom and then in the community.

Purpose: The primary focus of community-based trips is to teach functional, age appropriate skills within a variety of natural environments after the student has been provided classroom simulation sessions. Community Based Instruction helps promote increased independence for the student, control over his/her environment, improved social interactions and enhanced communication. A community setting can be defined as anywhere outside of the classroom on the school campus as well as off campus. Instruction within the community should not be considered a one-time event, but a continual process. Remember community-based trips are not field trips.

Community trips are most effective when:

- Instructional goals are written for specific instruction
- Instruction is conducted with actual materials in the natural environment
- Sites are age appropriate
- Sites meet student's interest and needs
- Focus is on targeted skill instruction
- Focus is on post-secondary outcomes

Community trips are least effective when:

- Site visit involves large numbers of students
- No systematic instruction is provided
- Site chosen is not based on individual student age, needs, and/or interest

IX. 18 Plus

Special education program that serves students between ages 18-22 at the high school campus in collaboration with designated community resources. The program focuses on independence and job readiness skills to transition from school to competitive or customized employment.

X. PLACEMENTS IN OUT-OF-DISTRICT/NON-PUBLIC DAY SCHOOL SETTINGS

La Porte ISD has the responsibility of providing each special education student a Free and Appropriate Public Education (FAPE). If the special education student cannot be serviced appropriately in the school district, then Out-of-District placements may be utilized. It should be noted that diagnosis/disability does not drive the programming decision, and the ARD Committee determines placement.

Prior to Placement

The District Behavior or Autism Specialist must be involved in staffings and ARD meetings for a student with a disability that is placed in an Out-of-District Placement unless other arrangements have been made with the Director of Special Education.

If an Out-of-District Placement is warranted, the campus personnel should call a staffing with the District Behavior or Autism Specialist to review the student's data, needs and considerations for an Out-of-District Placement.

Staffing Requirements for Out of District Placements

The Specialist for students placed in specialized programs should staff on a regular and consistent basis with campus personnel to target and monitor the student's successes and struggles. If an out of district placement is warranted, the campus personnel should call a staffing with the Behavior/Autism Specialist and review at least 2-6 weeks' worth of data that contain the following information. This is not an exhaustive listing, but rather a guidance document to help ensure all lower-level interventions have been utilized before recommending a more restrictive setting.

- Evidence of maximum levels of support on campus, to include self-containment within the program classroom with intensive support/supervision.
- A Functional Behavior Assessment (FBA) completed within the last year: If new behaviors are present that are not identified on the current FBA, a new FBA should be conducted to address these new behaviors and reflected in the ARD document.
- A Behavior Intervention Plan (BIP) that has been revised and changed to show good-faith efforts to address the present behavior concerns. The BIP should target the behaviors identified on the FBA and if revisions are necessary, the BIP should be updated and reflected in the ARD document.
- Behavior and Social Skills goals – Review appropriateness of goals, evidence of implementation, and progress monitoring data
- Counseling: Does the student have counseling; is counseling appropriate? If the student does have counseling as a related service, is the amount of time appropriate, or does he/she need more? Are the counseling goals on which the student is working appropriate, or do they need to be modified? If counseling is not present, has a counseling evaluation been completed, or should one be completed to make the determination?
- In-Home and/or Parent Training: Are there critical or non-generalized skills lacking in the home environment, either with the student or parent that would be beneficial? If the student does not currently have In-Home and/or Parent Training, should an evaluation be completed to make that determination?
- Revision ARDs: Evidence of Revision ARDs held to address the behaviors that are preventing the campus from providing a Free and Appropriate Education. The ARD committee, which

includes the parent(s), should have met to discuss changes and interventions. In the same way that an ARD meeting is called when a student is not meeting an academic goal to discuss additional supports, the same process should be implemented for students who are not being successful due to their behavior.

- **Mental Health Team:** Depending on the justification, a member of the Mental Health Team may be an appropriate resource to help address mental health, medication, or other difficulties that the student/family may be experiencing that have become antecedents resulting in behaviors manifesting in the school setting.

After the Staffing:

If documentation supports an out of district recommendation the following should occur:

1. Campus requests a Release of Confidential Information for the facility being considered from the parent/guardian with the explanation to the parent/guardian of the possible change of placement recommendation.
2. District Autism or Behavior Specialist reaches out to facility being considered. Specialist will ensure that: (A) The facility's restraint practices do not include any prohibited techniques, to include prone or supine floor restraints; (B) The teachers who will be assigned to the student are appropriately certified for the subject/grade level assigned.
3. Facility schedules site visit to observe the student if part of their requirements, and/or the facility has.
4. Work with parent/guardian and facility staff to arrange a parent tour or visit to the proposed facility.

Regardless of the Out of District Placement Procedures, the placement decision shall be made by the ARD committee and shall be based on the individual needs and individualized education program (IEP) of the student. 19 T.A.C §§ 89.1075(e) and 89.63(c)(6).

ARD Meeting

Non-Public Day Schools are one form of Out-of-District Placements. The legal responsibility for ensuring that appropriate educational services are provided to students remains with La Porte ISD.

LPISD has the following responsibilities when making nonpublic placements:

1. Must initiate and conduct a meeting of the student's ARD committee to develop an IEP for the student.
2. IEP goals and objectives must be developed for each academic subject area, to include electives, as well as for social skills/behavior.
3. During the ARD process, it must be noted the services that La Porte ISD is unable to provide and that the Non-Public Day School will provide through the Out-of-District Supplement. The appropriateness of the Non-Public Day School for each student placed shall be documented in the IEP.
4. The ARD committee must establish, in writing, criteria and estimated timelines for the student's return to the LEA. These details will be noted on the required TEA Re-integration Form.
5. La Porte ISD must make an initial and annual visit to the Non-Public Day School to verify that the day and/or residential Non-Public Day School can, and will, provide the services listed in the student's IEP.
6. La Porte ISD must ensure that the school personnel are adequately certified to teach assigned subjects and trained to use the appropriate restraint techniques, to expressly prohibit any use of prone and supine floor restraints.

After Placement at Out of District Facility

1. Students will follow the calendar of the Out of District facility.
2. Attendance will be reported from the Out of District facility and be recorded by the student's home campus.
3. All Out-of-District facilities send the student's grades and IEP Goals & Objectives updates to the Behavior Specialist/District Autism Specialist.
4. All Out-of-District facilities send copies of Incident/Restraint reports for LPISD students.
5. While a student is placed out of district, the assigned Behavior Specialist is responsible for the case management for the students.

The Campus ARD Facilitator will be contacted by the Behavior Specialist/Autism Specialist to schedule staffings and ARD meetings while also ensuring appropriate FIE timelines are completed. The home campus will remain responsible for scheduling the ARD as well as sending home all documentation regarding the ARD.

While a student is placed out of district, it is the campus-based assessment staff's responsibility to complete and facilitate all FIEs and ARDs. The Behavior Specialist/Autism Specialist will be responsible for collaborating with the out of district teachers to develop and write the Present Levels of Academic Achievement and Functioning Performance (PLAAFPs) as well as all goals and objectives. The Campus ARD Facilitator will be responsible for prepping and facilitating the ARD, and the District Behavior/Autism Specialist may act as case manager. The Out of District facility will work with the Behavior/Autism Specialist to submit all drafted, proposed IEP goals and objectives. The district staff members conducting the ARD will need to enter the ARD information into SuccessEd.

For students grades 9-12 served in Out of District placements, the home school counselor must participate in or provide a 4-year plan for the Annual ARD process to ensure the students credits are on track for graduation.

STAFF RESPONSIBLE:

District Level: Executive Director of Special Education, Director of Special Education, Behavior Specialist, Autism Specialist, LSSP, Diagnostician, ARD Facilitator and Clerk, SLPs, SLP-As, other Related Service Providers.

Campus Level: Case Managers, Campus administration

TIMELINES FOR ACTIVITIES:

- Annual site visits to residential facilities
- Annual review of procedures with Special Programs staff

EVIDENCE OF PRACTICE:

- Site Visit Forms
- TEA Re-Integration form
- Training artifacts (presentation handouts, sign-in sheets, etc.)

Section 8: Behavior Response & Discipline

I: Confinement, Restraint, and Timeout

TEC §§ 37.0021; 19 TAC § 89.1053

Student Safety

It is the policy of this state to treat with dignity and respect all children, including children with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities

Applicability

These procedures regarding confinement, seclusion, restraint, and timeout apply to:

1. All school employees, volunteers, and independent contractors; and
2. Peace officers, only if the peace officer:
 - a) Is employed or commissioned by a school district; or
 - b) Provides, as a school resource officer, a regular police presence on a school district campus under a memorandum of understanding between LPISD and a local law enforcement agency.
 - i. However, the data reporting requirements apply to the use of restraint by any police officer performing law enforcement duties on school property or during a school-sponsored or school-related activity.

These procedures do not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above
“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other activities authorized by the Code of Criminal Procedure.
2. Juvenile probation, detention, or corrections personnel, or
3. An educational services provider with whom the child is placed by a judicial authority unless the services are provided in an educational program of the District.

Seclusion

A District employee, volunteer, or independent contractor of the District may not place a student in seclusion. “Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Confinement

It is the policy of this state and La Porte ISD to treat with dignity and respect all students, including students with disabilities who receive special education services. A student with a disability, who receives special education services must not be confined in a locked box, locked

closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

This section does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon as described under TEC 37.007(a)(1); or
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

Physical Restraint

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of the student's body.

"Emergency" means a situation in which a student's behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

A school employee, volunteer or independent contractor may use restraint only in an "emergency" and with the following limitations:

1. Restraint must be limited to the use of such reasonable force as is necessary to address the emergency
2. Restraint must be discontinued at the point at which the emergency no longer exists
3. Restraint must be implemented in such a way as to protect the health and safety of the student and others, and
4. Restraint must not deprive the student of basic human necessities.
5. LPISD does not support restraints that involve aversive techniques. Restraints that are floor based, prone positioning, and/or supine restraints are prohibited and will not be practiced.

Training

Training for school employees, volunteers, or independent contractors must be provided according to the following requirements:

1. A core team of personnel on each campus must be trained in the use of restraint; and the team must include a campus administrator or designee and any general or special education personnel likely to use restraint (See Texas Behavior Support Initiative later in this section for more information)
2. Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint
3. Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint
 - LPISD staff that attend CPI are trained in the following restraints:
 - Team Control Position
 - Children's Position
 - Transport Position
4. All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint. La Porte ISD

requires each special education teacher who serves in a Specialized Program to maintain CPI certification.

Basis for Use of Physical Restraint

The philosophy of CPI is to provide the best “Care, Welfare, Safety and Security” for students even in violent moments. The program has been designed to provide the same “Care, Welfare, Safety and Security” for staff. Staff members are to use CPI control positions only as a last resort when a student presents a danger to self or others. When physical restraints are used, staff members will ensure the

“Care, Safety, Welfare and Security” of students by not engaging in any type of restraint that:

- Takes children to the floor
- Depresses the abdomen
- Blocks a child’s airway
- Involves holding the lower extremities
- Involves any hold that places a child facedown with an adult sitting on top or laying across the child.

Documentation

The following documentation requirements must be met in a case in which restraint is used by school employees, volunteers, or independent contractors:

1. On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.
2. Written documentation of regarding the use of restraint must be placed in the student’s special education eligibility folder in a timely manner so the information is available to the ARD committee when it considers the impact of the student’s behavior on the student’s learning and or the creation or revision of a BIP.
 - a. All restraints should be documented in writing within the Success Ed system. (See the Success Ed portion of these administrative procedures in Section 5 for more information on how to document restraints). Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.
3. On the day restraint is utilized, a good faith effort must be made to verbally notify the parent(s) regarding the use of restraint.
 - a. Student must be immediately referred to school nurse following restraint.
4. Written notification to the parent(s) and documentation in SuccessEd must include the following:
 - a. Name of the student
 - b. Name of the staff member(s) [district employee, volunteer, or contract employee) administering the restraint
 - c. Date of the restraint and the time the restraint began and ended
 - d. Location of the restraint
 - e. Nature of the restraint
 - f. A description of the activity in which the student was engaged immediately preceding the use of restraint
 - g. The behavior that prompted the restraint
 - h. The efforts made to de-escalate the situation and alternatives to restraint that were

- attempted
- i. If the student has a BIP, whether the plan may need to be revised as a result of the behavior that led to the restraint
 - j. If the student does not have a BIP, information on the procedure for the student's parent to request an ARD to discuss the consideration of conducting a FBA and developing a BIP for the student, and Information documenting parent contact and notification.

