

# Austin ISD Operating Procedures for Students with Disabilities

Austin Independent School District (Austin ISD) Board Policy along with these *Special Education Operating Procedures* (Operating Procedures) constitute the policies and procedures of Austin ISD, designed to be consistent with the State policies and procedures developed pursuant to the Individuals with Disabilities Education Improvement Act (IDEA).

The purpose of this manual is to clarify and support local district policy, State Board of Education and Commissioner's Rules for Special Education Services, and IDEA. These Operating Procedures are not intended to create a requirement that is not otherwise imposed by IDEA, together with its implementing federal regulations, state statutes and rules, as they shall from time to time be amended, and shall not be construed to create a higher standard than that established by IDEA.

In this guide, each section provides what is required by law, what Austin ISD does for that targeted area, and additional resources and supports within that area.

These Operating Procedures will be posted on Austin ISD's website. Austin ISD's Operating Procedures are reviewed and updated, as needed, on at least an annual basis. Austin ISD will make timely changes to policies and procedures in response to IDEA amendments, regulatory or rule changes, changes to state policy, or new legal interpretation as are necessary to bring Austin ISD into compliance with the requirements of IDEA. Austin ISD will utilize an ongoing appointed committee that will review these documents at least quarterly to ensure it is up to date with current legislation, procedures, and best practices.

Austin ISD maintains systems in place to ensure that all students with disabilities residing in the District, including students with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and provided a free appropriate public education. Austin ISD maintains systems to ensure that all students with disabilities and their parent\* are afforded the procedural safeguards required under the IDEA (and its implementing federal regulations, state statutes and rules) including with respect to the confidentiality of records and personally identifiable information.

*\*Note: Throughout the Operating Procedures, the term "parent" is used as a collective term to mean a biological or adoptive parent, a guardian generally authorized to act as the student's parent or who is authorized to make educational decisions for the student, an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the student lives, or an individual who is legally responsible for the student's welfare, or a surrogate parent who has been appointed as such. Under IDEA, parental rights transfer from the parent to the adult student on the day the student turns 18 years of age.*

# Relevant School Board Policy

| <u>Section</u> | <u>Policy Area</u>  |
|----------------|---|
| DMA            | <a href="#">Professional Development: Required Staff Development</a>                          |
| EEL            | <a href="#">Contracts with Outside Agencies for Special Education</a>                         |
| EH             | <a href="#">Curriculum Design</a>   |
| EHA            | <a href="#">Curriculum Design: Basic Instructional Program</a>                                |
| EHAA           | <a href="#">Basic Instructional Program: Required Instruction (All Levels)</a>                |
| EHAB           | <a href="#">Basic Instructional Program: Required Instruction (Elementary)</a>                |
| EHAC           | <a href="#">Basic Instructional Program: Required Instruction (Secondary)</a>                 |
| EHAD           | <a href="#">Basic Instructional Program: Elective Instruction</a>                             |
| EHB            | <a href="#">Curriculum Design: Special Programs</a>   |
| EHBA           | <a href="#">Special Programs: Special Education</a>   |
| EHBAA          | <a href="#">Special Education: Identification, Evaluation, and Eligibility</a>                |
| EHBAB          | <a href="#">Special Education: ARD Committee and Individualized Education Program</a>         |
| EHBAC          | <a href="#">Special Education: Students in Non-District Placement</a>                         |
| EHBAD          | <a href="#">Special Education: Transition Services</a>  |
| EHBAE          | <a href="#">Special Education: Procedural Safeguards</a>                                      |
| EHBAF          | <a href="#">Special Education: Video/Audio Monitoring</a>                                     |
| EHBC           | <a href="#">Special Programs: Compensatory/Accelerated Services</a>                           |
| EHBE           | <a href="#">Special Programs: Bilingual Education/ESL</a>                                     |
| EHBF           | <a href="#">Special Programs: Career and Technical Education</a>                              |
| EHBH           | <a href="#">Special Programs: Other Special Populations</a>                                   |
| EIA            | <a href="#">Academic Achievement: Grading/Progress Reports to Parents</a>                     |
| EIAA           | <a href="#">Grading/Progress Reports to Parents: Examinations</a>                             |
| EIE            | <a href="#">Academic Achievement: Retention and Promotion</a>                                 |
| EIF            | <a href="#">Academic Achievement: Graduation</a>  |
| EK             | <a href="#">Testing Programs</a>  |
| EKB            | <a href="#">Testing Programs: State Assessment</a>  |
| FEA            | <a href="#">Attendance: Compulsory Attendance</a>   |
| FEB            | <a href="#">Attendance: Attendance Accounting</a>   |
| FL             | <a href="#">Student Records</a>   |
| FNG            | <a href="#">Student Rights and Responsibilities: Student and Parent Complaints/Grievances</a> |
| FO             | <a href="#">Student Discipline</a>  |
| FOA            | <a href="#">Student Discipline: Removal by Teacher or Bus Driver</a>                          |
| FOB            | <a href="#">Student Discipline: Out of School Suspension</a>                                  |
| FOC            | <a href="#">Student Discipline: Placement in a Disciplinary Alternative Education Setting</a> |
| FOCA           | <a href="#">Student Discipline: Disciplinary Alternative Education Program Operations</a>     |
| FOD            | <a href="#">Student Discipline: Expulsion</a>   |
| FODA           | <a href="#">Expulsion: Juvenile Justice Alternative Education Program</a>                     |
| FOE            | <a href="#">Student Discipline: Emergency and Alternative Placement</a>                       |
| FOF            | <a href="#">Student Discipline: Students with Disabilities</a>                                |
| GA             | <a href="#">Access to Programs, Services and Activities</a>                                   |
| GF             | <a href="#">Public Complaints</a>   |

# Austin ISD Special Education and 504 Department Contacts

Austin Independent School District (Austin ISD) employs a variety of staff members, skilled in their area of expertise. Should you need additional clarification or have questions on any of the areas outlined in the operating procedures, please contact the designated point of contact listed below. Austin ISD's internal review committee will update contact information listed on this page quarterly.

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# Accelerated Learning (HB 4545)

## What's Required

House Bill 4545 passed in the 87th Regular Legislative Session with an effective date of June 16, 2021. This establishes requirements for accelerated instruction for students who do not pass the State of Texas Assessment of Academic Readiness (STAAR) or End of Course (EOC) assessments in Algebra I, English I, English II, Biology and US History.

HB 4545 requires Texas school districts to implement at a minimum supplemental accelerated instruction, an accelerated learning committee (ALC), and modified teacher assignments based on the following requirements:

- Elimination of grade retention and retesting requirements in grades 5 and 8
- For any student who does not pass the STAAR test in grade 3, 5, or 8 in math or reading, the campus must establish an accelerated learning committee (ALC) to develop an individual educational plan for the student and monitor progress.
- For any student who does not pass the STAAR test in grades 3–8 or STAAR end-of-course (EOC) assessments, clarification of prior supplemental accelerated instruction requirements, specifying that it must:
  - Be completed before, during, or after school in the regular school year;
  - Meet the 30 hour requirement of tutoring support per identified area of need;
  - Take place in a small group with a ratio of 3:1 or less. Larger grouping sizes must be documented in the plan and agreed upon by all parties;
  - Be provided by one person, when possible, who is qualified and trained.

### Prior to the start of the next school year:

If a student fails to perform satisfactorily on STAAR or STAAR Alt 2 in grades 3-8 or STAAR EOC, Austin ISD will convene an ALC or [Admission, Review, and Dismissal \(ARD\) Committee](#) to develop an individualized plan to provide accelerated instruction in the applicable subject area during the subsequent summer or school year and either:

- Allow the student to be assigned a classroom teacher who is certified as a master, exemplary, or recognized teacher under the local optional teacher designation system for the subsequent school year in the applicable subject area; or
- Provide the student supplemental instruction before or after school or embedded in the school day.

## What We Do

### Accelerated Learning Committee

Accelerated Learning Committees (ALCs) are required for students who did not meet approaching standards on the STAAR test in grades 3, 5, or 8 math or reading or STAAR EOC exams in Algebra I, English I, English II,



Biology, and U.S History. The [ARD Committee](#) will function as the Accelerated Learning Committee (ALC) for students receiving special education services.

The ARD Committee acting as the ALC must develop an accelerated instructional plan for each student this applies to that addresses the following:

- Assessment data
- Every area of accelerated instruction needed, specifying targeted Texas Essential Knowledge and Skills (TEKS) for the applicable grade level and area(s)
- The actions and tools that will be provided to the student, including the plan for progress monitoring

The accelerated instructional plan will be documented and deliberated in the student's individualized education program ([IEP](#)) at the ARD meeting.

## Timeline

The ALCs/ARD Committees must assemble AND meet on individual student plans after scores are received, which may take place before the end of that school year or during the summer and prior to the start of the school year, based on the latest STAAR results.

## Resources

See [Grade Placement Committee](#)

See [State Assessment](#)

[TEA Handout on House Bill 4545 - Accelerated Instruction](#)

[TEA Frequently Asked Questions about House Bill 4545](#)

[TEA Intensive Program of Instruction and Accelerated Instruction for Students Served Through Special Education](#)

[TEA Accelerated Learning Resources](#)

[Lead4ward - Supplemental Instruction](#)

# Accessible Instructional Materials

## What's Required

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

## What We Do

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

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

- For a student not identified as a student with a disability under the ADA, 504 or the IDEA, schools can provide print/text-based materials whether paper based, digital document (ie. Microsoft Word document or Adobe pdf document, etc.), or web-based material.
- For a student with a disability identified under the ADA, Section 504 or the IDEA, schools provide AIM/AEM following one or more of the following processes depending on the type of material:
  - Physical objects (manipulatives): To identify strategies for providing students with disabilities AIM/AEM involving physical objects, the special education teacher will observe the student during instructional time, consult with the general education teacher, and/or review the Full and Individual Evaluation to determine what types of manipulatives may benefit the student based on areas of need. Manipulatives include, but are not limited to, base 10 blocks, printed clocks, counting discs, coins, etc.
  - Print/text-based (and/or online) format (materials):
    - Austin ISD provides instructional books/materials to all students in a traditional print/text-based (and/or online) format.
      - If a student qualifies as a student with a disability under Section 504 or the IDEA, who also meets the eligibility requirements as a student with a print disability, there may be additional resources available to assist the student with print material. These resources include, but are not limited to, text-to-speech software and audio books.
      - Students with visual impairments are provided [assistive technology](#) devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for students with visual impairment. These access needs are documented in the student's individualized education program ([IEP](#)).
  - Audio (video, audio books):
    - Austin ISD requires all video/audio based instructional/educational materials purchased be made available with closed captioning. Teachers accessing video/audio materials through the internet are encouraged to select materials with closed captioning.
    - Students identified under the [eligibility category](#) of [Deaf and Hard of Hearing](#) are supported with [accommodations](#) and/or [assistive technology](#) devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for students who are deaf or hard of hearing. These access needs are documented in the student's IEP.
  - Digital (computer, web-based):

- Students with physical disabilities limiting their ability to independently access school computers and web-based content are supported with [accommodations](#) and/or [assistive technology](#) devices providing them access to instructional/educational materials. These supports are specifically identified to meet the individual learning needs of the student through the ARD process.

## Resources

See [Deaf Education Services](#)

See [Visual Impairment Services](#)

[National Center on Accessible Educational Materials](#)

[Inclusion in Texas](#)

[Resources to Support Student Progress in the General Curriculum](#)

# Accommodations, Modifications, Supplementary Aids and Services

## What's Required

The Admission, Review and Dismissal Committee ([ARD Committee](#)) must determine needed program modifications or supports from school personnel that will be provided to enable the student with a disability to:

- Advance appropriately toward attaining the annual goals;
- Be involved in and make progress in the general education curriculum;
- Be afforded an equal opportunity to participate in [extracurricular activities](#) including, to the maximum extent appropriate, in nonacademic settings and services such as meals, recess periods, [counseling](#) services, athletics, transportation, [health services](#), recreational activities, special interest groups or clubs sponsored by Austin ISD, referrals to other agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by Austin ISD and assistance in making outside employment available; and
- Be educated and participate in the least restrictive environment with other students with disabilities and nondisabled students to the maximum extent appropriate.