Report Injuries

- Staff should report all injuries, regardless of severity, within 24 hours of the time the injury occurs, or you become aware that an injury has occurred.
- Complete the Safety Incident Follow-up Report and give to the campus principal. (See Appendix for the Safety Incident Follow-up Report form)
- If medical care is required, make an appointment to see a designated physician. Provide medical progress reports and work restriction information to your campus principal immediately.

Cumulative data regarding the use of restraint by school employees, volunteers, independent contractors, and by peace officers must be electronically reported through the PEIMS.

The District shall report electronically to TEA, in accordance with standards provided by Commissioner Rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by Commissioner rule for reporting the use of restraint involving students with disabilities.

What is Not Physical Restraint

Physical restraint does not include the use of:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning
2. Limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, or provide comfort
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, or
4. Seat belts and other safety equipment used to secure students during transportation.

Physical Prompting

At times, physical prompting may be required in order to decrease inappropriate behaviors and increase appropriate behaviors. Physical Prompting consists of hand over hand prompts, as well as physically guiding a student in order to ensure compliance. Physical Prompting is not considered a restraint when used properly.

When Physically Prompting, you should ALWAYS utilize safe practices / procedures:

1. Inform all adults present of the prompting procedure you will utilize

2. Do not attempt to physically pick up a large student as this may cause injury to yourself or the student
3. Have a witness with you if you physically guide a student
4. Use the least amount of physical prompting necessary to ensure compliance, and
5. Have a plan to fade the prompt to a lesser intrusive prompt prior to implementing physical prompting.

When physically prompting, you should NEVER:

1. Restrict the use of limbs
2. Use only physical prompting to ensure compliance, or
3. Pick up a student by the wrist, forearm, upper arm or elbow.

When is physical prompting considered restraint?

Physical prompting is not the same as restraint and should not rise to the level of restraint.

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of the student's body. Therefore, physical prompting may be a restraint if the individual cannot move his/her body (cannot stand up/slide out/etc.).

If you have questions regarding physical prompts, please contact the Special Programs Office.

Procedures for Use of Time-Out

Time-out means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

- ☐ that is not locked; and
- ☐ from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

A school employee, volunteer, or independent contractor may use time-out with the following limitations.

- ☐ Physical force or threat of physical force shall not be used to place a student in time-out.
- ☐ Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease a targeted behavior.
- ☐ Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

Time-out is outlined below as either Non-exclusionary, which is the least restrictive, or Exclusionary time-out which results from more serious behaviors. Exclusionary time-out should be used when Non-exclusionary attempts are not successful.

Non-exclusionary time-out

- **Planned Ignoring:** This is the simplest form of Non-exclusionary time-out.

Planned ignoring involves the systematic removal of social reinforcement (attention) by the teacher for a specific amount of time. When the student misbehaves, the teacher breaks eye contact, turns away, and stops all social interaction with the student. Planned ignoring assumes that the teacher's social attention is reinforcing. If it is not, then this will not work to decrease the behavior. If planned ignoring is the appropriate response, the teacher should prepare initially for an increase in the behavior before the behavior will decrease.

- Head down on desk: This has been used by teachers for a long time. The student is simply told to put his head down on his desk for a short period of time. (timer may be used)
- Observation time-out: The student is removed from his/her desk for misbehaving and is usually placed in a desk away from the main classroom activities for a short period of time. The student is allowed/required to observe the classroom discussion/activities, but is not allowed to actively participate in them. (use of timer recommended – 5 minutes and may reset once)
- Non-observation time-out (instructional isolation): This is basically the same as observation time-out, except the student is not allowed to observe the classroom activities. Usually, the student is placed in a particular part of the classroom that does not provide for viewing other students. (use of timer recommended – 10 minutes and may reset once)

Exclusionary time-out

- The student is removed from the classroom and placed in a separate environment for cooling down and instructional activities to resume. Clearly, this is more restrictive and other types of time-out should be attempted first.
- Isolated instruction: This is extended time-out from the classroom. The student is required to complete class work in an isolated area in the classroom, another classroom, or the office.
- In-school Suspension: This program is designed to supervise and assist students who have problems related to their general education setting. Reference the campus Student Code of Conduct for complete guidelines.

Documentation of Time Out

- Necessary documentation or data collection regarding the use of time-out must be addressed in the IEP or BIP.
- The ARD Committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.
- Each used of time-out prompted by a behavior in the student's BIP must be documented using the SuccessEd form "Incident Report: Restraint or Time-out"

PROHIBITED AVERSIVE TECHNIQUES

TEC §§ 37.0023, Board Policy FO (Legal, Local)

A District employee, volunteer or an independent contractor of a school district may not apply an aversive technique, or by authorization, order, or consent, cause an aversive technique to be applied to a student.

"Aversive Technique" means a technique or intervention that is intended to reduce the likelihood of a behavior reoccurring by intentionally inflicting on a student significant physical or emotional discomfort or pain. The term includes a technique or intervention that:

1. Is designed to or likely to cause physical pain, the District prohibits the use of corporal punishment
2. Is designed to or likely to cause physical pain through the use of electric shock or any procedure that involves the use of pressure points or joint locks
3. Involves the directed release of a noxious, toxic, or otherwise unpleasant spray, mist, or substance near the student's face
4. Denies adequate sleep, air, food, water, shelter, bedding, physical comfort, or access to a restroom facility
5. Ridicules or demeans the student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse
6. Employs a device, material, or object that simultaneously immobilizes all four extremities, including any procedure that results in such immobilization known as prone or supine floor restraint
7. Impairs the student's breathing, including any procedure that involves: (a) applying pressure to the student's torso or neck; or (b) obstructing the student's airway, including placing an object in, on, or over the student's mouth or nose or placing a bag, cover, or mask over the student's face
8. Restricts the student's circulation
9. Secures the student to a stationary object while the student is in a sitting or standing position
10. Inhibits, reduces, or hinders the student's ability to communicate
11. Involves the use of a chemical restraint
12. Constitutes a use of timeout that precludes the student from being able to be involved in and progress appropriately in the required curriculum and toward the annual goals included in the student's IEP, including isolating the student by the use of physical barriers, or
13. Deprives the student of the use of one or more of the student's senses, unless the technique is executed in a manner that: (a) does not cause the student discomfort or pain, or (b) complies with the student's IEP or BIP.

II. Discipline

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

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

The use of positive behavior supports required by the TBSI are incorporated in La Porte ISD's Code of Conduct. Additionally, La Porte ISD is committed to the use of Restorative Practices to address student behaviors.

When a student with a disability is struggling with behavior, the ARD/IEP committee should consider if additional supports or evaluations are needed (i.e. – functional behavior assessment (FBA), additional accommodations, behavior goal, BIP, etc.).

If a student who receives services through special education receives an office referral, check to see if the student has a BIP and ensure that the BIP interventions have been implemented. Disciplinary actions, such as detention, ISS, suspension, etc. do not have to be listed on the BIP in order for them to be assigned; however, if the BIP specifically prohibits a particular disciplinary action, then it may not be assigned.

Campus administrators should be mindful of the multiple interventions that can and should be used before considering any level of removal. Possible interventions to consider include but are not limited to conferences, detention, mentor program, referral to social services, and school/community work hours.

Referral to Law Enforcement and Courts

20 USC § 1415(k)(6) 34 CFR § 300.535(a); TEC § 37.148

Nothing prohibits the District from reporting a crime committed by a child with a disability to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities regarding the application of federal and state law to crimes committed by a child with a disability. When reporting a crime committed by a child with a disability, the District must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the appropriate authorities to whom the District reports the crime only to the extent permitted under the Family Educational Rights and Privacy Act. The District may not adopt a policy requiring a school employee to: (1) refrain from reporting a crime witnessed at the school; or (2) report a crime witnessed at the school only to certain persons or peace officers. An employee of the District may report a crime witnessed at the school to any peace officer with authority to investigate the crime.

Limitation on General Authority – Bullying, Harassment, and Making Hit Lists
TEC §§ 37.001(b), 37.001(b-1), 37.0832; Board Policy FFI (LEGAL& LOCAL)

A student enrolled in a special education program under Subchapter A, Chapter 29 of the Texas Education Code cannot be disciplined for conduct related to “bullying, harassment and making hit lists” until an admission, review, and dismissal committee meeting has been held to review the conduct. You cannot discipline a special education student who engages in bullying, harassment, or making hit lists until an ARD and MDR is held. If you have questions about how to handle a situation like this, please contact the Director of Special Programs. The Special Programs staff will aid the campus in handling the situation while taking all necessary precautions both to ensure the safety of our students and to abide by all applicable laws.

- “Bullying” means, subject to the requirement below, engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity on or off school property, or in a vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity that: (1) has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; (2) is sufficiently severe, persistent, and pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; (3) materially and substantially disrupts the educational process or the orderly operation of a class or school; or (4) infringes on the rights of the victim at school.

The conduct described above is considered bullying if that conduct:

1. involves a single significant act or a pattern of acts.
2. exploits an imbalance of power between the student perpetrator and the student victim through written or verbal expression or physical conduct, and
3. interferes with a student’s education or substantially disrupts the operation of a school.

“Bullying” also includes Cyberbullying, which is bullying done through the use of any electronic communication device, if it (1) interferes with a student’s education opportunities or (2) substantially disrupts the orderly operation of a classroom, school or school-sponsored or school-related activity.

“Harassment” means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student’s physical or emotional health or safety.

“Hit list” means a list of people targeted to be harmed using:

1. a firearm, as defined by Section 46.01(3), Penal Code
2. a knife, as defined by Section 46.01(7), Penal Code, or
3. any other object to be used with intent to cause bodily harm.

Students Not Yet Identified

20 USC § 1415(k)(5)(A); 34 CFR § 300.534

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated the Student Code of Conduct may assert any of the protections provided for in the IDEA if the District had knowledge that the student had a disability before the behavior that precipitated the disciplinary action occurred.

District Knowledge The District shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the District, or to the teacher of the student, that the student was in need of special education and related services
2. The parent requested an evaluation of the student for special education or related services, or
3. The student's teacher, or other District personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or other supervisory personnel of the District.

Exception

The District shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student
2. The parent has refused special education services, or
3. The student has been evaluated and it was determined that the student did not have a disability.

If the District does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

Expedited Evaluation

If a request for an evaluation is made during the time period in which the student is subject to disciplinary measures, the evaluation must be conducted in an expedited manner. If the student is determined to be a student with a disability, the District shall provide special education and related services, except that, pending the results of the evaluation, the student shall remain in the educational placement determined by the District,

*If the District does have "Knowledge" and the student has violated the Student Code of Conduct and the disciplinary action includes a recommended removal to a Discipline Alternative Education Program (DAEP), the following steps should occur:

- Schedule a staffing with the appropriate Campus Based Evaluator, Campus Administrator, and appropriate Special Education Program Manager to review the situation.
- If the student engaged in an infraction involving weapons, drugs, or serious bodily injury while at school, on school premises, or at a school function, the student may continue to be removed to the DAEP for up to 45 school days, and the initial Full Individual Evaluation will be conducted in an expedited manner. A MDR should be conducted as soon as the Full Individual Evaluation is completed.
- If the student engaged in other behaviors that would not require the mandatory removal, a discussion regarding the initial evaluation process should occur.
- The team should discuss any evaluation that is available, conduct a process similar to a MDR (review whether the conduct was caused by, or had a direct and substantial relationship to, the child's suspected disability), discuss the current status of the initial Full Individual Evaluation,

and develop a plan to support the student in the current placement until the initial evaluation can be completed.

- The Director of Special Programs should be contacted to expedite the evaluation.
- The staffing discussion should be documented in writing and placed in the student's referral folder or other appropriate RTI folder (In the past this process was completed in the Success Ed software program. However, it is no longer necessary to enter the student into Success Ed since the student is not eligible for special education services at the time).
- If the student is currently served with 504 services, a MDR should be conducted by the 504 committee.

CHANGE OF PLACEMENT

20 USC § 1415(k)(1)(A); 34 CFR §§ 300.11, 300.530(e), (h), 300.536, 71 Fed. Reg. 46,715(2006)

The local campus administrator is responsible for maintaining records on student discipline. In order to follow state and federal disciplinary requirements outlined in this section, the local campus must monitor the total number of removals for students with disabilities.

Case-by-Case Determinations

School personnel must consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates the Student Code of Conduct.

What Constitutes a Change of Placement?

A change of placement occurs if:

1. the removal is for more than 10 consecutive school days, or
2. the child has been subjected to a series of removals that constitute a pattern.

The “10-Day Rule”

Expulsions out of school, suspensions, in-school suspensions, and removals to alternative education programs should be considered when computing the total number of days that a student has been removed from his or her placement for disciplinary reasons.

1. In-school suspension. In-school suspension is not included so long as the child is afforded the opportunity to continue to:
 - a. appropriately progress in the general curriculum
 - b. receive the services specified on his or her IEP, and
 - c. participate with non-disabled children to the extent the child would have in his current placement.
2. Suspension of less than 1 full school day. Portions of a school day that a child has been suspended are included when determining whether the child has been removed for more than 10 cumulative school days or whether there was a change in placement.
3. Bus suspensions. Whether a bus suspension counts as a day of suspension depends on whether the bus transportation is part of the child's IEP.
 - a. If part of the child's IEP, a bus suspension should count as a day of suspension unless the school provides the bus service in some other way.
 - b. If not part of the child's IEP, a bus suspension does not count as a day of suspension.

- i. In these situations, the child's parents have the same obligations to get the child to and from school as any non-disabled child who has been suspended from the bus.
- ii. Keep in mind if the child's behavior on the bus is similar to behavior addressed in the child's IEP, the ARD committee should consider whether the bus behavior needs to be addressed in the IEP or a BIP.
- iii. If transportation is not a related service in a student's IEP but the student requires transportation to receive FAPE, the ARD committee should consider revising the IEP and, if there has been a change of placement, conduct an MDR.

Additional Short-Term Removals

School personnel may remove the child with a disability who violates the Student Code of Conduct from the child's current placement for additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement under 34 CFR § 300.356. It is recommended that this authority be used sparingly and cautiously. (See Authority of School Personnel herein)

Pattern

A series of removals constitutes a pattern when: 1. the series of removals total more than 10 school days in a school year 2. the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals, and 3. taking into account additional factors such as: a. the length of each removal b. the total amount of time the child has been removed, and c. the proximity of the removals to one another. The school determines, on a case-by-case basis, whether a pattern of removals constitutes a change of placement.

Change of Placement Determination

The school's determination is subject to review through due process and judicial proceedings.

Notice

On the date on which the school decides to make a removal that constitutes a change of placement, the school must:

1. notify the parent of that decision, and
2. provide the parent the Notice of Procedural Safeguards.

Additional Requirements

A manifestation determination must be made within 10 school days of any decision to make a change of placement of a child with a disability because of a violation of the Student Code of Conduct.

The school must comply with the rules set forth in the "Services During Periods of Removal" section herein.

Change of Placement Analysis

When a principal or other appropriate administrator recommends disciplinary removal from the student's current IEP placement, conduct the following Change of Placement Analysis:

1. To determine whether the child has been removed for more than 10 cumulative school days or has been subjected to a change of placement, count the days of disciplinary removal from the student's current educational placement using the following guidelines, as applicable:

- a. Include portions of a school day that a child had been suspended
 - b. Do not include an in-school suspension as long as the child is afforded the opportunity to:
 - i. Appropriately progress in the general curriculum
 - ii. Continue to receive the services specified on his or her IEP, and
 - iii. Continue to participate with nondisabled children to the extent they would have in their current placement.
 - c. Include days of bus suspension if the bus transportation is part of the child's IEP unless the District provides alternate means of transportation, and
 - d. Do not include days of bus suspension if the bus transportation is not part of the child's IEP.
 - i. If transportation is not a related service in a student's IEP but the student requires transportation to receive FAPE, the ARD committee should consider revising the IEP and, if there has been a change of placement, conduct an MDR.
2. Determine whether the disciplinary removal(s) constitute a change of placement. This should be done on a case-by-case basis. A disciplinary change of placement occurs if:
 - a. The removal is for more than 10 consecutive school days, or
 - b. The child has been subjected to a series of removals that constitute a pattern. A pattern occurs when:
 - i. The series of removals total more than 10 school days in a school year
 - ii. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals, and
 - iii. The school considers the following additional factors:
 - The length of each removal
 - The total amount of time the child has been removed, and
 - The proximity of the removals to one another.
 3. If the removal constitutes a change of placement:
 - a. Make a manifestation determination within 10 school days of the decision,
 - b. Provide the parent with proper notice, including notice of procedural safeguards, on the day the decision is made to make a disciplinary removal that constitutes a change in placement (refer to Manifestation Determination Review section herein for process).

Manifestation Determination

A manifestation determination must be made within 10 school days of any decision to make a change of placement of a child with a disability because of a violation of the Student Code of Conduct.

For conduct related to bullying, harassment, and making hit lists, the 10-day window does not apply. The school may not discipline a special education student for conduct related to bullying, harassment, and making hit lists before an MDR ARD is held to review the conduct.

Prior to any disciplinary change of placement as defined above, the campus must implement the following in order, along with any other requirements required by law, District policy or District procedures for all students.

1. The Campus Behavior Coordinator (CBC) will conduct an investigation into the alleged violation of the Student Code of Conduct.
2. The CBC or other appropriate administrator shall schedule a conference among the campus behavior coordinator or other appropriate administrator, a parent or guardian of the student, the teacher

removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal.

3. The CBC or other appropriate administrator will notify the parent or guardian of the student as well as the student of the administrator's findings and the administrator's recommended/proposed disciplinary removal, if any. The administrator also will confirm that the recommendation for disciplinary removal is subject to final determination of the student's ARD or Section 504 committee.
4. On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the campus administrator must notify the parents of that decision and provide the parents the procedural safeguards notice (hard copy or email). The procedural safeguards are located at [Special Ed. Procedural Safeguards](#) ([Spanish](#).) in the ARD clerk's office, or the ARD room.
5. A meeting of the student's ARD or Section 504 committee must be scheduled within 10 school days of any decision to propose a disciplinary change of placement. Notice of the meeting must include that the purpose of the meeting will be to conduct a manifestation determination review in addition to discussion of any other issues that are identified. Notice must be provided to the parent or legal guardian of the student at least 5 school days prior to the meeting unless the parent waives their right to receive 5 school days' prior written notice of the meeting.

Note: The MDR process is also required for students suspected of having a disability but whose eligibility is not yet determined.

Membership and Preparation

The Admission, Review, and Dismissal Committee (ARDC) must make the manifestation determination to determine if a proposed removal, which constitutes a disciplinary change of placement, will be enforced. In preparation for a MDR, it is important to schedule a staffing with the LSSP who will be at the MDR ARD to review the evaluation and to assist with the MDR. In the event the campus requires support from the Special Programs administrative staff regarding the MDR staffing/ARD, the Director of Special Programs should be contacted. Please note a Campus-based Evaluation Staff MUST be at the MDR ARD or the meeting cannot be held.

Information to Review at the MDR/ARD Meeting

The school, parent, and relevant members of the ARDC (as determined by the parent and the school) must review all relevant information in the child's file including, but not limited to:

1. The student's individualized education program (IEP).
2. The student's discipline history, including the discipline referral for the particular act that is the basis for the MDR
3. The student's most recent evaluations
4. Any teacher observations, and
5. Any relevant information provided by the parents.

Determination

The information described above is reviewed to make the manifestation determination. Conduct is a manifestation of a child's disability if the school, parent, and relevant members of the ARDC determine that:

1. The conduct was caused by, or had a direct and substantial relationship to, the student's disability; or

2. The conduct in question was the direct result of the school's failure to implement the IEP.

When Behavior is a Manifestation

If in the MDR the ARDC determines that the conduct was the direct result of the failure of the school to implement the IEP, the school must take immediate steps to remedy those deficiencies.

If in the MDR the ARDC determines that the conduct was a manifestation of the child's disability, the ARDC must:

1. Implement Option A or Option B below:
 - Option A:
 - i. Conduct a functional behavioral assessment (FBA), provided that the school had not conducted such assessment prior; and
 - ii. Implement a behavior intervention plan (BIP) for the child; or
 1. *Subsection 37.004, Placement of Students with Disabilities, was amended in the 87th legislative session as part of HB785 to add the following: a. Seek consent from the parent to conduct the FBA (whether one has never been done or is more than one year old) and review any previously conducted FBAs and BIPs developed based on that assessment,
 - Option B: In the situation where a BIP has been developed, review the BIP and modify it as necessary, to address the behavior; and
2. Return the child to the placement from which the child was removed, unless:
 - a. the parent and the school agree to a change of placement as part of the modification of the BIP; or
 - b. the removal was made pursuant to the "Special Circumstances" provision

When Behavior is not a Manifestation

For a disciplinary change in placement that would exceed 10 consecutive school days, if the ARDC determines in a MDR that the conduct was not a manifestation of the child's disability school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities except that the student is still entitled to a free and appropriate public education and therefore SERVICES DURING PERIODS OF REMOVAL must be provided.

Special Circumstances – 45 Day Rule

Special Circumstances exist when the child:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the state educational agency (SEA) or the local educational agency (LEA). "Weapon" has the meaning given to the term "dangerous weapon" under 18 USC 930(G)(2). The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2 1/2 inches in length.
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the SEA or the LEA. "Controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)). "Illegal drug" means a controlled substance; but does not include a controlled substance that is legally possessed or used

under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the SEA or the LEA.

The term "serious bodily injury" means bodily injury, which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

If Special Circumstances exist, school personnel may remove a student to an appropriate Interim Alternative Educational Setting (IAES), without regard to whether the behavior is determined to be a manifestation of the child's disability, for the same amount of time that a child without a disability would be subject to discipline, but for no more than 45 school days. The school must determine and provide services in accordance with the rules set forth in the "Services During Periods of Removal" section herein.

EDUCATIONAL SERVICES DURING PERIODS OF REMOVAL

34 CFR §§ 300.101(a), 300.530(d); 20 USC §§ 1414(e), 1415(k)

Removals for Less than 10 Cumulative Days

LPISD is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed. LPISD may choose to provide the IEP services to a student with disabilities during any short-term removal in order to prevent counting those days of removal toward the 10 cumulative days. In the case of a student whose behavior impedes his or her learning or that of others, convene an ARD meeting, if appropriate, to consider completing an FBA or BIP including positive behavior interventions, strategies, and supports to address that behavior. In the event that the student already has an FBA and a BIP, the ARD committee should still consider changes to the BIP, if warranted, or additional supports to be put in place to assist the student.

Removals Exceeding 10 Cumulative Days that are Not a Change of Placement

If a student with a disability has been removed from the child's current placement for 10 school days in the same school year, and the current removal is not more than 10 consecutive school days and is not a change of placement:

1. School personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed for a free appropriate public education (FAPE):
 - a. to enable the child to continue to participate in the general education curriculum, although in another setting; and
 - b. to enable the child to progress toward meeting the goals set out in the child's IEP; and
2. Services may be provided in an interim alternative educational setting (IAES).

Removals that are a Change of Placement

1. The District must conduct an MDR pursuant to the rules previously discussed.
2. When behavior is not a manifestation of the child's disability, or when the child with a disability is removed from his or her current placement pursuant to the Special Circumstances - 45-day rule, irrespective of whether the behavior is determined to be a manifestation of the child's disability, the ARDC must:

- a) determine the educational services for a FAPE, which may be provided in an interim alternative educational setting (IAES):
 - i. to enable the child to continue to participate in the general education curriculum, although in another setting; and
 - ii. to enable the child to progress toward meeting the goals set out in the child's IEP
- b) Seek consent from the parent to conduct an FBA, if one has never been done or is more than one year old, and review any previously conducted FBAs and any BIPs developed based on that assessment; and
- c) As necessary, develop a BIP if the student does not have one or revise the plan if the student does have one.
- d) Determine the IAES for disciplinary placements that would result in a change of placement, the IAES shall be determined by the ARDC. The school shall ensure that parents are members of any group making educational placement decisions.

Section 9: Request for Cameras in the Classroom Process

Beginning with the 2016-2017 school year, in order to promote student safety, on request by a parent, trustee, or staff member, the LPISD must provide video equipment to campuses in accordance with Texas Education Code (TEC) §29.022, and TAC §103.1301-1303.

The following people may request in writing that equipment be provided to a campus at which one or more children receive special education services in a qualifying classroom or setting:

- ☐ A parent of a child who receives special education services for the campus at which the child receives those services;
 - ☐ The board of trustees for one or more specified campuses;
 - ☐ The principal or assistant principal for their campus; and
 - ☐ A staff member assigned to work with one or more children receiving special education services for the campus at which the staff member works.
1. The request for video surveillance equipment in a special education self-contained setting is submitted to the Campus Principal.
 2. The Campus Principal forwards the request to the Executive Director of Special Programs.
 3. Executive Director of Special Programs approves or denies request by determining (1) if the requestor is authorized to make such a request and (2) whether the location qualifies as a room in which surveillance can be placed in accordance with Texas Education Code § 29.022.
 4. The Executive Director of Special Programs notifies the Campus Principal of his/her decision.
 5. For approved requests, the Executive Director of Special Programs will notify the Executive Director of Technology and Executive Director of Elementary or Secondary Education as indicated by campus level.
 6. For denied requests, the Campus Principal shall send a letter to the requestor notifying him/her of the decision.
 7. For approved requests, the Campus Principal shall:
 - a. sends a letter to the requestor notifying him/her of the decision;
 - b. send advanced written notice to parents/guardians of students in the affected classroom; and
 - c. issue a memorandum/advanced written notice to staff.
 8. Technology is contacted and installation is scheduled.
 9. The Campus Principal verifies that surveillance equipment has been installed, and notifies the individual requesting the surveillance that the equipment has been installed.
 10. Video/audio signs are posted outside of classroom.