Supplementary aids and services are instructional and functional supports that are provided in general education classes, other education-related settings, and in [extracurricular](#) and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

Special education accommodations, modifications, supplementary aids, and services must be individualized to the student and supporting a documented need. Additionally, these supports must be grounded in evidence-based research to the extent practicable (to the extent that research is possible and available). The [National Center for Education Evaluation's What Works Clearinghouse](#) website provides information and a list of strategies documented by evidence.

Austin ISD is required to provide training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program ([IEP](#)) developed for the student receiving instruction from the educator.

## What We Do

### Accommodations

An accommodation is a change in the teaching or testing procedures to provide students access to information and to create an equal opportunity to demonstrate content knowledge and skills. An instructional accommodation involves a wide range of techniques to help students participate in the general education curriculum to the maximum extent possible. An instructional accommodation does not change what the student is expected to master; therefore, curriculum content remains intact.

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

### Modifications

A modification is a change in what the student is expected to learn and/or demonstrate. An instructional modification indicates what is being taught (the curriculum content) is altered. The instructional level, general education benchmarks, or number of key concepts to be mastered are modified. Therefore, the course objectives are modified; students are not required to learn all of the course objectives but only targeted objectives. A curriculum modification reduces content and skills the student is required to learn.

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

### Supplementary Aids and Services

Supplementary aids and services are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate. The Individualized Education Program ([IEP](#)) must include information about the services that will be provided so that the [ARD Committee](#) has a clear understanding of the commitment of resources in the [IEP](#). The ARD Committee will document the projected date for the beginning of services and the anticipated frequency, duration and location of those services.

- **Frequency:** Describes how often the student will receive the service(s), e.g., number of times per day or week. If the service is provided less than once daily then the conditions for the provision of services must be clearly specified within the ARD documents using a weekly reference (e.g., 1 hour per week, 30 minutes every two weeks).
- **Duration:** Describes how long each "session" will last (number of minutes and the start and end dates for this service).

- **Location:** Describes where the services will be provided in the general education classroom or another setting, such as a special education resource room.

### Consideration of Special Factors

- Students with [Emerging Bilingual](#) Needs:
  - For students with emerging bilingual proficiency, the campus Language Proficiency Assessment Committee (LPAC) will make accommodation decisions for the STAAR program in conjunction with the student's [ARD Committee](#), as applicable.
  - The ARD Committee will also consider linguistic accommodations needed as related to the student's disability and document them in the student's Individualized Education Program.
- Behavior that Impedes Learning:
  - In the case of a student whose behavior impedes their learning or that of others, the ARD Committee will consider [positive behavioral interventions](#), strategies and supports to address the behaviors.

### Resources

See [Continuum of Services](#)

[National Center for Education Evaluation's What Works Clearinghouse](#)

TEA's [The Least Restrictive Environment: Question and Answer Document](#)

[TEA State Accommodations Resources](#)

[Accommodations Central](#)

[Lead4ward Resources](#) - See Scaffold, Test Accessibility, & Instructional Tools tabs

[Assessments for Emergent Bilingual Students](#)

# Adapted Physical Education

## What's Required

The reauthorization of the [Individuals with Disabilities Education Act \(IDEA\)](#) requires that physical education services must be made available to every student with a disability to ensure students receive a [free appropriate public education \(FAPE\)](#).

## What We Do

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

Adapted Physical Education (APE) is an instructional service provided to support Austin ISD's comprehensive physical education program. Its purpose is to provide individualized physical education services in which the

activities and instructional strategies or procedures are adapted to the specific strengths and deficits of students with disabilities. APE services will address the individual needs of a student and be reflected in the student's IEP, specifically in the accommodations, modifications, annual goals and objectives.

## Referral for Evaluation

Students being considered for APE must first have an evaluation completed by an APE teacher to determine if they qualify for this additional instructional service. Prior to the evaluation, the [Admission, Review, & Dismissal \(ARD\) Committee](#) and/or the student's special education case manager will contact the APE teacher to discuss their concerns.

All students referred for APE evaluation must have an identified disability and special needs that cannot be met in general education physical education classes.

- **Initial:** If APE is suspected to be needed and requested with the student's initial evaluation, the evaluation report will be completed within 45 school days of the receipt of parent consent for the evaluation. The [ARD Meeting](#) will be held within 30 calendar days of completion of the evaluation report.
- **Reevaluation:** If APE is being requested for the first time for a student already receiving special education services, a Review of Existing Evaluation Data (REED) must be completed by the [ARD Committee](#) and parent consent for evaluation will be obtained.
- **3-Year REED/Reevaluation:** [Reevaluations](#) are conducted every three years by the student's [ARD Committee](#) to determine continued eligibility for students currently receiving APE services. If a need for further evaluation is identified during the REED/ARD Meeting, the APE teacher will review previous evaluation results, goals and objectives, and current data from teachers. If additional assessment is requested, parental consent for evaluation will be obtained. The evaluation will be completed in conjunction with the student's 3-year reevaluation date or sooner if decided and documented by the ARD Committee. The ARD Meeting will be held within 30 calendar days of completion of the evaluation report.

## Evaluation Procedures

Notice of evaluation, consent, and procedural safeguards are required to be given to parents and explained by a person skilled in APE. Evaluation procedures are used to interpret the data collected from evaluation instruments, observations, and review of records to assist the [ARD Committee](#) in determining a student's eligibility for APE services.

The APE teacher will complete the evaluation and make appropriate recommendations for the type of services the student requires to make progress in physical education. Based on the review of the evaluation data, an evaluation report will be written by the APE teacher. The evaluation report will include recommendations to the [ARD Committee](#) regarding the student's eligibility for APE services and service delivery options. A copy of the evaluation report will be provided to the parent and campus special education case manager prior to scheduling the ARD Meeting.

## Service Delivery Considerations

APE is offered on a continuum of services to qualifying students. An [ARD Meeting](#) will be scheduled to discuss the APE teacher's evaluation and recommendations:

- General Education PE (No adaptations are necessary for the student's success in this setting).
- General Education PE with Adapted Physical Education Consultation
  - General PE teacher is solely responsible for a student's grades and assessments.
  - The student attends regular PE with peers.
  - Adapted physical education consults with PE and special education staff to monitor student progress and address PE concerns regarding possible curriculum/activity modifications, behavior management techniques, communication skills and/or assessing student skills.
- Adapted PE Direct Service
  - The student attends an inclusive PE class, with accommodations and modifications made by the adapted physical education teacher and special education staff.
  - The adapted physical education teacher contributes to IEP development and provides grades and assessments.
- Self-Contained Adapted PE
  - The student is taught in a special education setting outside of general education.
  - The adapted physical education teacher is responsible for the IEP development, grades and assessments.

### Criteria for Dismissal

The student may be dismissed from APE services by the [ARD Committee](#) according to one of the following criteria:

- The student no longer requires modifications or accommodations to benefit educationally in the area of physical education.
- Results of an Adapted Physical Education evaluation indicate that the student no longer has a gross motor deficit requiring APE services.
- Physical education is inappropriate for the student due to a physical or medical condition defined by a licensed physician.
- The student has met their annual goals and objectives as stated in the [IEP](#), which may include graduation requirements for high school physical education.
- The student no longer meets age eligibility criteria as defined by Texas Education Agency (TEA).

See [Continuum of Services](#)

## Adaptive Equipment

### What's Required

Students with disabilities, whether identified under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), or the Americans with Disabilities Act (ADA), occasionally require adaptive equipment to enable them to achieve their highest level of independence with an activity or in the context of a setting. Adaptive equipment may be required across school and home settings; in this situation, it is described as a personal use item. On a case-by-case basis, the use of school-purchased

assistive technology devices in a student's home or in other settings is required if the student's [ARD Committee](#) determines that the student needs access to those devices in order to receive a free, appropriate public education ([FAPE](#)). Adaptive equipment may also be required specifically for a student to access, participate in, and thus benefit from the instructional program provided at school.

## **What We Do**

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

### **Medical Prescription**

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

If a family needs support in obtaining the personal use adaptive equipment a student may require, assistance should be requested from the special education department's related services team.

### **Campus Identified Safety Concern**

When a need for adaptive equipment is identified due to concern for a student's safety at school, this concern should immediately be brought to the attention of the campus principal and the student's parent. If the concern is one that is specific to the ability of the student to access the resources currently available on the campus, the solution is typically developed by a campus team and may involve modifications to the campus procedures, structures, or materials.

If a campus requires assistance to consider options in how to support a student's access to the resources currently available on the campus, the campus administrator should request this assistance through the special education department campus support team.

If the concern is one that is a result of the student's behavior exhibited while at school, the case manager should contact the campus assessment representative and/or campus support team to determine the next steps in supporting the student. These steps could include, but are not limited to, conducting a Functional Behavior Assessment (FBA) or sending a request for consultation to a Behavior Support Specialist. Please note that Austin ISD does not use adaptive equipment at any time as a means of restraint. See [Behavior Support and Discipline](#)



If the concern is about how to appropriately include the student in the campus evacuation plan, the campus principal should seek assistance from the special education department's campus support team as well as the Austin ISD Department of Emergency Management.

### **Related Service Evaluation**

If there is a need for adaptive equipment to access, participate in, and thus benefit from the instructional program, the campus should consult with the campus' Occupational Therapist, Physical Therapist, Adapted PE teacher, or [Assistive Technology](#) Specialist.

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

See [Occupational Therapy](#)

See [Physical Therapy](#)

## **ARD Committee**

### **What's Required**

The Individuals with Disabilities Education Act (IDEA) is a federal law that ensures that all public school districts provide a free and appropriate education ([FAPE](#)) to eligible students ages 3-21 with disabilities. IDEA provides legal protections for these students and their parents or guardians.

Austin ISD will establish an admission, review and dismissal (ARD) Committee for each eligible student with a disability and for each student for whom a [Full and Individual Initial Evaluation \(FIIE\)](#) is conducted. The ARD Committee serves as the:

- Eligibility team
- Individualized education program (IEP) team and
- Placement team

The ARD Committee meets at least once annually to make collaborative decisions about the educational program for the students who are eligible to receive special education and related services. The ARD Committee may meet more often than annually to revise the student's individualized education program ([IEP](#)) to address:

- Any lack of expected progress toward the annual goals
- The results of any [reevaluation](#) or outside evaluation
- Information about the student provided to or by the parents
- Anticipated needs of the student or
- Other concerns

Parents or guardians are essential members of the ARD Committee and must be afforded the opportunity to fully participate in the development of the student's [IEP](#), from identification to evaluation to placement to the provision of [FAPE](#). A parent may request an ARD meeting, at a mutually agreeable time, to discuss educational concerns such as placement, IEP goals and objectives, and the extent of services being provided to the student. Austin ISD must provide [prior written notice](#) of all upcoming ARD meetings regarding the IEP to a student's parent or guardian. Austin ISD must use various methods to ensure parent participation, including telephone calls or video or audio conference calls.

### **Who is required to serve on the ARD Committee?**

The ARD Committee means a group of individuals composed of:

- The parent(s) or guardian(s) of a student with a disability;
- The student, when appropriate;
- At least one general education teacher of record for the student
- A special education teacher or provider who is responsible for implementing the student's [IEP](#);
- A district representative who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities. This staff member is knowledgeable about the general education curriculum and is knowledgeable about the availability of resources of the district. This is typically a campus administrator.
- An individual who can interpret the instructional implications of evaluation results;
- When considering initial or continued placement of a student in a career and technical education program, a representative from career and technical education; and/or
- Other individuals who have knowledge or special expertise regarding the student at the discretion of the district or the parent.

Other professional certified specialists as required, such as:

- Related service provider(s) who is responsible for implementing the student's IEP;
- For a student who is suspected to be deaf or hard of hearing, a teacher who is certified in the education of students who are deaf or hard of hearing;
- For a student with a suspected or documented visual impairment, a teacher who is certified in the education of students with visual impairments;
- For a student with suspected or documented deaf blindness, a teacher who is certified in the education of students with visual impairments and a teacher who is certified in the education of students who are deaf or hard of hearing;
- For a student with limited English proficiency, a member of the language-proficiency assessment committee (LPAC). A campus administrator may serve in both roles during an ARD meeting.
- A representative of any participating agency likely to be responsible for providing transition services for a student, as appropriate, and with the consent of the student's parent or a student who has reached the age of majority;

- If the parent brings an attorney to the ARD meeting or acts in the role of an attorney without prior notice to the school district, the Administrator must recess the ARD until such time as the school's attorney can also attend. It is critical that the district document the student services that will continue until the ARD is reconvened.
- If a parent brings an advocate to the ARD meeting or acts in the role of an advocate, Austin ISD attorneys will not attend the meeting, unless there is pending litigation such as a TEA Complaint, an Office of Civil Rights Complaint, a Due Process Hearing proceeding, and/or a local grievance under district policy. Austin ISD is available to consult with the staff during any ARD meeting should any legal issues arise.

## What We Do

Every member of the ARD Committee has specific duties and brings knowledge and skills within their area of expertise.

### Parent Participation

Each ARD Committee shall endeavor to ensure that a student's parent or guardian is included in the process of developing a student's [IEP](#). ARD Committees will strive to create an atmosphere where parents are free to ask questions and share ideas during [ARD Meetings](#) and to include parents as key collaborators in the placement of students with disabilities.

Austin ISD will provide [prior written notice](#) of all ARD meetings no later than 5 school days prior to each meeting (unless the parent agrees to a shorter time frame). Each notice shall include the following information:

- The date and time of the meeting
- A list of all meeting participants' roles known at the time the notice is provided to the parent or guardian
- A brief description of the purpose of the meeting
- Location of the meeting (or other modes of participation)

## Duties of the ARD Committee

The ARD Committee makes decisions regarding the eligibility and programming for a student with a disability. Among other responsibilities, the ARD Committee's primary role is to develop, review, and finalize all components of a student's [IEP](#). Some high-level items that the committee accomplishes together include:

- Review data from the student's evaluations, current academic, behavior, social, and functional performance levels, curriculum-based and statewide assessment data, teacher data, parent data, etc.
- Establish eligibility for special education services
- Develop present levels of academic achievement and functional performance (PLAAFP) statements, [IEP](#) Goals and Objectives, if applicable, for the student
- Consider all [accommodations](#), [modifications](#), and/or [supplemental aids and services](#) the student requires to make progress or access the general education curriculum
- Consider the least restrictive environment appropriate to meet the needs of the student
- Makes decisions about student participation in local and state assessments

- Complete specific supplements needed by the individual student
- If applicable, review and update the student's [Behavior Intervention Plan \(BIP\)](#)
- If applicable, review and update the student's [transition plan](#)
- Assure that the educational program is appropriately ambitious for the individual student

#### **Duties of the Administrator or LEA Representative**

- Support the facilitation of the meeting
- Encourage participation by all ARD Committee members
- Serve as district designee to commit resources
- Identify positive behavioral strategies and academic supports
- Identify services, supports, and program modifications that are needed for the student to be successful
- Assist with all aspects of the IEP process
- Ensure completion of [Prior Written Notice](#)
- If applicable, serve as the [Language Proficiency Assessment Committee](#) representative
- Provide assurances to the parent

#### **Duties of the Special Education Teacher/Case Manager Assigned to the Student**

- Coordinate and schedule the ARD Meetings at a time mutually acceptable to the parent and other members;
- Provide the parent student with written notice of ARD Meetings at least 5 school days prior to the meeting, unless parents waive the five day notice;
  - Include the [Notice of Procedural Safeguards](#) and A Parent's Guide to the ARD Process with the Notice of ARD Meeting for an initial or evaluation ARD Meeting and at least annually thereafter.
- Prior to the ARD meeting, gather the student's academic, behavioral, and functional data from all general education teachers to support the student's proposed Present Levels of Academic Achievement and Functional Performance statements (PLAAFPs), goals, and accommodations.
- Provide the parent with a copy of the proposed PLAAFPs, goals, accommodations, and schedule of services in advance of the ARD meeting. Please ensure "draft" is written on the document.
- Provide information about the student's academic achievement, school performance, and progress toward identified goals.
- Provide suggestions for maximizing the extent to which the student is educated with nondisabled students, including accommodations and modifications to the general curriculum and classroom environment.
- Identify [positive behavioral strategies](#) and academic supports.
- Assist with identification of services, supports, and program modifications that are needed to support the students' advancement toward attaining annual [IEP](#) goals and objectives.
- Navigate and update the different sections of the IEP in the special education electronic documentation system.
- If a complex case, consult with campus administrator and campus support specialist/coordinator prior to the ARD meeting.

#### **Duties of the General Education Teacher**

- The general education teacher of the student with a disability, must participate in the development, review, and revision of the student's [IEP](#), including assisting in the determination of:

- Participation in [state and district assessment](#) programs
- Appropriate [positive behavioral interventions and strategies](#) for the student and
- [Supplementary aids and services, accommodations, program modifications](#) and supports that are needed to support the students' advancement toward attaining annual IEP goals and objectives.
- Provide information regarding the general education curriculum, the general education classroom environment, and the student's progress and current performance.
- Review the general education teacher feedback reports with the ARD Committee upon request
- Provide information regarding student's abilities, including strengths and areas for growth, for the ARD Committee to use in development of PLAAFPs and [IEP](#) goals/objectives..

### **Duties of the Evaluator**

- Provide evaluation data including interpretation of evaluation results.
- Provide input pertinent to individual student needs and [IEP](#) development based on evaluation information.
- Assist with development of [IEP](#) goals, [positive behavioral instruction and strategies](#), [Functional Behavior Assessments/Behavior Intervention Plans](#), [Autism Supplement](#), and academic supports
- Provide input regarding services, supports, and program modifications that may support the students' advancement toward attaining annual IEP goals and objectives.
- Guide the ARD Committee in the determination of whether conduct subject to disciplinary action is a manifestation of the student's disability(ies).
- Guide the ARD Committee in the determination of whether additional evaluation is needed in order to provide adequate information for decision-making.

## **Absence of a Required ARD Committee Member**

Required members must be present for the ARD Meeting unless properly excused by the parent or guardian and the District. Individuals with Disabilities Education Improvement Act (IDEA) requires different procedures for different types of excusals, including differentiating between circumstances in which parental consent is required and when an agreement is required to excuse a mandatory ARD Committee member from attending an ARD Meeting. Therefore, Austin ISD has different procedures in place for the different types of excusals. The two types of excusals triggering the excusal requirements are:

- When a required ARD Committee member's area of the curriculum or expertise is not being modified or discussed
  - Austin ISD and the parent or guardian must agree to the dismissal.
  - However, Austin ISD is given wide latitude about the content of the agreement to excuse a required ARD Committee member from the meeting.
- When a required ARD Committee member's area of the curriculum or expertise is being modified or discussed.
  - Parent or guardian must provide written consent to dismiss the committee member and
  - The committee member must provide appropriate and sufficient input into the development of the [IEP](#) to ensure that the parent or guardian fully understands what is being discussed.
  - The member of the committee must submit in writing, to the parent or guardian and the ARD Committee, appropriate and sufficient input into the development of the IEP to ensure that the

parent or guardian fully understands that they are consenting to excuse a committee member in which the member's area of curriculum or expertise is being change or discussed.

- If a committee member, such as a general education teacher, needs to be excused during but prior to the conclusion of the ARD meeting:
  - The committee member must provide appropriate and sufficient input into the development of the [IEP](#) to ensure parent participation prior to the excusal.
  - Parent and district consent to dismiss the committee member from the remainder of the meeting should be documented in the deliberations.

## Resources

See [Individualized Educational Program](#)

See [Prior Written Notice \(PWN\)](#)

TEA Guidance: [IDEA Fact Sheet for Families](#)

TEA Guidance: Legal Framework References to ARD Member Attendance and Excusal: [ARD Committee Membership](#) and [ARD Committee](#)

[Austin ISD Board Policy EHBAB](#)

[TEA Guidance for Inviting Agency Representatives to the ARD Meeting](#)

Notice of Procedural Safeguards -

[English](#)

[Spanish](#)

A Parent's Guide to the ARD Process -

[English](#)

[Spanish](#)

# ARD Meetings

## What's Required

- Austin ISD must establish an admission, review and dismissal (ARD) committee for each student with a disability and for each student for whom a Full and Individual Initial Evaluation (FIIE) is conducted.
- The Individualized Education Program ([IEP](#)) is the written statement for each student with a disability that is developed, reviewed and revised in accordance with the [ARD Committee](#) framework.
- The [ARD Committee](#) must review the student's IEP periodically, but not less frequently than annually, to determine the student's progress, the student's continued need for special education and related services, and the need for modifying the plan. At the annual review, the current IEP goals and objectives will be reviewed and documented on the [IEP](#) prior to the development and acceptance of a new IEP.
  - New goals and objectives must be developed annually. If existing goals have not been met and the [ARD Committee](#) determines that the goals are still needed, the former goals must be revised to address the continuation of skill development with new timelines and criteria to include new benchmarks or objectives and an edited goal as determined by the [ARD Committee](#).
  - New goals are developed for identified needs appropriate to the new enrolled grade.
- The [ARD Committee](#) may schedule an earlier review date, 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 in writing to have an ARD meeting at any time to discuss educational concerns such as placement, [IEP](#) goals and objectives, and the extent of services being provided to the student.
  - Austin ISD must grant a parent's request to have a meeting at a mutually agreed upon time or provide a written notice explaining why the District refuses. Prior to sending this notice, the case manager will discuss all options with the campus special education coordinator.
- Austin ISD will ensure and document receipt by the parent of a copy of the [Procedural Safeguards](#) at least once a year, and also:
  - Upon initial [referral](#) or parental request for evaluation
  - Upon the first occurrence of the filing of a due process hearing complaint
  - Following any disciplinary action requiring a manifestation determination review
  - At any other time on reasonable request of the student's parent

## What We Do

## Meeting Agenda

When developing the [Individualized Education Program \(IEP\)](#), the [ARD Committee](#) must consider:

- The strengths of the student
- The concerns of the parents for enhancing the education of their student
- The results of the initial or most recent evaluation of the student
- The academic, developmental, and functional needs of the student
- Beginning no later than the first [IEP](#) to be in effect

A sample agenda is available under Resources.

At the conclusion of the ARD meeting, committee members will be asked if they have reached consensus regarding the [IEP](#). Those in agreement with the IEP should sign the IEP document at the conclusion of the meeting. Austin ISD must give [prior written notice](#) prior to implementing the new [IEP](#) subject to a five-day waiting period.

## 5-Day Waiting Period Waiver

Austin ISD must give the parent the option of waiving the five school days to implement the IEP. By waiving the 5 days, the parents agree that the [IEP](#) may be implemented on the next school day. All deliberations regarding consensus on the IEP must be completed while the [ARD Committee](#) is convened.

In the event that parents are not ready to sign the IEP at the conclusion of the meeting, Austin ISD will treat this as Non-Consensus and do the following:

- Provide a copy of the paperwork to the parent to take and review. Original copies, including pages with signatures of other committee members, remain at the campus with the person facilitating the meeting.
- Schedule a Non-Consensus ARD within 10 school days.
  - Document the reasons the IEP was not signed in the deliberations.