Note: A school shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements, for the remainder of the school year in which the campus received the request, unless the requestor withdraws the request in writing.

Section 10: Independent Educational Evaluation (IEE)

The following procedures apply to all independent educational evaluations (IEE) to be paid for by the school district, whether arranged for as a request for an additional evaluation or as an Independent Educational Evaluation at parental request.

The purpose of an IEE is to provide parents with the opportunity to get a second opinion regarding the nature of their child's disabilities and resulting needs when they disagree with an evaluation the district has performed. An IEE will not be granted if the District has not first conducted an evaluation in the area requested for the independent evaluation. An IEE is conducted by a qualified examiner who is not employed by the district responsible for the education of the child in question.

Decision to Grant or Deny Request

If a parent requests an independent educational evaluation at public expense, the LPISD must, without unnecessary delay, either:

1. File a due process complaint to defend the District's evaluation; or
2. Ensure that an independent evaluation is provided at public expense, unless the agency demonstrates in a hearing that the evaluation obtained by the parents did not meet agency criteria.

If the District files a due process complaint and the final decision indicates that the District's evaluation is appropriate, then the parent does not have the right to an independent educational evaluation at public expense. However, the parents may still obtain an independent evaluation at their own expense.

Any and all IEE requests must be submitted in writing by the parent and sent to Executive Director of Special Programs for review and consideration. Any written IEE request by the parent shall also specify the specific areas and types of evaluation requested. The district will provide a prior written notice (PWN) response to the request for an IEE within a reasonable time.

Criteria Applicable to IEE Paid for by the District

An independent educational evaluation at public expense must be obtained under the same criteria La Porte ISD uses when it initiates an evaluation or uses an outside evaluator.

The Special Programs department will provide parents, upon request, a list of evaluation agents/sites that provide evaluations in the required geographic area. Parents are not required to select an evaluator from the list of agencies, and the list is provided for informational purposes only.

Inclusion of an evaluator on this list does not mean the district recommends or endorses the evaluator, nor does it mean that those listed have the licensing or other qualifications to perform a particular kind of evaluation or test. Parents should make sure the evaluator is located within the required geographical area, and should verify with a potential evaluator that he/she meets the qualification criteria for the particular evaluation or test to be performed.

Except for the criteria specified in the IEE procedures and federal or state policy, the district may not impose conditions or timelines related to obtaining an IEE at public expense. {34 CFR 300.502(e)(2)}

It is the responsibility of the parent and independent evaluator to supply the LPISD Special

Programs department with a copy of the evaluator's credentials.

IEE Consideration by ARD Committee

The results of any independent evaluation, whether paid for at district expense or not, shall be considered by the ARD Committee with respect to eligibility and services to be provided in order to ensure a free appropriate public education (FAPE). In the case a decision has been made prior to receipt of the IEE, the ARD committee should reconvene to consider the results of the IEE when they become available.

One Publicly Funded Evaluation

The LPISD is not required to fund more than one parent-initiated independent evaluation for each district evaluation with which the parent disagrees. However, parents have the right to obtain their own IEE at their own expense and present it to the ARD committee. Parents are not entitled to reimbursement for an IEE, which is not initiated as a result of disagreement with an evaluation by the district. La Porte ISD always has the alternative of seeking a due process determination that the district evaluation is appropriate and/or that the parents' independent evaluation does not meet district criteria as set forth in the procedures, policies, and attachments.

Policy Requirements Apply to all IEE Requests

When a parent has obtained an IEE without first consulting the Executive Director of Special Programs, reimbursement shall nonetheless be subject to all conditions and criteria set forth herein, including the IEE policy. If the IEE obtained by the parents does not meet the LPISD IEE criteria, the District will not reimburse the parents for the cost of the evaluation.

Re-evaluation Distinguished

A re-evaluation is required when:

- The district determines that the educational or related service's needs, including improved academic achievement and functional performance of the child warrant a reevaluation; or
- If the child's parent or teacher requests a reevaluation.

The request for a re-evaluation (additional assessment) is to be performed through the ARD committee. The committee shall specify the timeline and obtain all required consent signatures, following standard procedures and requirements. Any request for additional assessment prior to the 3rd anniversary assessment date constitutes a full re-evaluation. A reevaluation may occur not more than once a year, unless the parent and the District agree otherwise. A request by the parent or school for additional assessment or re-evaluation does not constitute an individual educational evaluation at public expense pursuant to this procedure.

Reevaluations are not necessary when a child's participation in the program terminates due to age or graduation with a regular diploma, but otherwise must occur when eligibility terminates under other circumstances. For termination upon graduation, the district must provide the child with a summary of his/her academic achievement and functional performance—including recommendations on how to assist the child in meeting post-secondary goals.

Should a student not meet eligibility requirements for special education, the parent has a right to file a complaint with the Texas Education Agency (TEA) or to file due process.

Evaluation Criteria for IEEs Initiated by LPISD or Parents at Public Expense

The following procedures and criteria apply to all independent educational evaluations to be conducted at the expense of La Porte ISD. Failure to comply with any of the criteria and/or procedures listed may result in the district's refusal to fund an IEE.

Parents will be provided with the opportunity to demonstrate to the District that unique circumstances justify an IEE that does not fall within the LPISD criteria.

Location

All evaluations shall be conducted within the Greater Houston Area. The office of the evaluator must be located within 50 miles of the La Porte Independent School District. Under special circumstances, evaluations may be sought outside the designated area, with the prior written approval of the Executive Director of Special Programs. The person(s) seeking an evaluation outside the designated area shall show (a) that unique circumstances require evaluation outside the designated area; (b) that the costs of the evaluation are not excessive when compared to customary and usual charges in the designated area for a comparable evaluation. Each request will be considered on an individual basis. Other expenses (travel, lodging, etc.) incurred outside the designated area shall be considered as part of the cost for evaluation. These expenses shall not exceed the district's allowable charges for per diem expenses as determined by the state.

The evaluation shall be conducted at the student's school campus, unless otherwise agreed by the District and the independent evaluator.

Release and Exchange

The LPISD may require a parent/legal guardian or adult student to provide written consent for the IEE examiner and for the school district to release and exchange information with the IEE examiner.

Cost of the Evaluation

The LPISD will not pay independent evaluator fees if those fees are 10% or more above the prevailing fees in the area (or 20% above the Medicaid rate) for the specific testing being requested. Travel costs will not exceed LPISD rates for travel. The school district has no obligation to pay for services the examiner provides after the IEE's completion.

Qualifications of Evaluators:

Evaluators must meet the minimum qualifications:

- Expertise in the particular area for which information is sought and meet applicable state licensing and/or endorsement requirements
- Training in administering the evaluation procedure(s) or protocols being used; in scoring and interpreting the results thereof; in accordance with the instructions for administering the instrument or procedure as provided by the producer of each.

Regarding the evaluation of and student eligibility in any of the following categories of disability, the evaluator must also be licensed in applicable field(s) specifically indicated by the appropriate provision of the State of Texas requirements for licensure or certification of that discipline's board, and must have the same or equivalent qualifications as applicable school district assessment personnel listed below:

- Autism: Licensed Specialist in School Psychology (LSSP)
- Deafness/Hard of Hearing: Audiologist, Otologist, or Otolaryngologist

- Emotional Disturbance: Psychologist, Psychiatrist, or Licensed Specialist in School Psychology (LSSP)
- Intellectual Disability: Educational diagnostician, or LSSP
- Learning Disability: Educational diagnostician, or LSSP
- Other Health Impairment: Physician licensed to practice in the state of Texas who has experience in diagnosing and recommending treatment for said condition and determine the effects the condition is likely to have on the ability to function in an academic setting
- Orthopedic Impairment: Physician licensed to practice in the state of Texas
- Speech/language Impairment: Speech language pathologist
- Traumatic Brain Injury: Physician licensed to practice in the state of Texas
- Visual Impairment: Optometrist or ophthalmologist

The evaluator is to provide a copy of the appropriate license or certificate when submitting the final bill for payment.

Evaluators must comply with all federal and state requirements, the code of ethics of their professional licensing agencies, and be fully licensed and certified in the evaluation area.

Required Criminal Background Check

Pursuant to Texas Education Code § 22.0834 and Texas Administrative Code § 153.1113, independent evaluator(s) must complete a state and national criminal history background search due to the evaluator(s) direct contact with student(s). This background search and related requirements must be completed and provided to the school district prior to the commencement of the evaluation.

Description of services provided:

If an evaluation consists of the administration of more than one test, the bill for the evaluator's fee should be itemized; including a description of each service performed; the identity, licensure and/or degree or certification of each evaluator; and the hours spent by each individual evaluator performing any portion of the evaluation.

Evaluation Tools, Administration, and Subject Matter:

Independent evaluation costs are limited to reasonable and necessary expenditures for necessary and appropriate evaluation procedures. "Evaluation procedures" are defined as observation of the student and other necessary and appropriate diagnostic measures. They do not include time for evaluator research, program evaluation, or other tasks not directly involving administration, scoring, or report writing of the diagnostic procedure and/or its results. Parent interviews/meetings with evaluation staff for purposes other than a formal interview as part of the evaluation (to obtain child's medical history, for example) are **not reimbursable** as evaluation expenses. Fees for meetings with the parents to discuss evaluation results are **NOT** reimbursable.

No area shall be evaluated, nor shall any evaluation procedure be carried out, unless appropriate justification can be given. No area should be the subject of an IEE at public expense unless the LPISD's evaluators first had an opportunity to evaluate the student in that particular area.

Tests and other evaluation materials must meet the special evaluation requirements set forth in CFR 300.304 including the following:

- Are selected and administered so as not to be discriminatory on a racial or cultural basis; and

- Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so; and
- Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills; and
- Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of assessments.

A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent and school, related to the child being involved in and progressing in the general curriculum.

The independent evaluator should be familiar with the criteria for eligibility for any disability condition criteria being assessed according to the requirements of IDEA-B and the Commissioner's Rules/SBOE (State Board of Education) for and/or the Texas Education Code.

The evaluator is to develop diagnostically relevant information about the child, provide an opinion of the type of specific disability in written format with specific findings and recommendations applicable to the education goals, to be presented to the ARD committee to consider eligibility.

The evaluator shall report all standard scores and all percentile rank scores whenever they are available.

If the assessment is not conducted under standard conditions, the report should include (but is not limited to) a description of the extent to which it varied from standard conditions (for example, the qualifications of the person administering the test, the method of test administration, deviation from prescribed times for response, or the ages for which the test is normed, if different from the child's age). The report must include an original signature and title of all assessment personnel involved in the evaluation. The report must comply with all requirements of state and federal regulations. Upon submission of the evaluation report(s), the evaluator shall also provide to the Executive Director of Special Programs and make available to the ARD Committee all test protocols and other underlying raw data on which the evaluations are based, in order for the Committee to consider the weight of evaluation results accordingly.

In the case where observation of the student in the classroom is called for by the ARD Committee or as part of the standard evaluation procedure the district requires, the office of Special Programs will contact the independent evaluator, campus principal, and the classroom teacher (or other applicable provider) to make arrangements necessary to observe the child. The district will determine the length, location, and timing of the observation in order to minimize the disruption to the class and student. In the event a parent's independent evaluator requests an opportunity to observe, such evaluator shall be given an opportunity to observe at least comparable to any opportunities accorded to the district's evaluator.

The independent evaluation must provide information in a manner consistent with LPISD personnel, including providing an original typed report to the District within 20 school days from completion of the IEE and a minimum of five (5) school days prior to any ARD Committee meeting. Payment will not be processed until the full report and protocols are provided to the school district.

Appendix A



BEHAVIOR SUPPORT PROGRAM (BSP) HANDBOOK

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BEHAVIOR SUPPORT PROGRAM HANDBOOK

PROGRAM FACTS

Program Name/Acronym: BSP – Behavior Support Program (Formerly PASS)

Program Coordinator: District Behavior Specialist

Contact Information: 281-604-7315

Grade Levels Served: K-12

Program Locations: Jennie Reid Elementary, Rizzuto Elementary, Baker Sixth Grade Campus, Lomax Junior High, La Porte High School

PROGRAM DESCRIPTION

The Behavior Support Program is designed to serve special education students who have been identified as having serious emotional and/or behavior problems, typically associated with but not limited to an Emotional Disturbance or Other Health Impairment, that interfere with their ability to be successful in the general education setting. The purpose of the program is to provide support as well as in-depth, intensive, and individualized instruction in the areas of challenging behavior, social and emotional, development, and, as determined by student need, academic support. The goal of this program of intervention is to allow students to succeed academically, develop self-regulation skills, and function appropriately in the Least Restrictive Environment (LRE).

Placement in the Behavior Support Program (BSP) should ensure that students:

- Develop academic, social, emotional, and behavioral competencies
- Develop skills necessary for regulating one's own behavior within appropriate expectations, as stated in the student's Behavior Intervention Plan (BIP)
- Develop skills to improve academic performance as stated in the Individual Education Plan (IEP)
- Develop skills in critical thinking and problem solving
- Develop skills for building and maintaining satisfactory relationships with peers and adults
- Develop skills in decision making and self-management
- Are adequately prepared for and supported in participation in inclusive settings

PROGRAM GOAL

The goal of the Behavior Support Program is to provide students with the academic, behavioral, social/interpersonal, and emotional skills necessary to be educated in inclusive settings. The program focuses on (1) nurturing appropriate behavior and positive interpersonal relationships, (2) helping students achieve academic success, and (3) helping students develop skills necessary for success in adulthood. This is accomplished through a continuum of services in the school setting that ranges from direct and intensive instruction by the program staff in more restrictive settings, to inclusion behavior support by program staff in general education settings.

PROGRAM SUPPORTS

The Behavior Support Program is supported by special education teachers. General education teachers, paraprofessionals, campus administrators, district-level coordinators, Licensed Specialists in School Psychology, Diagnosticians, other related service providers, and parents provide essential support as well. Student performance and progress is monitored on an ongoing basis by those involved in the students' programming, and communication is maintained between those who support the students.

PROGRAM STRUCTURE

The Behavior Support Program is designed to serve students with severe behavioral difficulties that interfere with their ability to acquire new skills through instruction in inclusive settings. The program is structured to meet the academic, behavioral, social, and emotional needs of each student in the Least Restrictive Environment possible.

In grade levels with multiple programs (elementary), placement of students into campus programs should not be determined by the level of behavior severity. The BSP should provide services on a behavior continuum rather than having individual classes populated based on severity of behaviors. Ultimately, the division of students among programs will be determined by the district-level coordinators and administrative staff.

ADDRESSING PROGRAM LRE

Students assigned to the Behavior Support Program will be included in the general education setting to the maximum extent possible as determined by the ARD committee. The level of support provided to the student during times in an inclusive setting will also be determined by the ARD committee and may range from independent participation in general education classes to full-time paraprofessional support. Participation in more inclusive settings should change via an ARD committee decision as deemed appropriate for each individual student and depending on the student's ability to reach mastery criteria on specific IEP objectives. BSP staff work to preserve the LRE for all students in the program through intensive direct instruction, academic and behavioral remediation, and by directly and indirectly supporting general education staff when students are placed in their classrooms.

CONSIDERING PROGRAM PLACEMENT

Thoughtful consideration should be given to the fact that placement in the Behavior Support Program constitutes a more restrictive educational environment. Therefore, prior to recommending such a placement, the ARDC should carefully review whether the student has experienced, despite participation in a less restrictive program, an appropriate IEP, appropriate special education services, and has documented implementation of appropriate teaching and positive behavior support strategies and interventions, continued significant behavioral difficulties which interfere with the student's educational progress and/or create significant safety concerns for the student and campus. Consideration for BSP placement should include:

1. Student must have a current eligibility for special education services. Program eligibility is not limited to or exclusive of any particular eligibility; however, the program has proven to be most effective with students identified with an Emotional Disturbance (ED).
2. A Functional Behavioral Assessment (FBA) has been conducted within one school year, and a Behavior Intervention Plan (BIP) has been developed. Additionally, the BIP has been properly implemented by the teacher and other staff members who work directly with the student. Proper implementation of the BIP involves (1) a clear understanding of how to apply the interventions, (2) consistently implementing the interventions for a minimum of 6 weeks, and (3) collecting data on the effectiveness of the interventions (e.g. an increase or decrease in frequency, duration, and/or intensity of behavior) during this period. During this time, the campus LSSP will monitor the implementation of the BIP and provide on-going consultation as needed. The Behavior Specialist should be kept informed as to the effectiveness of the BIP and any challenges the student continues to exhibit.
3. Documented evidence of consultation with district-level behavior staff, LSSP, and/or other related service providers to determine and develop alternative strategies and interventions.

Additionally, there is documented evidence of proper implementation of the recommended strategies or services for a minimum of 6 weeks. However, under circumstances in which the severity and nature of the student's behavior poses a significant risk of harm to the student or others, or the behavior is significantly impacting the ability of the campus to function appropriately, this requirement may be waived upon review of behaviors in question, the interventions attempted, and the student's response to those interventions. Placement in BSP may be appropriate if:

- Despite documented interventions and increased supports, the student's behaviors are consistently unsafe or disruptive to the point that the student is not making progress and is significantly disrupting the educational environment.
 - Significant social skill deficits reflect an inability to build or maintain appropriate relationships with peers and teachers to a degree that it severely impacts the student's functioning in the current setting
 - To meet placement requirements, a student must continue to demonstrate significant behavior challenges that impact his/her ability to progress in their current placement even after the required interventions and supports are put into place. Students whose behavior improves (based on documentation) to the extent that they can successfully participate in their current placement would not be candidates for BSP.
4. Either the Campus Principal or the Campus LSSP should contact the Behavior Specialist to discuss possible BSP placement.
 5. The Behavior Specialist will consult with the campus LSSP, review student information, and observe the student.
 6. A staffing should be initiated by the student's home campus. Prior to the staffing, the Behavior Specialist will consult with the appropriate staff, including the home campus principal, regarding recommendations for programming or placement. Attendees at the staffing should include: home campus principal, home campus general education teacher, home campus special education teacher, home campus LSSP, Behavior Specialist, receiving campus principal, receiving campus Behavior Program teacher, and receiving campus LSSP.
 7. If a program placement is recommended, the behavior program teacher from the receiving campus will observe the student and meet with the student's teachers. To avoid disagreements regarding the validity of a BSP program placement, the recommendation for a change of placement should only be made to the ARD committee once the procedures outlined in this section have been completed. It is important to note that a student's identified disability condition does not drive placement into the BSP or any other LPISD program. Such a placement is made only after considering whether a particular program is the best means of addressing the student's documented needs, regardless of their disability condition. For example, in certain situations, a student who qualifies for special education services under the disability condition of Autism may be considered for placement in BSP rather than SAIL (the district program designed to support students with Autism Spectrum Disorders), and vice versa, depending on which program most effectively addresses the student's needs.
 8. A representative from the home campus should contact the parent to review behavior concerns and attempted interventions, and explain that an ARD will be scheduled in which

- alternative special education programming will be considered. The home campus representative should contact the Behavior Specialist after this conversation with the parent.
9. The Behavior Specialist will follow up with a phone call to the parent to explain the Behavior Support Program and answer any related questions. A campus visit will be offered at this time.
 10. The Home Campus will schedule an ARD and invite the following: home campus principal, home campus general education teacher, home campus special education teacher, home campus LSSP, Behavior Specialist, receiving campus principal, receiving campus BSP teacher, receiving campus LSSP, and any relevant related service providers.
 11. For purposes of the ARD, the home campus special education teacher should collaborate with the receiving campus PASS teacher to ensure that the student's IEPs and Schedule of Services are entered to correctly reflect recommended services. Additionally, the home campus LSSP should consult with the receiving campus LSSP to ensure that the BIP is appropriate.
 12. At the ARD, a start date will be determined for transition to the new campus. A campus visit will be offered to the parent (if they have not already visited) and coordinated between the receiving campus and the parent, if applicable.
 13. The home campus diagnostician will transfer the student's special education folder to the receiving campus diagnostician. The home campus diagnostician will send the Transportation Supplement to the Transportation Department.
 14. Home campus registrar will send any applicable enrollment paperwork, shot records, etc. to the receiving campus registrar.

BEHAVIOR SUPPORT PROGRAM PLACEMENT ORIENTATION PERIOD - ELEMENTARY

Once an ARD committee has determined that placement in the Behavior Support Program is necessary, it is recommended that the student be self-contained in the BSP classroom for a period of 1 to 3 weeks (with the exception of supported lunch and specials, as tolerated by the student). The purpose of this "orientation" period is to determine the individual needs of the student, including academic, social and behavioral. It also provides the BSP staff time to develop a relationship with the student, acclimate the student into the BSP, develop any needed additional interventions, and train and prepare the general education staff to receive the student. Data collection systems will be put into place during the orientation period so that behavior can be accurately monitored. Although a 1 to 3-week orientation period is recommended, the ARD committee must make the final decision on its duration. At the initial placement ARD, a statement should be included in the ARD deliberations which reflects that the student will begin participation in the BSP with an orientation period fully in the special education classroom, and that time in the general education setting will be gradually increased over the orientation period, as student behavior allows. The class or classes chosen for the student to begin attending in general education first should be those that play into the student's academic strengths and interests. If, after the projected orientation period, the student's behaviors are not deemed safe enough to begin attending classes in the general education environment, a revision ARD will be needed to adjust the schedule of services.

For students transitioning back from out of district placements, such as ABS East or Shiloh, an extended orientation period will be implemented. In order to facilitate a successful transition, these students will be fully self-contained within the BSP classroom, and will gradually begin attending classes in the general education setting with support as their behavior allows. Transition of these students should be considered a slower process and handled with extreme caution. In these situations, the BSP teacher, campus administrator, LSSP, and Behavior Specialist will work closely

together to implement an individualized plan for transition.

BEHAVIOR SUPPORT PROGRAM PLACEMENT ORIENTATION PERIOD - SECONDARY

Once an ARD committee has determined that placement in the Behavior Support Program is necessary, it is recommended that the student participate in an orientation within the BSP classroom. The purpose of this “orientation” is to determine the individual needs of the student, including academic, social and behavioral. It also provides the BSP staff time to develop a relationship with the student, acclimate the student into the BSP, develop any needed additional interventions, and train and prepare the general education staff to receive the student. At the initial placement ARD, a statement should be included in the ARD deliberations which reflects that the student will begin participation in the BSP with an orientation period in the special education classroom, and that time in the general education setting will be gradually increased over the orientation period, as student behavior allows. The class or classes chosen for the student to begin attending in general education first should be those that play into the student’s academic strengths and interests. If, after the projected orientation period, the student’s behaviors are not deemed safe enough to independently attend classes in the general education environment, a revision ARD will be needed to adjust the schedule of services.

For students transitioning back from out of district placements, such as ABS East or Shiloh, an extended orientation period will be implemented. In order to facilitate a successful transition, these students will be fully self-contained within the BSP classroom, and will gradually begin attending classes in the general education setting with support as their behavior allows. Transition of these students should be considered a slower process and handled with extreme caution. In these situations, the BSP teacher, campus administrator, LSSP, and Behavior Specialist will work closely together to implement an individualized plan for transition.

BSP CLASSROOM PHYSICAL ARRANGEMENT

The physical arrangement of the classroom can either promote or hinder safety and quality learning opportunities. When designing the classroom, consider the size of the classroom, location, age of students, number of students who will be in the classroom, the activities to be conducted in the classroom, and the placement of electrical outlets, doors, and windows. Additionally, consider the location of cabinets and countertops.

- Arrange classroom furniture to clearly define areas for large group instruction, small group instruction, individual work spaces, leisure area, cool down or safe area
- Minimize distractions – consider the location of doors and windows, separate high traffic areas from work spaces, situate computer and recreational areas away from instructional areas
- Maximize access – student access to instruction should require low effort, instructor access to students should allow for ongoing monitoring, place materials to be accessed by students away from where other students are working.
- Materials should be well organized, labeled, and easily accessible
- Position desks far enough apart to prevent problem behavior, such as touching others or grabbing items
- Students should have a specific location for storage of personal items (backpacks, lunch boxes, etc.)
- Classroom rules and CHAMPS procedures are defined for each school-wide expectation and posted in the classroom.