- Send a [Prior Written Notice](#) with the date of the Disagreement ARD.
- If the [IEP](#) paperwork is not returned by the second day, the campus will proceed as if it is a Non-Consensus ARD.
  - Request that the parent explain all reasons for Non-Consensus in writing.
- During the recess, the committee will consider the following:
  - Consider alternatives for any disputed educational programming
  - Gather additional information
  - Prepare further documentation and/or
  - Obtain additional resource persons who may assist the ARD Committee in reaching mutual agreement
- At the following ARD meeting, if the committee ends in Non-Consensus or Disagreement:
  - The campus will send [Prior Written Notice](#) that the IEP will be implemented as written.
  - The parent has the right to file a due process complaint, an OCR complaint, or a TEA complaint.

### **Tabling (Continuing) an ARD Meeting:**

- Every effort must be made to fully deliberate and complete the [IEP](#) review within one meeting. Prior to ending the ARD meeting, the committee must:
  - Document in the deliberations where the committee was when they stopped the meeting.
  - Agree on and schedule a Continuation ARD meeting date and time within 10 days of the initial ARD meeting that are agreeable to all parties.

## Meeting Norms

Please review these meeting norms at the start of every ARD meeting to ensure that meetings are held in an effective, efficient, and respectful manner:

- ARD meetings must have a campus administrator present and participating actively for the entire ARD meeting. This individual serves as the ARD Administrator/Local Education Agency (LEA) Representative.
- ARD meetings should be conducted in a professional manner that is respectful, inclusive to all participants, and student focused.
- ARD meetings will have a clear agenda.
- The ARD agenda, along with a copy of the proposed PLAAFPs, goals and schedule of services, will be sent to the parent in advance of the meeting so that the parent can meaningfully participate and come prepared.
- At the end of the ARD meeting, if it is determined that an additional meeting is warranted, another meeting can be scheduled within ten school days at a time that is agreeable to all participants.
- All participants are expected to exhibit respectful and appropriate conduct during the meeting and to participate actively.
  - Rudeness and abusive language cannot be tolerated, and such behavior can be cause for discontinuing the meeting.
  - The meeting can be resumed when professional conduct can be expected from all.
  - Guests with special knowledge about the student who are invited by the parents must also abide by these expectations. As non-required members, they may be asked to leave if their behavior is disruptive.



- If the parent leaves the ARD meeting, all guests (excluding attorneys) brought by the parent must also be excused from the meeting.
- The meeting may continue with the parent's attorney, if applicable.

## Types of ARD Meetings

### **Admission/Initial Placement into Special Education ARD Meeting**

The purpose of this ARD meeting is to determine the eligibility of a student referred for special education services. At this meeting, the results of a [Full and Individual Initial Evaluation \(FIE\)](#) will be discussed. If the student is eligible for special education services and supports, program and placement will be determined.

### **Annual ARD Meeting**

The purpose of this ARD meeting is to address and review annually the student's special education eligibility, program, and placement. The ARD committee will review the student's academic and/or behavioral progress; develop appropriate goals and objectives, review [modifications/accommodations](#), and other necessary support services.

### **Continuation ARD Meeting**

On rare occasions, an [ARD Committee](#) may be unable to fully deliberate and complete the IEP review within one meeting. Should this occur, the [ARD Committee](#) will:

- Document in the deliberations where the [ARD Committee](#) was when they stopped the meeting.
- Agree on and schedule a Continuation ARD meeting date and time within ten school days of the initial ARD meeting that is agreeable to all parties.

### **Disagreement or Non-Consensus ARD Meeting**

All members of the student's [ARD Committee](#) shall have the opportunity to participate in a collaborative manner when developing the student's [IEP](#). A decision of the ARD committee concerning the required elements of the student's IEP should be made by mutual agreement, if possible. No decision is made by majority vote.

Disagreement occurs when the [ARD Committee](#) is unable to reach consensus due to a conflict. Non-Consensus occurs when a required ARD Committee member does not consent to sign the completed [IEP](#).

When mutual agreement about all required elements of the IEP is not achieved, the parent who disagrees shall be offered a **single opportunity** to recess and reconvene the [ARD Meeting](#). The period of time for reconvening the ARD Meeting shall not exceed 10 school days, unless the parties mutually agree otherwise. The ARD committee shall schedule the reconvened meeting at a mutually agreed upon time and place.

During the recess, the student's [ARD Committee](#) shall consider alternatives for any disputed educational programming, gather additional data, prepare further documentation, and/or obtain additional resource persons who may assist in enabling the ARD committee to reach mutual agreement, if possible. The 10-day recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense that may lead to placement in a Disciplinary Alternative Education Program (DAEP). See [Behavior Support and Discipline](#).

If parents decline to reconvene following the first non-consensus meeting or the second meeting is held and still remains in non-consensus at the end of the meeting, the ARD staff person will contact a Lead Assessment person and will provide the parent with a Written Notice that indicates the district's plan to move forward with implementation of the proposed [IEP](#) following the required five-school day waiting period. During that five-day waiting period, parents have a right to request Mediation or a Due Process Hearing through the Texas Education Agency. If parents exercise their Due Process rights, a "stay put" may go into effect and the current agreed-upon [IEP](#) will continue to be implemented until the Due Process is completed.

### **Dismissal or Graduation ARD Meeting**

A dismissal ARD meeting occurs when a student no longer meets eligibility for services based on formal evaluation(s). In addition, a dismissal ARD committee meeting must be convened when a student has completed the requirements for graduation and a change of placement. See [Transition and Graduation](#).

### **ARD Meetings Following Evaluations**

Austin ISD will hold the ARD meeting within 20 days of the submission of the [Full and Individual Initial Evaluation](#), Full and Individual Evaluation, any related services evaluations or any other evaluations conducted.

### **Lack of Progress (Revision) ARD Meeting**

The purpose of the ARD meeting is to address and explore the reasons for a student's lack of adequate progress and/or possible failure in any scheduled class. While the law does not require an ARD meeting when a student fails courses, the Department of Special Education recommends as a best practice that an ARD meeting be convened prior to any failure to develop an action plan to ensure student progress.

### **Manifestation Determination Review ARD Meeting**

The purpose of this ARD committee meeting is to determine whether the student's behavior is a manifestation of their disability. That is, was the conduct caused by, or did it have a direct and substantial relationship to, the student's disability; or was the conduct in question a direct result of the school's failure to implement the [IEP](#). See [Behavior Support and Discipline](#).

### **Review of Evaluation Data (REED) or Reevaluation Meeting**

The purpose of this ARD committee meeting is to address and review the student's continued special education eligibility, program, and placement. In addition, the determination of the need for a [reevaluation](#) is discussed. If it is determined that no testing is needed at this time, the ARD meeting will continue. The committee will review the student's academic and /or behavioral progress; develop appropriate goals and objectives, modifications/accommodations, and other necessary support services during this meeting. If it is determined that testing is needed in certain areas, the committee will convene at a later date to hold the annual and discuss the results of the testing. It is necessary to schedule the meetings with enough time to remain in compliance with the annual and the re-evaluation due dates. This ARD may be combined with the Annual ARD.

### **Review (Revision) ARD Meeting**

A Review ARD committee meeting can be held for any areas of concern that the school or parent feels need to be addressed to ensure the student's success both academically and socially. It can be convened for several reasons.

### **Transfer ARD/IEP Meeting**

AISD will take reasonable steps to promptly obtain a transfer student's special education and general education records from the sending school district. The special education teacher will be responsible for attending any temporary ARD meetings as necessary and working with the campus case manager/ARD Facilitator /appraisal staff to plan the draft [IEP](#) for the temporary transfer student. Austin ISD will hold the transfer ARD meeting for students new to Austin ISD within 10 days of the student who receives special education's enrollment.

- Transfer Student with Pending Special Education Evaluation
  - If a student is in the process of being evaluated for special education eligibility by another public school district and enrolls in AISD before the evaluation is completed, the special education case manager and evaluation specialist will coordinate with the student's previous school district to ensure prompt completion of the initial evaluation.
- Transfer Student within Texas with Existing [IEP](#)
  - If a student transfers from another school district in Texas with an IEP, the District will provide a [free appropriate public education](#) to the transfer student by providing services comparable to the services described in the student's IEP from the student's previous school district until AISD:
    - Adopts the student's IEP from the previous school district, or
    - Develops, adopts and implements a new IEP in accordance with the procedures outlined in the District's Operating procedures.
- Transfer Student From Another State with Existing [IEP](#)
  - If a student transfers from another state with an IEP, AISD will offer services comparable to the services described in the IEP from the sending school district until AISD takes the following actions:
    - Conducts a new full and individual evaluation, if AISD determines that a new evaluation is necessary; and
    - Develops, adopts and implements a new IEP, if appropriate, in accordance with the procedures outlined in the Special Education Operating Procedures.

### **Transition ARD Meeting**

- When a student transfers from early childhood intervention (ECI) to [early childhood special education](#) (ECSE), AISD shall develop and implement an [IEP](#) by the student's third birthday.
- Optional Transition IEP Meeting: If the anniversary date falls before the spring semester for a 5th grader entering 6th grade middle school or an 8th grader entering 9th grade high school, Austin ISD, on an individual basis may decide to conduct a spring end of year annual review to prepare the student's IEP for the next campus.
- Transition planning shall begin by age 14 with postsecondary goals in education or training, employment, and if appropriate, independent living skills based on age-appropriate transition assessments, and an examination of transition issues including the appropriate courses of study based on transition goals. [See Transition and Graduation.](#)

### **Prior Written Notice**

- Austin ISD shall provide [prior written notice](#) at least five days prior to any ARD meeting.

## Resources

[Austin ISD School Board Policy EHBAB](#)

See [Prior Written Notice](#)

[Annual ARD Agenda](#)

[Types of ARD Meetings](#)

# Assistive Technology (AT)

## What's Required

Assistive technology (AT) is defined under federal and state legislation as both a device and a service.

“Assistive technology device” means any item, piece of high and low technology equipment or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities or increase the independence of a student with a disability so that they can participate more fully in all settings. On a case-by-case basis, the use of a school-purchased AT device in a student’s home or in other settings is required if the [ARD Committee](#) determines that the student needs access to those devices in order to receive a free appropriate public education ([FAPE](#)). The term, AT, does not include a medical device that is surgically implanted or the replacement of such a device.

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

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

Every public agency must ensure that an AT device and/or service is made available to a student with a disability if such device or service is required as a part of the student’s individualized education program ([IEP](#)). All [ARD Committees](#) are required by federal regulation [CFR §300.324\(a\)\(2\)\(v\)](#) to consider the student’s need for AT devices and services in the development of the IEP.

## What We Do

Every time the [ARD Committee](#) meets to develop the [IEP](#), the committee must consider the student's need for AT devices and services. Assistive technology devices and services are provided when necessary to assist a student with a disability to participate in and benefit from their educational program. The process of determining if a student requires AT to participate in and benefit from instruction, begins with the ARD Committee or the campus-based special education team supporting the student at school. The ARD Committee will:

- Review the student's present levels of performance and evaluation data to determine if there are any areas the student needs additional support to access and progress in the curriculum.
- Develop functional and/or instructional goals and objectives to address any areas of need.
- Determine tasks, if applicable, that would be required to achieve the goals and objectives identified that are significantly difficult for the student to complete with current [IEP](#) supports in place.
- If goals or objectives identified are too difficult for the student to complete with the current IEP supports, the committee may want to consider consulting with the Assistive Technology Specialist for the campus and/or an Assistive Technology Evaluation.

As a result of this consideration process, the [ARD Committee](#) may decide:

- AT is needed for the student to receive [FAPE](#) and the ARD Committee has identified the specific AT devices and/or services that the student requires. These devices and/or services are documented in the AT section of the student's [IEP](#).
- AT is not needed at this time. The student is anticipated to progress in the educational program with the current supports and services provided either through general education or special education and related services. The ARD Committee must ensure that a student has access to technology available school-wide or in the student's classrooms (e.g., computer keyboard or mouse, felt pens, rubber grip pencils or pens) and if these are sufficient for the student to receive [FAPE](#).
- More information is needed. In considering the student's need for AT, the ARD Committee identified tasks that were significantly difficult for the student to complete and determined that the student may require additional AT supports to complete these tasks. The ARD Committee needs to collect more information from the student's teachers and will consider consulting with the Assistive Technology Specialist for the campus and/or requesting an Assistive Technology Evaluation.