SCHEDULES

Effective scheduling allows staff and students to predict the upcoming events of the day, as well as indicating to staff where and with whom they should be providing assistance at any given time. The requirements for scheduling include:

- A daily schedule with identifies time and activity/course block for the day. Activities may include daily entry tasks (routines, warm up activities), current day's activities, reminders of important activities or upcoming changes
- In addition, schedules for each individual student should be readily accessible to all staff and the student
- All student schedules should clearly define where all students and staff are located at all times, whether in or out of the classroom, and who (if anyone) should be monitoring them

PARAPROFESSIONAL RESPONSIBILITIES

The BSP teacher is responsible for collaboration with paraprofessionals and other staff members working with BSP students in other settings (resource, general ed, specials, etc.). Effective communication is crucial to effectively navigate the activities of the day throughout the school as well as deal with questions or concerns as they occur. The BSP teacher must communicate regularly to ensure that all staff working with students in the BSP program understand:

- How to follow classroom and student schedules
- How to address classroom expectations and rules with students
- How to provide instructional and behavioral assistance to students with disabilities
- How to monitor implement, and report progress in the Behavior Intervention Plan (BIP)
- How to provide basic proactive strategies and positive behavior support
- How to utilize data collection and monitoring forms
- How to effectively apply principles of Crisis Intervention/Crisis Cycle for students who demonstrate aggressive or dangerous behaviors, including de-escalations strategies and/or physical restraint
- How to effectively communicate with general education teachers

CLASSROOM MANAGEMENT

- Classroom rules and CHAMPS procedures are posted visibly within the classroom
- Classroom behavioral expectations are taught, reviewed, practiced, and known by every student. This will require direct instruction initially to establish understanding of the expectations/rules and what they should look like in the classroom.
- BSP staff establish positive relationships with all students in the program. Relationship building is a vital component of behavior management, and especially de-escalation and crisis management. Developing positive relationships will require all BSP staff to reach out to each student and get to know them (learn about their hobbies, interests, etc.).
- Positive greetings are provided at the door each day/class period in order to establish a positive climate and give the teacher/staff the opportunity to pre-correct concerns before they escalate.
- Procedures for transitions within the classroom and outside the classroom are taught and practiced
- Independent seatwork is limited to activities that require it (worksheets, quizzes)

- Adults effectively communicate with students. Corrective interactions are delivered in a non-threatening and supportive manner.
- Teaching, modeling, and reinforcing desired pro-social classroom behaviors will take place on a daily basis.
- Teacher mobility and proximity control is important. The teacher should not stand in one spot or remain seated at a desk/table. This keeps students alert by tracking the teacher and provides an opportunity for recognition and correction of problem behaviors by the teacher.
- A reinforcement system to increase desirable behavior is in place and implemented consistently. Students are taught and understand the system (how incentives are earned, schedule for reinforcement). Although self-regulation is the ultimate goal, some students will require intrinsic rewards. The system should be visually accessible to the students in the classroom, referred to routinely, and a copy of your reinforcement system should be sent to the behavior specialist at the beginning of the school year.
- Goal setting and performance feedback is routine and should be given at the end of each subject before transitioning to the next.
- A daily schedule listing classroom activity for the day is posted
- Positive to comments should be provided to students on a 9:1 ratio to negative comments

STAFF DEVELOPMENT EXPECTATIONS

BSP teachers should strive to remain informed regarding best practices for managing student behaviors. Teachers and paraprofessionals must maintain CPI certification. These certification opportunities will be offered through LPISD.

The BSP teacher should present a program overview to the entire staff at the beginning of each school year.

CAMPUS ADMINISTRATOR RESPONSIBILITIES

Campus administrators providing oversight and supervision of teachers in the BSP should have access to and understand how to utilize the Vital Components Walkthrough Form. This for will help the administrators on campus to understand and monitor the implementation of the BSP. Campus administrators should also expect to have a working relationship with the behavior specialist to ensure that the program is being implemented appropriately and that student goals are being met. Campus administrators on a BSP campus must maintain CPI certification. These training opportunities are provided within LPISD, as well as through Region 4 ESC.

GENERAL ED CLASSROOM TEACHER RESPONSIBILITIES

For students who participate in general education classrooms (this should be all, or almost all of our BSP students), the general education teacher of record must take steps to maintain communication and establish a relationship with the BSP student.

- Read and understand the BIP, asking for clarification as needed
- Have the BIP and student paperwork easily accessible for reference
- When a student is in the BSP classroom for orientation or re-orientation, the classroom teacher of record will provide lesson plans and all assignments to the BSP teacher, as well as grade and record assignments
- Additionally, the classroom teacher should regularly visit the student in the BSP classroom during conference periods to provide academic support and guidance, as well as to maintain and nurture the relationship with the BSP student

- In the classroom, deliver the first behavioral correction. It is important that the classroom teacher is the voice of authority within the classroom
- If the student does not immediately respond, allow 1-2 minutes wait time (if possible) to see if the student can self-correct the behavior
- If the student is not able to self-correct the behavior, contact BSP staff for support. This support may include BSP staff coming into the room to support the student, removing the student briefly to the hallway for redirection and coaching, or removing the student to the BSP classroom.
- Complete behavior tracking sheets throughout the day in accordance with each student's plan
- Provide meaningful input at ARD meetings
- Communicate with parents as with any other student

STUDENT PROFILE BINDER

Each classroom is responsible for having a "Student Profile Binder" that is easily accessible in the classroom. Classroom teachers and paraprofessionals should be knowledgeable and able to speak to the contents of the binder. The Student Profile Binder shall contain a section for each student in the class which maintains copies of the following, as applicable:

- Functional Behavior Assessment (FBA)
- Behavior Intervention Plan (BIP)
- Goals and Objectives
- T-Chart
- Student Questionnaire
- Reinforcement Survey

INSTRUCTION

Instruction provided to students while they are in the BSP classroom should be differentiated and student-centered to ensure that each student's IEP is effectively addressed, and to ensure that each student is making adequate educational progress. Instruction encompasses how to utilize the TEKS based curriculum while differentiating instruction and teaching individualized goals and objectives. As needed, instructional materials are also differentiated to meet the needs of individual students. Additionally, BSP teachers are responsible for implementing the accommodations and modifications listed in the students' IEPs for those subject areas in which they receive instruction in the BSP classroom. In addition to academic instructional requirements, the BSP classroom is designed to teach students the skills necessary for them to manage their behavior, so that they can function independently enough to make progress in the general education settings. Group instruction in the area of social skills, self-management, and problem solving is woven into the daily schedule, but individual students may require more intensive and specific instruction for adequate progress to be made.

DATA COLLECTION FORMS

The Supplemental Forms in this section provide a selection of preapproved point sheets and data sheets for tracking student behaviors on a daily basis. Staff should utilize these behavior tracking sheets regularly.

Daily Point/Behavior Sheets (Elementary) – Each student in the Behavior Support Program should

utilize a daily point or documentation sheet that tracks the student's positive progress toward their target behaviors listed on the behavior intervention plan. If a student attends classes in the general education setting, the point sheet should follow the student to the classroom, and it should be updated by the teacher at the end of each designated block. The purpose of the point sheet is to track the behaviors the students are exhibiting. The BSP teacher is responsible for going over the students' point sheets with each individual student during the school day and having a reflective moment to provide positive feedback and to shape the students' behaviors. Additionally, these daily point/behavior sheets should be used to drive the classroom reinforcement system.

Monitoring/Tracking Forms (Secondary) – Secondary BSP teachers and paraprofessionals are responsible for consistently monitoring the behavior of students who are participating in general education settings. Monitoring should be completed at least twice per class period, if possible. Monitoring forms should indicate whether the student was exhibiting appropriate behavior, and, if not, what behavior was observed and what intervention was implemented.

CONSULTATIONS

Bi-weekly consultations will be scheduled for each BSP classroom. Attendees at the consultation will include the program teacher, the Behavior Specialist and the campus LSSP. Other attendees may include but are not limited to campus administration, the campus diagnostician, general education teachers, and the student (if appropriate)

STUDENT STAFFINGS (GRADING PERIOD)

All data should be collected and summarized at least once each grading period for the purpose of evaluating student progress and updating IEPs. Each student's grading period review should include the following staff: Campus Administrator, BSP teacher, LSSP, Behavior Specialist, and student (if appropriate). The Grading Period Meeting Review Form should be completed for each student prior to each meeting, with the exception of the "Recommendations" section, which will be completed during the meeting.

REINTEGRATION/TRANSITION PLAN

The purpose of the re-integration plan is to plan for and structure the student's transition back to their home campus by identifying the current behaviors in the student's IEP/BIP that are preventing them from being successful in the current placement. The plan should include baseline data on each target behavior and a projected timeline for when the student should return to a less restrictive environment. For example:

- Target Behavior #1: Physical aggression in the form of hitting and kicking that requires administrative intervention
- Baseline: 2 instances per week
- Expectation: Less than 1 instance per four-week period, on average
- Estimated Timeline: A staffing will be held on September 15 to review behavioral data

The reintegration/transition plan should be discussed in detail at the placement ARD, as well as at any future ARDs. Once the student begins receiving services in the Behavior Support Program, the BSP teacher and campus staff should review the plan at least once per grading period to determine if the stated expectation has been met and if an ARD should be held to consider a change of placement/schedule of services to a less restrictive environment.

Teacher's Name _____
Staff Observer _____

Campus _____
Date _____

1. Classroom Climate/Arrangement

- _____ Classroom is arranged so that all students may be supervised at all times
- _____ Items that may pose a danger are inaccessible to students
- _____ Classroom rules are posted and are visible to all students in the classroom
- _____ Areas exist for group instruction, independent work, leisure, and cool down
- _____ During orientation or re-orientation, or for self-contained students, a schedule is posted which identifies the order of activities for the day

2. Student Information/Data

- _____ Schedules for each individual student are readily available
- _____ BIP and goals/objectives are easily accessible for each student
- _____ Teacher maintains a communication log to document communication with parents
- _____ A student profile binder, which includes each of the following, as applicable, is accessible to all staff working in the room: FBA, BIP, T-Chart, Goals and Objectives, Schedule of Services, and any student interviews or questionnaires

3. Positive Behavior Supports/Student Interactions

- _____ A designated time is allotted in the students' daily schedule where a research-based social skills curriculum is utilized
- _____ Teacher verbally and nonverbally reinforces appropriate student behavior
- _____ Teacher appropriately redirects student behavior
- _____ Maintains neutral voice tone and moderate volume with students
- _____ Avoids power struggles with students
- _____ As applicable, circulates the classroom and supervises all students
- _____ Allows student cool down time prior to engaging
- _____ Instruction in replacement behaviors
- _____ Students in general education are being actively monitored – at least every 15 minutes – with student data being recorded on monitoring sheets

4. Instruction/Engagement

- _____ Small group instruction
- _____ Individual student instruction
- _____ Students working independently
- _____ Paraprofessionals are actively engaged in the lesson – up, walking around, supporting student needs
- _____ Teacher actively monitoring – circulating the classroom and working with students

Teacher's Name _____
Staff Observer _____

Campus _____
Date _____

1. Classroom Climate/Arrangement

- _____ Classroom is arranged so that all students may be supervised at all times
- _____ Items that may pose a danger are inaccessible to students
- _____ Classroom rules are posted and are visible to all students in the classroom

2. Student Information/Data

- _____ Schedules for each individual student are readily available
- _____ BIP and goals/objectives are easily accessible for each student
- _____ Teacher and/or paraprofessional takes data (monitoring sheets, etc.) and maintains data in a spreadsheet or binder
- _____ Teacher maintains a communication log to document communication with parents
- _____ A student profile binder, which includes each of the following, as applicable, is accessible to all staff working in the room: FBA, BIP, T-Chart, Goals and Objectives, Schedule of Services, and any student interviews or questionnaires
- _____ Each student has social skills and/or behavior IEPs that are correlated to the behaviors targeted on the BIP

3. Positive Behavior Supports/Student Interactions

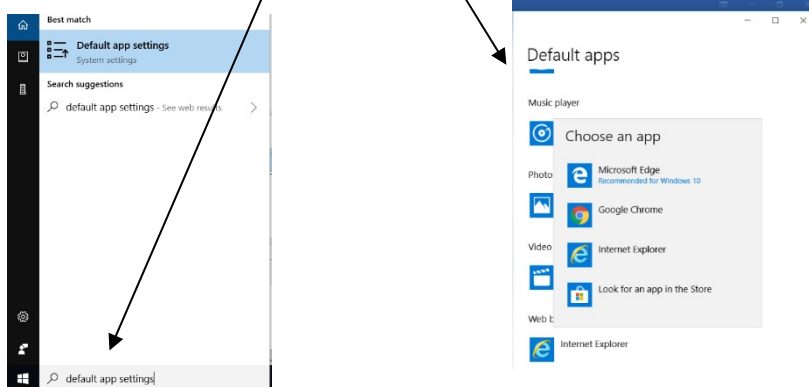
- _____ Teacher verbally and nonverbally reinforces appropriate student behavior
- _____ Teacher appropriately redirects student behavior
- _____ Maintains neutral voice tone and moderate volume with students
- _____ Avoids power struggles with students
- _____ As applicable, circulates the classroom and supervises all students
- _____ Allows student cool down time prior to engaging
- _____ Instruction in replacement behaviors

Appendix B: SuccessEd Tips

General Tips

#1 – Make sure that you are using Google Chrome to access SE. The program will work better. To set Chrome as your default browser:

- 1) Go to Cortana and type in “Default App Settings”.
- 2) Under Web Browser, click on your current browser, and you will get the “Choose an app” window. Select Google Chrome.



#2 – Some of the forms such as the Behavior Intervention Plan, Contact Log, Teacher Input, Parent Input, etc. are listed under multiple products (i.e. – sped, 504, Rti). Do not delete the form unless you are sure that it is not needed. If you are not sure who is using the form, then check who last edited it.

#3 – On the Home screen, make sure that you periodically look under News for any upcoming site maintenance or update information from SuccessEd.

#4 – Some of you are having an issue where the text on the pages all appears squished together when trying to preview in a pdf format. This is due with text wrapping issues when you are cutting and pasting information into SuccessEd, especially for the PLAFFPs. If this happens, cut the information to WORD, fix the wrapping issue, and then cut and paste the information back into that section in SuccessEd.

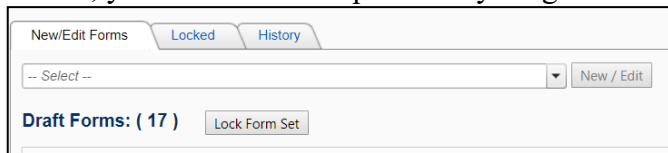
#5 – The easiest way to generate the goals, accommodations, state testing, BIP, services for the teachers is to print the Teacher Bundle. Go to Reports, Programs – Special Education, Teacher Bundle. You can batch print by campus, grade, or by individual students.

#6 – Once a student with a temporary ID in SE enrolls for services in eSchool, please notify Jennifer Upshaw with the student’s new ID so that this information can be updated in SE.

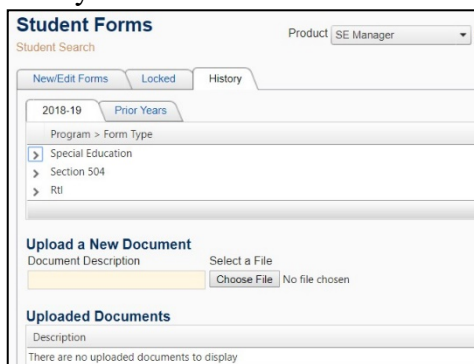
#7 – Remember to choose from Shared Lists first before typing information in the textbox. If someone has already put information in a textbox and you want to add from the Shared List, copy their information into a Word doc first, then select from the shared list and then paste their information back into the textbox. Make sure you read the selections and edit as necessary.

Often these are generic blurbs which need to be edited to fit the specific student in question.

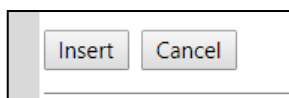
#8 – For the IEP and FIE, lock the forms as a form set. If you click View All Drafts, you will get an option to Lock Form Set. Click the button to drag the items over in the order you want them. On the set is locked, you will be able to print everything as one PDF.



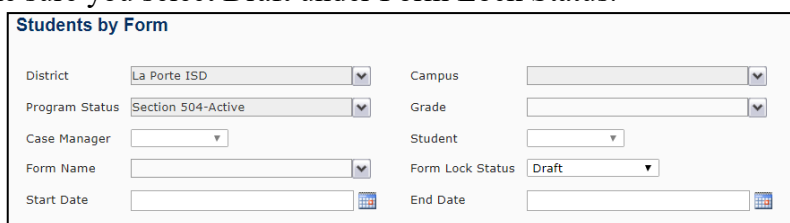
#9 – For ALL consults (regardless of which program the student is under), go to History, Upload a New Document. For the Document Description, title it and put a date. Choose a file and then upload. Any other relevant students can be uploaded in the same way.



#10 – When you click Add new record under areas within SE (whether under RTI, SE 504, SE Manager, etc.) do NOT forget to click Insert and then Save the page when completed. Some places have “button” boxes around these words and some do not.



#11 – To see what forms are still in draft, go to Reports. Select Students by Form report under the appropriate Program (Bilingual/ESL, RTI, Section 504 or Special Education). Click Run Report. Make sure you select Draft under Form Lock Status.



#12 - After you have utilized a form and it has been locked, all future drafts of that form come cloned with the previous information. Make sure that you review this closely and change/update the information as appropriate.

STUDENT

#1 – When importing a student into SE for the first time, or for students who are already in SE for another program (i.e. – RTI, SE 504, ELLA), find them under Students, select a student, and then click on the pencil to edit them. Do not forget to update the following:

- Enrollment – Accessible in the following Programs (check all programs that apply)
- Program Compliance, Special Education Compliance
 - Status = Transferred (for newly enrolled students)
 - Status = Referred (for special ed. referrals)

#2 – if you have a student who is not on their home campus due to a special education program, you can update their enrollment in SuccessEd to note their home campus. Go to Students, then the Enrollment tab. Here you can update their Home Campus and Next Home Campus.

Home Campus: Bayshore Elementary School ▼	Next Home Campus: Training School - La Porte ISD ▼
Current Campus: Training School - La Porte ISD ▼	Next Current Campus: Training School - La Porte ISD ▼

#3 – Students will not be available to import into SE until the day after their enrollment. If for some reason, you need them immediately or you cannot find them the following day, contact the Director of Special Programs.

#4 – 2018 STAAR, STAAR Alt. 2, and TELPAS results have been imported for students who tested in LPISD last year. For any transfers or whose data is missing, you can add the assessment data, under State Assessments.

#5 – For parent contact information (i.e. – phone numbers) information: Go to Students, Select a student, then enter the student's last name, first name, date of birth, or student ID. Once the student is located, click on the pencil. Go to Parental Info. Click on the parent's name whose information you want. This will pull up available contact phone numbers, email addresses, and addresses.

#6 - When a student withdraws from LPISD, we must inactive them within SuccessEd. To do this: Go to Students, select a student, then enter the student's last name, first name, date of birth, or student ID. Once the student is located, click on the pencil. Go to Program Compliance, under Status for the appropriate program (Special Education, Bilingual/ESL, Section 504, or RtI), change

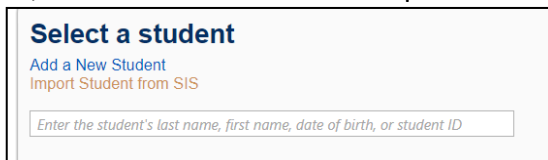
the Status to “Withdrawn”. If the student is accessible under several programs, please change the Status for each program.



Demographics | Parental Info | Enrollment | Program Compliance | State Assessments

Special Education | Bilingual/ESL | Gifted and Talented | Section 504 | RTI | Medicaid

#7 – Never click on Add a New Student. If the student is NOT currently in SE, then you will select Import Student from SIS. If the student is already in SE, but you need add them to another program, then edit the student and update the Enrollment and Program Compliance tabs.

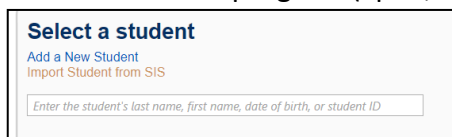


Select a student

[Add a New Student](#)
[Import Student from SIS](#)

Enter the student's last name, first name, date of birth, or student ID

#8 – If a student re-enrolls in LPISD and they already have records, then you just need to re-activate them. Go to Select a student, edit the student and update Program Compliance tabs so show them active in the correct program (Sped, 504, ELL, RTI).



Select a student

[Add a New Student](#)
[Import Student from SIS](#)

Enter the student's last name, first name, date of birth, or student ID

SE Manager

#1 – Suggested Uses for Brief IEPs

- Any meeting that is not an Annual.
- Dismissal and/or DNQ ARDs.
- Manifestation Determination Review ARDs.
- Review updated evaluation data.
- Make changes to instructional accommodations.
- Make changes to state testing accommodations.
- Add/Remove related services.
- Add goals and/or objectives.
- Correct Instructional Arrangement (PEIMS) code on Section IV. Determination of Services to be Provided page due to clerical error.

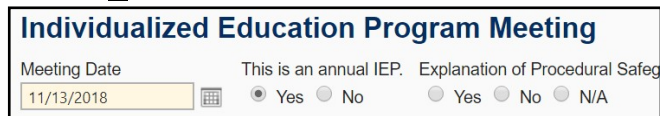
For ALL Brief ARDS, make sure that the Instructional Schedule and Related Services Schedule reflects the current services for the student. If the student has not an annual IEP meeting in SE, then the services will need to be added for the Brief ARD. This is the only way to ensure that the PEIMS sheet is correct.

#2 – Suggested Uses for Amendments

- Make changes to instructional accommodations.
- Make changes to state testing accommodations.
- Clerical corrections.

The Amendment can NOT be used for eligibility changes or changes in instructional and related services, except for transportation. For Amendments, go to SE Manager, select Amendment to the Individualized Education Program (IEP) from the New/Edit Forms dropdown. Click Edit Draft. Note: you can only have IEP form (IEP, brief, amendment) in draft at any given time. Indicate the IEP Sections to be Amended. If the student has not already had an annual IEP meeting within SE, please make sure you enter ALL the information for any part of the IEP you are amending.

#3 – An Initial ARD is an Annual ARD.



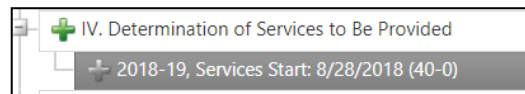
#4 - III. Present Levels of Academic Achievement and Function Performance

- If Yes for Personal care Services, complete Supplement: Personal Care Services
- Determine if a support is instructional technology or assistive technology. If assistive technology, then mark Yes and complete Supplement: Assistive Technology (AT).

#5 – For ARDs in which services will not begin immediately (i.e.- the child doesn't turn 3 for a week or will not start until after the holidays), please ensure that the services start date is correct in the IEP and goals. This is especially a problem with students who are not yet 3.

#6 – IV. Determination of Services to Be Provided

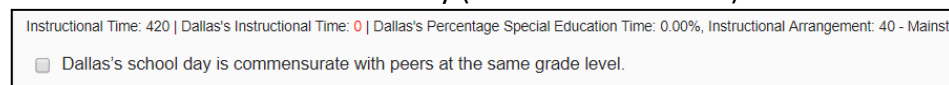
- For 2nd schedule of services, click on IV. Determination of Services to be Provided, not on the one that starts 2018-2019....



- For any services except those listed as Duration – Day (includes Instructional Schedule and Related Services Schedule), you MUST select something in the Removed From dropdown. If not, then the instructional setting will NOT calculate correctly. You will get a statement in RED such as the following.



- All instructional services should be listed as Min. SpEd.
- Make sure to check commensurate school day for all full-time students so that the instructional time will calculate correctly (this is a test student).



- For transportation, do not put any minutes. For Service Type, select Out of School.
- For in-home & parent training, select Out of School for Service Type.

#7 – Students should have 2 Transportation Information forms if they will be receiving special transportation this year and next year.

#8 - Instructional Arrangement Code 45 is now auto-calculated when

- o Student is between the ages of 3 – 5 on the Schedule Page Services Start Date.
- o Percentage of time in special education is more than 60%.

You will need to override the code if the student spends any of their day in general education.

#9 - For ALL 3-5-year old, make sure you address the PPCD Location code. This only shows up under IV. Determination of Services to Be Provided for students who need this addressed.

IV. Determination of Services to Be Provided
Up to 3 entries can be included in this section

Schedule: Current | Academic Year: 2018-19 | Services Start Date: 9/24/2018 | Duration of Services: 5/23/2019 | Campus Assignment: Training School - La Pr

Program Name: -- Select -- | District of RDSPD: -- Select -- | PPCD Location: -- Select --

#10 – For students who receive AI services from the Deaf Coop, make sure that Goose Creek CISD is listed in the District of RDSPD dropdown.

#11 – For students who are AI and receive Instruction for Auditory Impairment, make sure that the RDSPD box is checked as part of the Instructional Schedule record.

Instructional Schedule
+ Add new record

Subject	Semester	Service Provider	Grade Assigned By	Min. Gen	Min. SpEd	Freq. / Duration	S
Instruction for Auditory Impairment		AI Certified Teacher	AI Certified Teacher	0	0	day	

RDSPD: ☒

#12 – For ½ day PPCD students or students on less than a full day, under IV. Determination of Service to be Provided, do NOT check:

school day is commensurate with peers at the same grade level.

#13 – If the student has Calculation Aids, Supplemental Aids, math manipulatives, as an Instructional Accommodation or STAAR accommodation, then make sure you specify in the Comments box exactly what they will be using. This is also true for other accessibility features and designated supports.