During the initial evaluation process, if there is a suspected need for AT device or services, an evaluation for AT will be conducted as part of the [Full and Individual Initial Evaluation](#).

## Resources

See [Free Appropriate Public Education Department of Education Guidance on FAPE](#)

# Autism Supplement

## What's Required

Individuals with Disabilities Education Improvement Act (IDEA) defines [autism](#) as a developmental delay significantly affecting verbal communication, nonverbal communication, and social interaction. Other characteristics associated with autism are engagement in repetitive activities and stereotyped movements; resistance to environmental change or change in daily routines; and unusual responses to sensory experiences. This delay generally manifests before age three. Students with pervasive developmental disorder are included under the disability category of autism.

Students qualifying with [autism](#) may be eligible to receive special education and related services in Austin ISD. The criteria used to identify a student with autism under IDEA differ from that used in the Diagnostic and Statistical Manual of Mental Disorders (DSM). The multidisciplinary team of qualified professionals conducting an evaluation of a student suspected of having autism will conduct assessments and observations, and collect relevant functional, academic and developmental data, as necessary for the [ARD Committee](#) to make an eligibility determination. The written evaluation report of a [full and individual initial evaluation](#) or a [reevaluation](#) by the group of qualified individuals must include specific recommendations for [behavioral interventions and strategies](#). A student may not be determined eligible as a student with autism if the student's educational performance is adversely affected primarily because the student has an [emotional disturbance](#).

Texas law requires that Austin ISD implement the Autism Supplement in a student with autism's individualized education program ([IEP](#)). The supplement requires the [ARD Committee](#) consider and address eleven specific strategies, as practicable and as needed by the student. The selection of the strategies should be contingent on the individual needs of the student. These strategies are: [extended school year services](#), daily schedules reflecting minimal unstructured time, [in-home parent and community-based training](#), [positive behavior support strategies](#), [transition planning](#), parent/family training and support, activities to achieve social/behavioral progress towards independence; communication interventions, social skills supports and strategies, professional educator/staff support, and the use of peer-reviewed, research-based practices for students with autism.

See [Disability Categories - Autism](#)

See [Behavior Support and Discipline](#)

See [Commensurate School Day](#) for more information about private therapy during the instructional day.

## What We Do

As mentioned, Texas regulations require the [ARD Committee](#) to consider eleven strategies for students with autism. While all eleven strategies must be considered, the ARD Committee determines which strategies should be included in a student's [IEP](#). If it is decided that services are not needed in one or more areas, the IEP must include a statement to that effect and the basis upon which the determination was made.

## Methodologies

Education methodologies refers to systems of practices and procedures such as project-based learning, cooperative learning or applied behavioral analysis. Educational programming methodologies are not the responsibility of the ARD Committee. Appropriate instructional strategies and accommodations recommended by the ARD Committee will be documented in the ARD. The district special education office is responsible for ensuring that classroom teachers will have appropriate training in specific strategies and accommodations needed by students. Students with [autism](#) may benefit from applied behavioral analysis strategies which include a systematic approach to the assessment and evaluation of observable behavior, and the application of specific targeted interventions that alter behavior. Data collection and analysis of progress is a key component in all special education classes in Austin ISD.

## Resources

[TEA Definition of Autism](#)

[Texas Education Commissioner's Rules Related to Autism](#)

[Texas Framework on Evaluations of Students Suspected of Having a Disability](#)

[Texas Statewide Leadership for Autism Training](#)

[TEA Guidance on House Bill 785: Frequently Asked Questions](#)

# Behavior Support and Discipline

## What's Required

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

## What We Do

Austin ISD incorporates the use of positive behavior supports in its Student Success Guide (SSG) as required by TBSI. These include systematic and individualized strategies based on research-based practices that are:

- Focused on teaching social and behavioral expectations
- Culturally appropriate and
- Designed to prevent recurring inappropriate behaviors of students with disabilities

All Austin ISD students are expected to follow the rules and expectations included in the Student Success Guide (SSG). Students with disabilities will be subject to the SSG consistent with students without disabilities, provided that any discipline under the SSG shall be subject to the timelines and protections provided to a student with a disability under the Individuals with Disabilities Education Improvement Act (IDEA), including holding an [ARD Committee](#) (Manifestation Determination Review) meeting in connection with any

“disciplinary change of placement” in accordance with the district’s [FOF\(Legal\) policy](#). See [Discipline of Students with Disabilities](#)

Administrators will consider any special circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a student with a disability who has violated the Student Success Guide. In deciding whether to order in/out-of-school suspension, removal to a Discipline Alternative Education Program (DAEP), or expulsion to the Juvenile Justice Alternative Education Program (JJAEP), regardless of whether the decision involves a mandatory or discretionary action, the district must consider these special circumstances:

- Self-defense
- Intent or lack of intent at the time the student engaged in the conduct
- A student’s disciplinary history
- A student’s status in the conservatorship in the Department of Family and Protective Services
- A student’s status as one who is homeless

Law permits an administrator to override the requirements of mandatory removal if special circumstances exist; however, it is of utmost importance that all criminal activity be posted in the district's Student Information System (SIS) and if the requirements are overridden, the campus must document the reason for this action in the removal hearing and manifestation determination review.

When a student who receives special education services is struggling with behavior, the campus may follow the behavior consultation process to ensure that it is addressed, and campuses receive support and guidance.

All procedural safeguards, including required notice and consents, will be followed throughout the process of disciplinary action for students with disabilities. Austin ISD will follow all state and federal rules regarding placement of students with disabilities in the least restrictive placement appropriate to meet their individual needs.

Austin ISD will apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures that would be applied to students without disabilities, if:

- In the Manifestation Determination review, the behavior that gave rise to the violation of the Student Success Guide is determined not to be a manifestation of the student’s disability in compliance with the When Behavior Is Not a Manifestation framework;
- The student with a disability is provided services during periods of removal; and
- The parent of the student with a disability is notified of a disciplinary change of placement.

## Behavioral Supports and Interventions

When a student’s behavior interferes or impedes the student’s learning or that of others, the [ARD Committee](#) must consider the use of positive behavioral interventions and supports and other strategies to address that behavior. To ensure that a student with interfering behaviors is instructed in the Least Restrictive Environment (LRE), the ARD Committee may consider completing a Functional Behavior Assessment (FBA) and develop a Behavioral Intervention Plan (BIP), if needed. In this situation, appropriate social/emotional/functional goals should be considered to support the individualized education program ([IEP](#)).



## Functional Behavior Assessments (House Bill 785)

Some students with disabilities may demonstrate inappropriate behaviors that are part of their disability. These behaviors may make it difficult to learn, cause harm to the student or others, or isolate a student from their peers. To teach appropriate behavior skills, Austin ISD will use a functional behavioral assessment (FBA) proactively to intervene early to prevent serious problem behaviors. An FBA is the process of learning about behaviors, where they occur and what purpose they serve for a student. Individuals with Disabilities Education Improvement Act (IDEA) requires that a behavior intervention plan based on an FBA should be considered when developing the individualized education program ([IEP](#)) if a student's behavior interferes with their learning or the learning of others.

Austin ISD is also required to conduct a functional behavioral assessment of problem behaviors under certain circumstances. A functional behavior assessment is triggered when a student with a disability is removed from their instructional setting for more than ten school days, for misconduct that either:

- Is a manifestation of the student's disability or
- Is not a manifestation of the student's disability or
- Involves weapons, drugs, or serious bodily injury, regardless of the outcome of the manifestation determination review

If the school has never conducted a FBA, then the school must seek parental consent, within ten (10) school days of the change in placement, to conduct a FBA. If the school's FBA of the student is more than one (1) year old, then the school must seek parental consent, within ten (10) school days of the change in placement, to conduct a new FBA. This will lead to the school either developing a new BIP or revising the existing BIP.

## Behavior Intervention Plan (BIP)

The student's [ARD Committee](#) may determine that a behavior improvement plan or a behavioral intervention plan (BIP) is appropriate for a student. In such instances, the ARD Committee determines the appropriate components of a BIP for the student's individual needs; there are no formal requirements for a BIP. If the student's ARD Committee determines that a BIP is appropriate, the BIP shall be included as part of the student's individualized education program ([IEP](#)) and provided to each responsible teacher.

- If a BIP is included as part of a student's [IEP](#), the case manager shall ensure that the ARD Committee reviews the BIP at least annually and more frequently if appropriate to address the safety of the student or others, or changes in the student's circumstances that may impact the student's behavior.
- Circumstances that may impact the student's behavior may include but are not limited to:
  - A change of placement to a different educational setting
  - An increase or persistence in disciplinary actions for similar types of behavior
  - A pattern of unexcused absences or
  - Unauthorized unsupervised departure from an educational setting.
- If time-out is used as a consequence, school districts are required to include necessary documentation or data collection regarding the use of time-out, if any, and these must be addressed in a student's BIP or IEP.

## Annual Review Required

House Bill 785 requires school districts to annually review a student's BIP, at a minimum, and more frequently as needed or when it's found to not be effective. 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.

The annual review should seek to address changes in the student's circumstances that may impact the student's behavior or to address the safety of the student or others. For example, changes of circumstances that could trigger the need to review a student's BIP may include:

- Placement in a different educational setting
- An increase or persistence in disciplinary actions taken regarding the student for similarly types of behavioral incidents
- A pattern of unexcused absences or
- An unauthorized unsupervised departure from an educational setting

## Discipline of Students with Disabilities

Before taking disciplinary action against a student with a disability, the campus administrator will review the student's individualized education program ([IEP](#)) in order to ensure that regular discipline policies may be followed. Discipline interventions previously noted in the student's IEP and BIP should be followed unless the IEP is being challenged in a TEA or court appeals process.

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

As a general rule, the consequences set out in the Student Success Guide apply to all students, including students with disabilities. There are, however, special rules and limitations that may apply to a student with a disability if the school proposes to:

- Change the student's placement or
- Remove the student from their current placement for more than ten collective school days during the school year

School officials will report to law enforcement authorities that a student, including a student with a disability, is suspected of committing a crime. In some instances, state law requires school officials to make a report to law enforcement. Schools that report a suspected crime to law enforcement officials must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities, provided that the transmission is permitted by the [Family Educational Rights and Privacy Act \(FERPA\)](#). FERPA assures the confidentiality of personally identifiable information contained in educational records. Under FERPA, personally identifiable information (such as the student's status as a student receiving special education services) can only be released with parental consent, except in certain very limited circumstances. Therefore, in most instances, in order to transmit such records to law enforcement authorities, parental consent will be required.

## Manifestation Determination Review

A manifestation determination review (MDR) must be held when a student receiving special education services, or one suspected of having a disability, is removed for disciplinary reasons from their usual schedule of classes for more than 10 consecutive or a series of removals constituting a pattern of exclusion that totals more than 10 school days in one school year.

If a student is removed for a prolonged period of time, an MDR must be held within ten school days of any decision to change the placement of a student with a disability, or one suspected of a disability. A [prior written notice](#) of the meeting should be sent to the parent 5 days prior to the meeting (unless they opt to waive the 5-day waiting period).

The [ARD Committee](#) members who will participate in the Manifestation Determination discussion will depend on the type of discipline infraction, when the infraction occurred and who was present at the event. Some members of the IEP Team may not be relevant to the discussion of the discipline event. An MDR should include at least the parent, an administrator, and an evaluation specialist familiar with behavior demonstrated by the student and knowledgeable regarding the student's disability. Other relevant members should be determined in collaboration by the parents and the Austin ISD.

During the MDR, the [ARD Committee](#) must:

- Describe the student's behavior that is subject to disciplinary action
- Document current observations of the student by the instructional staff and data regarding implementation of the [IEP](#)
- Review all relevant information in the student's file, including the student's IEP, any teacher observations and any relevant information provided by the parents or guardians
- Review any previous FBAs or BIPS
- Revise an existing or develop a new BIP to address the behaviors leading to the change in placement or
  - If a student does not have a BIP or if the existing BIP is more than one year old, seek to gain consent to conduct a functional behavior analysis.
  - The ARD Committee will develop a timeline of completion for the FBA. Once the FBA is completed, the school must notify the parent of the outcomes of the FBA. The committee will then review it and any other relevant factors to determine if the BIP needs to be revised or develop a new BIP.
  - Parents must be provided with [prior written notice](#) of evaluation and must sign Consent for Evaluation prior to the FBA or other additional evaluation.

The [ARD Committee](#) determines if the conduct is a manifestation of the student's disability if either one of the following criteria are met:

- The conduct was caused by, or had a direct and substantial relationship to, the the student's disability or
- The conduct in question was the direct result of the district's failure to implement the [IEP](#).

School personnel may remove a student to DAEP for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

- Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the district
- 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 district
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the district

During removal, the student must:

- Continue to receive educational services so as to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting their IEP goals
- Receive, as appropriate, a functional behavior assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not re-occur

These services may be provided in the DAEP.

### **Conduct Is Found to be a Manifestation of the Disability**

If the behavior is a manifestation of the student's disability, the student must be returned to the placement from which they were removed, unless the parent and the school district agree to a change of placement as part of a modification of the student's [behavior intervention plan \(BIP\)](#). The ARD Committee must also:

- Gain consent to conduct a [functional behavioral assessment \(FBA\)](#) for the behavior(s) causing the disciplinary action, if this was not previously completed, and implement a behavior intervention plan (BIP) OR
- Review any existing BIP, adjust and revise it as necessary to address the behavior

If the conduct in question was found to be a direct result of the district's failure to implement the IEP, immediate steps must be taken to remedy deficiencies and/or make appropriate changes in the student's services, accommodations, related services, supplementary aids and services, assistive devices, and/or behavior intervention strategies. The student may not be removed to the DAEP, unless it is a Mandatory Removal.

### **Discretionary Placement**

If the disciplinary placement is discretionary, the student remains in the current placement pending the MDR. If the student is to be removed to the DAEP, the [ARD Committee](#) coordinates with the receiving staff at the DAEP to assure that special education services will continue in the DAEP.

### **Mandatory Removal**

If the conduct in question involves drugs, weapons, or "serious bodily injury," the student may be removed for a period of up to 45 school days. If the conduct involved requires mandatory removal pursuant to district policy but is not a mandatory removal pursuant to state law, the ARD Committee must determine if there are any special circumstances that should be considered prior to agreeing to remove the student.

If the conduct involves bullying, harassment, or retaliation, the student may not be disciplined until an MDR has been held to review the conduct.

## Conduct is Not a Manifestation of Disability

If the conduct is not found to be a manifestation of the student’s disability, relevant disciplinary procedures may be applied in the same manner and for the same duration as the procedures would be applied to students without disabilities. The [ARD Committee](#) determines the appropriate educational setting and services. The special education and related services in a student’s individualized education program ([IEP](#)) must be made available at the alternative learning center so as to enable the student to continue to participate in the general education curriculum and to make progress toward meeting their IEP goals.

## Discipline of Students Suspected of Having a Disability

Students not yet eligible for special education and related services may be entitled to the disciplinary protections afforded eligible students, including the manifestation determination review process. If a student who is suspected of having a disability is subject to a change in placement, the campus administrator will contact their Campus Special Education coordinator for guidance in determining if the district had knowledge according to the federal procedures stated in Individuals with Disabilities Education Improvement Act (IDEA).

Disciplinary protections shall be afforded to a student if the district “had knowledge” that the student is a student with a disability prior to the behavioral incident at issue. The district is considered to have knowledge if:

- The parent expressed concern in writing to supervisory or administrative personnel, or a teacher of the student, that the student is in need of special education and related services;
- The parent of the student requested an evaluation of the student pursuant to IDEA; or
- The teacher of the student, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the district.

The district does not have knowledge that the student is a student with a disability if the district sought and the parent refused to permit the student to be evaluated or declined special education and related services, or if the student was evaluated by the District and determined to be ineligible by a duly constituted [ARD Committee](#).

If the district determines that they did not have knowledge that the student was a student with a disability prior to the violation, the student will be disciplined according to the Student Success Guide (SSG). If the district determines that they did not have knowledge that the student was a student with a disability, and the parent requests an evaluation for special education during the time the student is subjected to disciplinary measures, the evaluation must be expedited and the student can remain in the disciplinary placement without education services until the [ARD Committee](#) convenes.

If the district does determine that the district did have knowledge, the student will be afforded the same protections as a student who receives special education services. The district will expedite the evaluation process, and the [ARD Committee](#) will determine eligibility, services, supports and placement for the student. The student will receive all educational services during the time the student is being evaluated.

## Resources

See [Continuum of Services](#)

[TEA Guidance on House Bill 785: Frequently Asked Questions](#)

[TEA's Written Summary of Restraint Use Sample Form](#)

[OSERS Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions \(Revised 2022\)](#)

[Texas Behavior Support Initiative \(TBSI\)](#)

[Texas Collaborative for Academic, Social and Emotional Learning \(CASEL\)](#)

[Building Skills Related to Managing Emotions, Establishing and Maintaining Positive Relationships, and Responsible Decision Making](#)

[Texas Behavior Support Initiative](#)

[Resources for Behavior and Emotional Issues](#)

# Child Find Duty/Identification

## What's Required

### General Practice - Identification

Austin ISD has an obligation to identify, locate and evaluate each child, birth to age 21 inclusive, residing within the jurisdiction of the district who has a disability or is suspected of having a disability, regardless of the severity of the disability, and who is in need of special education and related services. This *Child Find* obligation—mandated by the Individuals with Disabilities Education Act (IDEA) and Texas special education law — extends to all students with disabilities, including those who are homeless, highly mobile, migrants, in foster care, homeschooled, court-involved or attending private schools within the jurisdiction of the district.

## What We Do

### Infants and Toddlers (Birth to Age 2)

Early intervention services are available for children from birth to age 3. Please call the HHS Office of the Ombudsman at 1-877-787-8999, select a language, and then select Option 3. The Ombudsman staff will ask for your zip code, county, or city, and provide the name and number of the local Early Childhood Intervention (ECI) program. Callers with hearing impairments may use the relay option of their choice or dial 7-1-1 to connect with Relay Texas.

- A meeting will be held with the school district and ECI program up to nine months prior to the child's third birthday to transition from ECI to school services, Head Start, or other educational settings.
- This team develops an Individualized Family Service Plan (IFSP) which is based on the infant's or toddler's needs and the needs of the family.

- Services are provided for children with disability conditions by the Early Intervention Specialist (EIS) and other service providers as outlined on the IFSP.
- For children with a visual impairment or identified as deaf or hard of hearing, a certified teacher of the deaf and or visually impaired provides services to the child in the home environment and collaborates with the EIS and IFSP team.
- Child's progress on the IFSP will be reviewed on a six-month and annual basis.

### **Child Referred and Placed Before Age 3**

- For children referred prior to age three that are receiving ECI support, special education services must be made available to the child on their third birthday if the student is found eligible.
- Not all children served by the ECI program will qualify for special education services.

## **Children Ages 3 to 5**

### **Referral Process for Children (Ages 3 to 5) Served Through Early Childhood Intervention**

A parent or referral source who has concerns about a young child may obtain information about a referral by calling the Early Childhood Child Find Office at 512-414-SPED (7733) or by completing the online [Early Childhood Special Education Referral Information Form](#).

- A meeting will be scheduled by ECI and include the district Child Find specialist to help the family make the transition from ECI services to special education services up to 9 months before a toddler receiving ECI turns three years old, if appropriate.

### **Referral Process for Children (Ages 3-5) Not Served Through Early Childhood Intervention**

- Austin ISD provides specialized instruction and services to children ages 3 to 5 who have been identified with at least one disability as defined by TEA and who demonstrate a need for specialized instruction. Please complete the [Early Childhood Special Education Referral Information Form](#) or call 512-414-SPED (7733), and we will contact you regarding your child and your interest in [early childhood special education services](#).
- Once the data gathering meeting has taken place, the team will determine if a [full and individual initial evaluation](#) is warranted, and if so, an additional appointment may be scheduled at that time. If data indicates a special education evaluation is warranted, a play-based assessment team member will meet with the parents or guardian to complete the referral packet including Notice of Evaluation and Consent for Evaluation. If data indicates evaluation is not necessary, parents will be provided [Prior Written Notice](#) of the school district's refusal to evaluate.
- The evaluation will be completed within 45 school days of initial parent consent.
- The [ARD Meeting](#) will be held within 30 calendar days of completion of the evaluation or prior to the child's third birthday.

## **Currently Enrolled Austin ISD Students Ages 5 to 21 Years**

Parents are asked to contact their home campus administrator or campus Child Study Team (CST) Chair and request an evaluation. This request may be written or verbal, and the campus has 15 school days to respond to

your request. Teachers who are asked about an evaluation should immediately notify their campus administration of the request for an evaluation.

The campus will send a [Prior Written Notice](#) of its decision to evaluate or not within 15 school days. A copy of the [Notice of Procedural Safeguards](#) will also be sent.

## Students in Private Schools or Homeschool

The term “private school” is defined as a private elementary or secondary school, including preschool, charter school, homeschool, religious school, and instructional day or residential school that:

- Is a nonprofit entity as defined by 19 Tex. Admin. Code §89.1096(a)(1)(A)
- Provides elementary or secondary school education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and formal review and documentation of a student’s progress.

In order to be considered a private school, a homeschool must provide elementary or secondary education that incorporates an adopted curriculum designed to meet basic educational goals, including scope and sequence of courses, and formal review and documentation of a student’s progress.

For private schools each district must:

- Locate, identify, and evaluate all students with disabilities who are currently enrolled by their parents in private, including religious, elementary schools and secondary schools located in the district;
- Conduct timely and meaningfully consult with representatives of private schools; and,
- Maintain and provide to TEA the number of students evaluated, determined and served under this framework.

### Evaluation of Students Attending Private School or Homeschool

Students who attend non-district schools located within Austin ISD boundaries are eligible for referral, evaluation, and determination of eligibility for special education regardless of the student’s district of residence.

- For students presently attending a private school or who are homeschooled, the family should request an evaluation through the home campus in Austin ISD.
  - The home campus may be identified using the [School Zone Finder tool](#).
- Requests for special education evaluation by parents or private school personnel should never go unacknowledged. Any request for special education evaluation should be reviewed by Austin ISD’s Child Find Specialist. From this review the specialist should:
  - Refer the student for special education evaluation.
  - Provide a timely response to a parent request. A decision of whether or not to assess should be communicated to parents and the private school within 15 school days of the Specialist being made aware of the request.
  - If appropriate, issue a Notice of Refusal to Evaluate to parents based on current data.
- The evaluation will be completed within 45 school days of the district’s receipt of initial parent consent with the completed referral packet.
- The [ARD Meeting](#) will be held within 30 calendar days of completion of the evaluation.



- If a student attending a non-district school is evaluated and determined eligible for special education services/supports, Austin ISD's Proportionate Share program gives students access to a portion of the services on their Individual Service Plan (ISP) while continuing to access homeschool or private school.
  - The regular education teacher of the student may be an employee of the private school. The district will ensure that a representative of the private school will be invited to the services plan meeting. If the representative is unable to attend, the District will share the document with the school if parent permission is obtained.

### **Parent-Placed Students in Private School or Homeschool**

When a student with a disability is unilaterally placed by parents in a private school, the district is not responsible for providing educational services for a free appropriate public education ([FAPE](#)) until such time as the parent chooses to enroll the student in the district full time. Parent-placed private school students with a disability do not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school. When a parent-placed student with a disability is referred to the district, the district shall convene an [ARD Meeting](#) to determine whether the district can offer the student a free appropriate public education.