#14 - For the LRE, it is what have we provided, tried, considered specific to the student and what's being documented in the IEP in the near past (last IEP year) and what are we considering, etc. moving forward, especially if the student is UNSUCCESSFUL. Every area should be addressed. If it does not apply to the student, then put Not Applicable. Do NOT leave it blank.

V. Consideration of Least Restrictive Environment
Service and site consideration alternatives provided, tried, or considered (p, t, c), including supplementary aids and services in general and compensatory education, for which Robert is eligible and additional services needed are identified below. Consideration of the vocational training needs for students at or before entry into high school was discussed.

General Education (GE) Only	Considered	Speech Therapy	Not Applicable
GE w/Accommodations	Tried	Resource Room	Not Applicable
GE w/Support Services	Tried	Self-Contained Classroom	Provided
Tutorials	Not Applicable	Adaptive Equipment/AT	Provided
Multi-Tiered Interventions	Provided	Counseling	Provided
General Vocational Education	Considered	Related Services	Provided
Bilingual Classes/ESL	Not Applicable	VAC Class	Not Applicable
Preschool/Pre-K	Not Applicable	On-The-Job Training	Not Applicable
School Health Services	Not Applicable	Homebound	Not Applicable
District AEP	Not Applicable	Hospital Class	Not Applicable
Accelerated Plan of Instruction	Not Applicable	RDSPD	Not Applicable
Dyslexia Services	Tried	Home Campus	Provided
Compensatory Services	Not Applicable	Section 504 Services	Not Applicable

Resource Room – includes students pulled out for services in the Resource, SAIL, or BSP classrooms.

Make sure you note the Results of these and provide reason if efforts are not successful.

#15 – Extended Year Services (ESY): If a student qualifies for ESY, this can be addressed in an ARD meeting or through an amendment. The following documentation is required.

- In the IEP meeting form, complete VI. Extended School Year Services
 - Subject: Type in the subject areas that will be focused on during ESY.
 - Frequency: How many days per week? 1, 2 or 4
 - ESY Program Name: BSP, SAIL, PPCD, FOCUS
 - ESY Transportation: If yes, complete Transportation Information form

- Complete the Supplement: Extended School Year (ESY)

#16 – If you need a Spanish copy of a locked form, pull up the student in SE Manager.

Go to the Locked tab. Click on the form for which you want the Spanish copy. Under Select version to print: select Spanish.

#17 – For LEP students, please complete Supplement: Language Proficiency Assessment Committee (LPAC) form. A good portion of it will pull data from the locked English Language Learner (ELL) plan for LEP students.

#18 – STAAR Alternate 2 Participation Requirements

- Step 1: Review of Eligibility Criteria for STAAR Alternate 2 - For the justification under each of the 5 questions, you should be putting specific information as to how the student is a YES for the criteria. If you have questions regarding data from the FIE for Question 1, then please ask your diag and/or LSSP for guidance.
- Step 2: Discuss Assurances – The ARD administrator is the one who initials the assurances.

#19 – The Supplement: Communication Needs (AI) is not a required component of the IEP Meeting unless the student is AI. That is why there is no red asterisk. Therefore, you do not need to complete it for every student.

#20 – You can Bulk Print Forms – IEP: Determination of Services to be Provided and IEP: State Assessments.

#21 – To obtain consent for an evaluation (initial, re-eval, or special request), use the Notice of Evaluation, Consent for Evaluation and the Procedural Safeguards Log under SE Manager. While the Notice and Consent are under SE FIE, you can only access the Procedural Safeguards Log under SE Manager.

#22 – Supplement: Personal Care Services

- Activities of Daily Living (ADLs) - are the cornerstones of self-care and include essential functions such as feeding, dressing and using the bathroom. The six tasks on the basic activities of daily living list are necessary for survival. These are: eating, bathing & hygiene, dressing, grooming, transferring & mobility, and toileting & continence
- Instrumental Activities of Daily Living (IADLs) - are actions that are important to being able to live independently, but are not necessarily required activities on a daily basis. The IADLs include: basic communication skills, transportation, meal preparation, shopping, housework, managing medications, and managing personal finances.

SE IEP Goals

#1 – While the Goal Builder is a useful tool which assists in writing standards-based goals, you cannot just accept the written goal at face value. In my example below, the goal is too broad and not really measurable. The goal builder inserts the TEKS standard for the behavior/action. You need to revise the goal after using the goal builder to ensure that it is truly measurable and specific enough.

Remember - The rule of thumb for a “measurable goal” is that someone, without knowledge of the student/classroom/” the way I do it” can walk in with the goals and take data without assistance from the teacher.

#2 - Objectives are required to be included in all annual goals for students who take STAARAlt.

#3 - Functional goals (all goals not based on grade level TEKS) should have at least 2 objectives.

#4 - All Goal Effective Dates Start and End should match the ARD date and IEP year, except in circumstances where the goal will start and/or end at a different time. If the ARD is rescheduled, please ensure that the goals are re-dated if necessary.

#5 – To access Progress Reports, hover on SE IEP Goals and then click on Progress Reports.

#6 – For Progress Reports, the Reporting Period should match the reporting period for the school year (i.e. – if it is the 2nd 6-weeks, then you would select Reporting Period 2).

SE FIE

#1 – Within the FIE under Sources of Data, you enter Section, Source of Data, Evaluator, Date.

Sources of Data			
+ Add Record			
Section	Source of Data	Evaluator	Date
Adaptive Behavior	Adaptive Behavior Assessment System Third Edition (ABAS-3) - Parent Form (Ages 5-21)	Mrs. Test	08/15/2018

However, once the evaluation is locked, this information is listed in different places in the FIE. Under Sources of Data, it just lists Section and Source of Data. Then under each area (physical, sociological, etc.), it lists the Source of Data, Evaluator, and Evaluation Date.

#2 – The Report Title for initial FIEs and out of state transfer student’s FIEs should be Full Individual and Initial Evaluation.

#3 – On the Notice of Evaluation, under Other factors relevant to this evaluation, note the specifics of the evaluation and the due date.

Other factors relevant to this evaluation:

#4 – To show the student’s need for related services such as OT or PT, utilize the Summary Report: Special Education/Related Services form. This can be used in conjunction with a full FIE or as a stand-alone special request for an OT or PT evaluation.

#5 – For special evaluation requests (i.e. – OT, PT, AT, SI+ student test speech to dismiss), add Full and Individual Evaluation form. Under Report Title, find the title for your report. List the date of the special request. After writing the report, complete any necessary DODs. Lock the form/form set upon completion.

Full and Individual Evaluation

Student ID: YY1005565 Student Name: Dallas Test Age: 11 Date of Birth: 01/03/2007

Academic Year: 2018-19 Home Campus: Training School - La Porte ISD Current Campus: Training School - La Porte ISD

Report Title: Occupational Therapy Date: 8/31/2018

Parent 2 Name: [Redacted]

Position: [Redacted]

Special Ed Teacher: [Redacted]

Occupational Therapy

#6 – In draft form, Disability Report: Other Health Impairment date (9/3/18 in this example) is the date in which the doctor’s information was received (Signature Date).

Draft Forms: (3) Lock Form Set

Section Name	Date
Disability Report: Other Health Impairment 9/3/2018	10/4/2018
Full and Individual Evaluation 10/4/2018 - Full and Individual Evaluation	10/4/2018

However, once the FIE is locked, the OHI DOD date will be determined by the Date list on the top part of the Disability Report. Make sure that this date matches your FIE date.

Disability Report: Other Health Impairment

Student ID: YY1005565 Student Name: Dallas Test Age: 9 Date of Birth: 01/03/2015 Gender: F

Academic Year: 2018-19 Home Campus: Training School - La Porte ISD Current Campus: Training School - La Porte ISD Grade: 05

Date: 10/4/2018

#7 – Make sure that ALL FIEs have the appropriate signatures. This should include all Multi-disciplinary team members as well as the general ed. and special ed. teacher for the Disability Report: SLD.

Appendix C

WHAT DOES A PRINCIPAL NEED TO KNOW ABOUT ORGANIZING AND LEADING AND IEP MEETING?

Adapted from the Principal's
Guide to Special Education
Written by Dr. David Bateman
Published by the Council for Exceptional
Children

As a principal you may be asked to set-up and lead an IEP or Evaluation meeting. The following is a list of steps to do before and during a meeting. Not all of the steps will apply each time, but the below resource will help you think about the process and assist in ensuring the student receives FAPE.

Before the Meeting

1. The parent receives a copy of the drafted IEP for review prior to the meeting
2. When requested, the parent is allowed to review the student's special education file, which includes previous IEP's and Evaluations.
3. There has been clear and frequent communication with the parent or guardian regarding the student's educational progress in the classroom.

Meeting

4. The IEP meeting is held and the IEP developed within 30 days of the initial determination the student needs special education and related services.
5. The IEP is reviewed at least every 365 days (or more often when necessary.)
6. The meeting is scheduled with the parent(s) in an agreed upon time and place.
7. The written notice of the meeting included:
 - ___ purpose of the meeting.
 - ___ time of the meeting.
 - ___ location of the meeting.
 - ___ participants in the meeting.
 - ___ parents can bring other people who have knowledge or expertise regarding the student.
8. Required participants included:
 - ___ An administrator or designee who: is qualified to provide or supervise special education, is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the public agency.
 - ___ not less than one regular education teacher (unless the student does not have any regular education teachers).
 - ___ Not less than one special education teacher
 - ___ one or both parents (parents, guardians, or surrogate parents).
 - ___ the student, where appropriate (district is required to invite the student at age 16 or if transition is discussed).
 - ___ a person who can interpret the instructional implication of evaluation

results (this may be one of the participants described above).

____others at the parents' or schools' discretion.

9. Interpreter services, if necessary.
10. A current IEP must be in effect at the beginning of the school year. Therefore, the team will need to discuss to ensure this is the case.

Contents

11. IEP is developed at the meeting by the IEP team participants (a draft may be developed ahead of time).
12. IEP is developed before any placement decisions are made.
13. The IEP covers all areas where the student needs specially designed instruction and accommodations or modifications.
14. IEP lists the student's present level of educational performance in each area where the student has needs.
15. Annual goals, based on the current level of educational performance, state what the student will learn and how progress will be measured.
16. Short-term instructional objectives, which are measurable steps developed for each goal, which will lead to the achievement of the goal. Not all annual goals will include short term objectives
17. Each annual goal and short-term objective states what the student will do, under what conditions, and to what criteria and consistency.
18. All related services the student needs to benefit from special education (including transportation) are listed in the IEP.
19. The IEP lists the beginning date, duration, frequency, and amount of time spent on specially-designed instruction and related services.
20. The IEP lists the extent of participation in education or school activities with non-disabled students.
21. The IEP lists the location of services for each area.

Placement

22. The student's placement is based on the requirements in the IEP.
23. The student's placement is as close to home as possible, preferably in the school the student would be attending if not eligible for special education.

After the meeting

24. The parent receives a copy of the evaluation and IEP.
25. The IEP is implemented as soon as possible following the IEP meeting.
26. The IEP is reviewed and revised as often as needed, but must be rewritten at least once a year.
27. The parent is informed of the option to request a due process hearing if unsatisfied with the appropriateness of the educational program specified in the IEP.

If the parent disagrees with the school district evaluation, notify them that they have the right to request an independent educational evaluation (Please discuss this with your special education administrator).

Appendix E: Simple ARD/IEP Agenda

INTRODUCTIONS

PURPOSE OF ARD/IEP MEETING

1. Review Evaluation Data and Other Information
2. Determination of Eligibility
3. Transition Planning (if appropriate)
4. Review Present Levels of Academic and Functional Performance
5. ARD/IEP Additional Considerations:

All Students

- Assistive Technology
- Extended School Year (ESY) Services
- Graduation

Some Students:

- Auditory Impairment
- Autism
- Blind/Visual Impairment
- Behavior Intervention Plan (BIP)
- Communication
- Language (Limited English proficiency)

6. Annual Goals and Objectives, as needed
7. Accommodations or Supplementary Aids & Services
 - Related Services (Including Frequency (how often), Duration (amount of time) and Location of where services will be anticipated to be provided (Place))
 - Transportation Needs (if appropriate)
8. State and District Assessments
9. Determine other services to be provided
 - Coordination between Regular and Special Education.
 - Grading
10. Determine Placement
11. Consider Least Restrictive Environment (LRE)
12. Assurances or Effects of Removal from the General Ed. Classroom
 - Consider Opportunity to Participate
 - Consider Potential Harmful Effects
13. ARD Committee members agreement or disagreement (Consensus/NonConsensus)