The district is not required to maintain a current individualized education program ([IEP](#)) for students whose parents have maintained an intent not to enroll in Austin ISD. Current special education evaluations are required to be maintained and ARDs should be held accordingly.

### **Proportionate Share**

Proportionate share funds are for students parent-placed in private or home schools. Under federal law, the district must spend an amount that represents the same proportion of its federal grant on services for private or home school students as private or home school students represent within the population of disabled students served by the district as a whole. IDEA 2004 requires all public school districts to spend at least a "proportionate share" amount of federal Part B funds on special education and related services for eligible private school students.

Through Child Find efforts and consultation with private nonpublic schools, Austin ISD will make decisions regarding the use of a proportionate share of federal IDEA money. Decisions made by the district will include which eligible private school students will participate in special education services, what services will be provided, how, when, where and by whom the services will be provided.

To calculate proportionate share, the district uses a formula, which includes the total IDEA Part B funds received, the number of eligible private or home school students for whom the district is responsible, and the number of eligible public school students in the district.

Once all proportionate share funds have been allocated, additional requests will be declined for the current school year. Parents will be informed that they may request funds for the next school year. The individual service plan (ISP) describes services to be provided that may include, but are not limited to, [speech therapy](#), [occupational therapy](#), [physical therapy](#), [vision services](#), equipment, training, consultation, etc.

## Individual Service Plan

If the district in which the private school is located designates a parent-placed private school student, including an eligible student age three or four whose parents declined dual enrollment, to receive special education services, the district must initiate and conduct [ARD Meetings](#) to develop, review, and revise an Individual Services Plan (ISP) for the student that:

- Describes the specific special education and related services that the district will provide to the student through proportionate share;
- Ensure that a representative of the private school attends the meeting and
- Use other methods to ensure the participation of the private school, including conference or individual telephone calls if the representative cannot attend the meeting.

Services provided under the Proportionate Share agreement may be provided on the premises of private, including religious, schools to the extent consistent with law.

The ISP team includes the same participants as would be included in an ARD Committee for the student. The parents, a representative of the private school, minimum of one regular education teacher of the student if the student is or may be participating in a regular education environment, minimum of one special education teacher or special education provider of the student, a representative of the Austin ISD who is qualified to provide or supervise the provision of special education, is knowledgeable about the general curriculum and the availability of resources in the Austin ISD; a person who can interpret the instructional implications of evaluation results, the student, if appropriate; and at the discretion of the parent or the Austin ISD, any other individuals who have knowledge or special expertise regarding the student, including related services personnel if appropriate.

An ISP is not the same as an IEP and does not confer an entitlement to services; the district makes the determination of how and what services will be provided. A parent may refuse services proposed in an ISP. The district is required to invite a representative of the student's private school to participate in the ISP meeting. The district supplies an administrator and a representative service provider to assist in writing goals and determining the level of services proposed.

If the parents request services through proportionate share funds, district and private school representatives meet with the parent to develop an Individual Service Plan (ISP). While parent-placed private school students with an ISP may receive services, no parent-placed private school student with an ISP has a right to receive some or all the services the student would receive if enrolled in a public school.

An eligible private school student with a services plan in one school year has no right to a services plan in a subsequent school year. Austin ISD is responsible for determining eligible private school students who will participate each year.

Parents of parent-placed private school students are not entitled to receive a due process hearing to challenge the contents of an ISP. Due Process is available to challenge the Child Find process. Parents may file a complaint with TEA regarding the district's failure to meet private school consultation requirements. The complaint must be filed with the district in which the private school is located and a copy must be forwarded to TEA.

## Consultation Process

Austin ISD will carefully consider the information from private schools and parents of eligible private school students regarding use of available federal funds. At least annually, Austin ISD will consult on the following:

- Proportionate share of funds
- How special education services may be provided
- Explanation of services
- How parent-placed private school students suspected of having a disability can participate equitably and
- How parents, teachers, and private school officials will be informed of the process

Any other topics appropriate for consultation including all Federal Regulations listed.

Consultation methods with administrative and parent representative of eligible private school students may include any or all of the following:

- Individual meetings with private school officials and the representative of parents of eligible private school students
- One or more group meetings with private school representatives and representatives of parents of eligible private school students
- Written correspondence to all private schools known to the Austin ISD to be within district boundaries. written correspondence to parents known to the Austin ISD who homeschool their students
- Written correspondence to parents of eligible private school students

Austin ISD will collect and keep on file any written affirmations. If unable to obtain a written affirmation, the Austin ISD will submit documentation explaining the attempts to secure the written affirmation to TEA at: [sped@tea.state.tx.us](mailto:sped@tea.state.tx.us).

After consultation, a complete child find process is conducted to determine the total number of eligible students with disabilities placed by parents in private schools. Consultation will be timely taking place prior to the designation of eligible private school students to participate in the Austin ISD's special education supports and services.

## Students Ages 5 to 21 Transferring to Austin ISD Who Currently Already Receive Special Education Services

All campuses in Austin ISD are equipped to provide a range of special education services. Families should first begin by enrolling their student at the home campus based on your address. To find your home campus, please go to [Austin ISD's School Zone Finder](#) and enter your address. Once you know your home school, you must register your student on [Austin ISD's Enrollment Page](#).

## Charter Schools

### Students Ages 5 to 21 Attending Charter Schools

Charter schools receive federal funding, and the charter school staff should address any needs for special education instruction or services.

## Public Notification

Austin ISD annually notifies and informs the district community of a student’s right to a [free appropriate public education](#) and the programs and services available to eligible students, as well as the right to request an evaluation for special education and related services. The district endeavors to distribute written information in both English and Spanish to every enrolled student’s family regarding IDEA’s *Child Find* and free appropriate public education (FAPE) requirements, to inform them of the options and requirements for identifying students who may be suspected of having a disability and have an educational need for special education and specially designed instruction. The district’s community-wide efforts may include:

- Publishing a *Child Find* notice in a local newspaper of general circulation;
- Posting or linking the district’s *Child Find* notice on the district’s website; and
- Placing a *Child Find* notice in locations where potentially eligible students and their parent(s) are likely to see it, like disability-related community agencies, hospitals, or daycare centers.

The district’s *Child Find* notice is available to the public and to parents in both English and Spanish on the district’s website. Together with the district’s annual *Child Find* notice, the district includes information indicating where members of the Austin ISD community can access the district’s processes and procedures for initiating a referral for special education services eligibility evaluation. The district also offers annual training to teachers and staff regarding the district’s responsibility to actively identify and appropriately refer for evaluation students suspected of being in need of special education and related services, consistent with these *Special Education Operating procedures* (“Operating procedures”).

## Timeline

Once school or district administrators are notified of a parental request to evaluate for special education, the campus shall provide the parents with a [Prior Written Notice](#) for evaluation or refusal to evaluate within 15 school days. A copy of the [Procedural Safeguards](#) and a Parent’s Guide to the Admission, Review, and Dismissal Process should be provided to the family at this time.

If the district agrees to evaluate, a consent meeting will be scheduled. A comprehensive Full and Individual Initial Evaluation (FIIE) must be completed and a written report submitted within 45 school days of obtaining consent. If a student is absent three or more days during the evaluation period, then the evaluation timeline is extended by the number of days absent. This evaluation will determine (1) if the student has a disability according to the eligibility criteria and (2) the educational needs of the student.

In Texas, the [ARD Committee](#) must meet, determine eligibility, and reach consensus on an initial individualized education program ([IEP](#)), if applicable, within 30 days of the written evaluation being submitted.

## Resources

See [Referral Process and Full and Individual Initial Evaluation](#)

[Austin ISD Website: Child Find](#)

[Austin ISD Information on Child Find](#)

[Austin ISD Website: Project Hope & Empowerment](#)

[Austin ISD's Early Childhood Special Education Referral Information Form](#)

[Austin ISD's School Zone Finder](#) (Locate your home school)

[Austin ISD's Enrollment Page](#)

Notice of Procedural Safeguards - [English](#) [Spanish](#)

A Parent's Guide to the ARD Process - [English](#) [Spanish](#)

[TEA Guidance Related to Evaluations: Review of Existing Evaluation Data \(REED\) and Reevaluation](#)

[Delayed Evaluations and Compensatory Services \(October 2021\)](#)

[SB139 Notice Requirements and Student Handbook Statement](#)

[Response to Intervention \(RtI\) and Learning Disability \(LD\) Eligibility:](#)

# Commensurate School Day

## What's Required

Students with disabilities must have available an instructional day commensurate, or equal length, with that of students without disabilities. Commensurate means students with disabilities and their non-disabled peers:

- Have a school day with same beginning and end time and
- Attend school for the same number of hours

The [ARD Committee](#) will determine the appropriate instructional setting and length of instructional day for each student.

The school day for students with disabilities cannot be shortened due to administrative convenience such as the schedule of bus routes, or parents' convenience such as their work location or schedule. This requirement applies to all students with disabilities ages 3-21 regardless of their disability, type of class, or program. If a student attends private therapy during the school day, the student's schedule cannot be shortened to accommodate the student's private therapy schedule.

## What We Do

The [ARD Committee](#) may consider, review, and document a shorter school day based on the individual needs of the student. If a parent is accessing a private therapy (for instance, ABA, speech or [occupational](#) therapy) for a student with [autism](#) during the school day, but away from the school campus, Texas law provides for an excused absence exception for these particular students. It is handled like any other doctor's appointment that occurs during the school day.

## Length of Instructional Day

The [ARD Committee](#) must plan a complete educational program for students regardless of whether the parents may elect to access and pay for private services during the school day. The ARD Committee must develop a schedule reflecting the full instructional day with consideration in scheduling to support the student in making progress on goals and objectives.

The [ARD Committee](#) should not reduce the instructional day to make allowances for medically related therapies. The school day for students with disabilities cannot be shortened due to administrative convenience such as the schedule of bus routes, availability of private therapy appointments, or parents' convenience such as their work location or schedule.

Any variation in the length of school day will be thoroughly documented in the IEP and the specific plan for returning the student to a normal school day (the same as nondisabled peers) will be developed in the [ARD Meeting](#). Should a licensed physician recommend a shortened school day for a student, the ARD committee may consider that.

*Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the diagnosing medical professional to discuss possible accommodations, modifications, supplementary aids and services.*

## Private Therapy During the Instructional Day

Austin ISD is required to provide all special education and related services that are necessary to meet the student's educational needs, including school-based therapy. School-based therapy differs from clinical therapy in terms of the purpose of the therapy, the roles of the therapists, and the types of support they provide. School-based therapy provides services to students and works closely with educational staff and families to support a student's learning in the least restrictive environment. The focus of school-based therapy is to support a student's ability to participate in the school environment and school activities. Clinical therapies focus on minimizing the impact of the student's disability and isolating skills to facilitate independence in activities.

Private therapy sessions are not permitted on the campus during the instructional day. Any kind of private therapy should be occurring outside the school day because the student will miss out on direct instructional time, or alternatively, miss the opportunity to be with non-disabled students in the general education setting. When a student attends private therapy during the school day, this necessarily shortens the instructional school day.

At their discretion, parents often provide varying kinds of private therapy at their own expense before or after school hours that are over and above what the school must provide for the student to address the student's educational needs under their Individualized Education Plan. This does not mean that the private therapist is to be given the opportunity to provide services in the public school setting. Austin ISD does not permit private therapists to use school facilities during the school day pursuant to [Board Policy GKD \(Regulation\)](#).

- If the student receives special education or Section 504 services, the school must schedule and hold an 504/[ARD Meeting](#) to determine whether additional services or evaluations are needed to meet the student’s educational needs. If the 504/ARD Committee determines that the services are educationally necessary, the district is obligated to provide the services and should revise the individualized education program ([IEP](#)) to include them.

*Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the medical professional to discuss possible accommodations, modifications, supplementary aids and services.*

If parents elect to shorten the instructional day for said therapies, and these therapies begin to impact the student’s ability to make progress on their IEP goals, an [ARD Meeting](#) should be proposed by the district.

## Resources

See [Individualized Educational Program](#)  
TEA Guidance on [Commensurate School Day](#)  
[AISD Board Policy EHBA](#)

# Compensatory Services

## What’s Required

## Senate Bill (89), COVID-19 Special Education Recovery Act

State Bill (SB) 89 became law on June 7, 2021, taking effect immediately. Known as the COVID-19 Special Education Recovery Act, SB 89 added Texas Education Code §29.0052. This act is intended to help local education agencies identify and address special education and related service interruptions during the COVID-19 pandemic. The act requires that the individualized education program ([IEP](#)) of each student enrolled in a Local Education Agency (LEA)’s special education program during the 2019-2020 or 2020-2021 school year include certain documentation. No later than May 1, 2022, Admission, Review, and Dismissal (ARD) committees must complete a required supplement as a written statement included in the student’s IEP.

The required supplement must include the following information:

- If applicable, whether the written report of the student’s [full and individual initial evaluation \(FIIIE\)](#) was completed during the 2019-2020 or the 2020-2021 school year and, if so, whether the report was completed by the required date;
- If applicable, whether the student’s initial [IEP](#) was developed during the 2019-2020 or 2020-2021 school year and, if so, whether the program was developed by the required date;
- For all students with an [IEP](#), whether the provision of special education and related services to a student under their IEP during the 2019-2020 or 2020-2021 school year was interrupted, reduced, delayed, suspended, or discontinued; *and*

- Whether compensatory educational services are appropriate for the student based on the above information, or any other factors.

While the required content must be included with the written statement of the [IEP](#), the specific location and format of the information may be determined locally. Documentation of the required elements of SB 89 may be included within the [ARD Committee](#) deliberations and/or as a supplemental form that is included as part of the ARD Committee paperwork. If the student's ARD Committee documented all required information in the written statement of the IEP during the 2020-2021 school year, then the ARD Committee is not required to prepare an additional supplement for this purpose.

## Delays to Evaluations and [IEP](#) Development

If a student is in the process of being evaluated and the evaluation is delayed for any reason, the [ARD Committee](#) must consider compensatory services. TEA defines compensatory services as those educational services that are required for a student to make up for skills or learning lost when services described in an individualized education program ([IEP](#)) were not provided. The ARD Committee will determine whether, and to what extent, compensatory services are required.

### What We Do

Before May 1, 2022, Austin ISD campuses held [ARD Meetings](#) for every student receiving Special Education services to complete a COVID-19 Recovery Act supplement as part of the student's [IEP](#). Each supplement identified any special education and related service interruptions during the COVID-19 pandemic and, if needed for the individual student, detailed the compensatory services that student would receive.

Austin ISD ensures that the [IEP](#) for each student who was enrolled in the district's special education program during the 2021-2022, 2022-2023, and 2023-2024 school years, includes a written statement that indicates whether that student's evaluation was completed by the date required. Austin ISD will also, if applicable, indicate whether the student's initial [IEP](#) was developed by the 30-school day requirement. If either the evaluation or the student's IEP was not developed within the federal timeline, the [ARD Committee](#) will address potential compensatory services.

Decisions about compensatory services are made on an individual basis based upon the student's needs. If the campus of the student has knowledge that an evaluation was delayed or the development of the [IEP](#) was delayed, the student's case manager should consult with their campus administrator and department chair about compensatory service options that can be offered. If the campus has difficulty determining offerings that would be applicable to the student, they will contact their Special Education Campus Support Coordinator for assistance.

The [ARD Committee](#) will address compensatory services within the student's [IEP](#) in the student's schedule of services and reflect all decisions made in the deliberations and [Prior Written Notice](#). If compensatory services are determined to be needed, the ARD Committee will document the following in the IEP:

- Area of compensatory service;



- For example: Math Instruction, Reading Instruction, Writing Instruction, [Counseling](#) as a Related Service, [occupational therapy \(OT\)](#) or [physical therapy \(PT\)](#) services, etc.
- Start and end date of services;
  - For example: Date during the school year, a summer compensatory program, etc.
- Duration or length of service;
  - For example: 20 minutes a session, 30 minutes a session, etc.
- Frequency of the service;
  - For example: Once a week, twice a week, etc.
- Materials, equipment, or supplemental aids needed for services/
  - For example: Specific materials needed such as a calculator, book, etc.
- How will progress be monitored?
  - For example: Concurrent to IEP progress reports, every 3 weeks, etc.
- When will the ARD Committee come back to review progress from services?

The awarding of compensatory services must be reasonably calculated to bring the student to the position the student would have been in if the appropriate services had been provided in the first place. Compensatory services are [IEP](#) driven, student specific, and ARD Committee reviewed and determined.

## Resources

See [Public Health-Related Protocols](#)

See [Reevaluations](#)

See [Referral Process and Full and Individual Initial Evaluation](#)

TEA Guidance on Delayed or Denied Evaluations [English](#) and [Spanish](#)

[TEA Guidance: Compensatory Services - Summer 2020](#)

# Continuum of Services

## What's Required

Individuals with Disabilities Education Improvement Act (IDEA) requires that students with disabilities are to be educated with students without disabilities in the Least Restrictive Environment (LRE). This means that students with disabilities must be educated with students who do not have disabilities to the maximum extent appropriate. Removal of a student from the regular educational environment may only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Austin ISD provides a range or continuum of placement options. When making placement decisions, the [ARD Committee](#) should consider the full range of options that might be appropriate based on the individual needs of the student and the environment in which the student will most likely make progress.

## What We Do

When developing the IEP, the ARD Committee must consider the following to determine the placement of a student served through special education:

- Placement must be in the least restrictive environment (LRE) based upon the student's unique educational needs and circumstances, rather than by the student's [category of disability](#).
- Placement is not the specific physical location or site where the services will be delivered.

Special education services are provided on a continuum as follows:

- General education with consultation services from special education
- General education with instructional modifications and/or accommodations with supplementary aids and services from special education
- Special education instructional services less than 21% of the school day
- Special education instructional services at least 21% and less than 50% of the school day
- Special education instructional services at least 50% and no more than 60% of the school day
- Special education instructional services more than 60% of the school day
- Specialized school within the district
- [Homebound instructional services](#)
- Hospital or residential facility instructional services
- Nonpublic school residential facility services

## Resources

See [Homebound Services](#)

See [Out of District Placement](#)

Texas Education Agency Question and Answer Document on Least Restrictive Environment ([English](#), [Spanish](#))  
[Texas Administrative Code \(RULE §89.1094\) Students Receiving Special Education and Related Services in an Off-Campus Program](#)

TEA's [The Least Restrictive Environment: Question and Answer Document](#)

# Counseling and Psychological Services

## What's Required

Counseling as a Related Service and Psychological Services may be provided to students with disabilities who have chronic, severe behavioral, emotional, or social difficulties and require specialized instruction provided in special education.

According to the Individuals with Disabilities Education Improvement Act (IDEA), counseling as a related service is provided by qualified mental health professionals. In Austin ISD, these services may be provided by qualified social workers, school psychologists, professional school counselors, or other qualified personnel such

as interns supervised by licensed or certified professionals.

Austin ISD will provide counseling as a related service, such as:

- Administering psychological and educational tests, and other assessment procedures;
- Interpreting assessment results;
- Obtaining, integrating, and interpreting information about student behavior and conditions relating to learning;
- Consulting with other staff members in planning school programs to meet the special educational needs of students as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
- Planning and managing a program of psychological services, including psychological counseling for student and parents; and,
- Assisting in developing [positive behavioral intervention strategies](#).

Psychological services as defined by IDEA include some services not defined strictly as psychological in nature and therefore can be appropriately provided by other trained personnel including behavior specialists, school social workers, evaluation specialists, interns and counselors. These would include gathering information about student behavior, behavioral program planning, educational testing, and developing behavioral intervention strategies.

An [ARD Committee](#) is responsible for determining the appropriateness of counseling as a related service and psychological services based on the individual educational needs of a student, regardless of the disability categories. The ARD Committee may gain parental consent to evaluate for special education counseling services.

## What We Do

# Counseling as a Related Service and/or Psychological Services Referral

Austin ISD requires general education teachers to use [Multi-Tiered Systems of Support](#) to support social-emotional learning, academic achievement, and assist with behavioral needs of the student. Prior to requesting an evaluation, school personnel will document previous educational efforts and strategies and the results of those efforts including participation in or consideration for other programs within Austin ISD. Interventions and supports for individual students are documented in the district's eCST portal and under the student's electronic file. If a need arises, the classroom teacher will request a Child Study Team (CST) meeting to review learning and/or behavioral concerns. Should the CST determine a referral to special education is warranted for a suspected disability and counseling as a related service and/or psychological services evaluation should be conducted as a part of that assessment, the CST chair will complete all required forms, upload them to the digital records system, and refer the student for a Special Education evaluation. Counseling as a related service (CARS), and psychological services should be considered as part of an initial evaluation for students who are suspected of having an emotional and/or behavioral disability. This will be considered and documented

in the student's [full and individual initial evaluation \(FIIE\)](#). For the FIIE, the assigned evaluator will provide [Notice of Procedural Safeguards](#) to the parent, along with the Notice of Proposal to Evaluate, and obtain Consent for Evaluation.

For students currently receiving Special Education Services and counseling as a related service or psychological services are suspected to be needed for the student to make progress on their [IEP](#), an evaluation may be requested through the [ARD Committee](#) meeting. The ARD Committee will ensure that the student's ARD notice includes a [review of existing evaluation data \(REED\)](#) to discuss the evaluation and that the appropriate committee members are invited to the meeting. When a counseling and/or psychological service evaluation is being requested, a District Mental Health Specialist (MHS) or School Psychologist (LSSP) must be invited to the [ARD meeting](#). The Mental Health Specialist (MHS) or School Psychologist (LSSP) will complete the REED paperwork and if agreed upon by the Committee, provide [Notice of Procedural Safeguards](#) to the parent, along with the Notice of Proposal to Evaluate, and obtain Consent for Evaluation.

## Mental Health Specialists (MHS)

In Austin ISD, the position of a MHS holds a Masters Degree and is State credentialed as a Licensed Psychologist (LP), Licensed Professional Counselor (LPC), Licensed Marriage and Family Therapist (LMFT), School Psychologist (LSSP) or Licensed Clinical Social Worker (LCSW). Austin ISD Mental Health Specialists complete counseling as a related service and psychological service evaluations to assist in determining students eligible for services. If eligible for services, they provide therapeutic related service counseling as needed for the individual student, and support the student's campus with consultation, advocacy, and professional development in mental health issues. The services provided by a mental health specialist are consistent with all applicable professional standards.

See [Continuum of Services](#)

See [Reevaluations](#)

See [Referral and Full and Individual Initial Evaluation](#)

[Texas School Mental Health: Best Practices](#)

## Deaf/Hard of Hearing Services

### What's Required

Austin ISD must ensure that to the maximum extent appropriate, students with disabilities, including students with deafness or hearing impairment, are educated with students who are nondisabled. There must be a [continuum of alternative placements](#) available to meet the needs of students with disabilities and ensure the appropriate instructional arrangement or setting, and Austin ISD must ensure that special classes, separate schooling, or other removal of students with disabilities from the general 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.

For the child from birth through two years of age with auditory impairment, an individualized family service plan meeting must be held in place of an [ARD Meeting](#) and the Local Education Agency (LEA) must comply with the Ages 0-5 framework. See [Child Find/Identification](#)

## What We Do

Opportunities for direct communications with peers and professional personnel in the student's language and communication mode will be specifically addressed by the [ARD Committee](#). For a student who is deaf or hard of hearing, the ARD will consider [assistive technology](#) needs. Discussion of needs of the student in this area will be documented on district forms and filed by the evaluation specialist in the student's special education eligibility folder.

### Regional Day School Program for the Deaf

When the district has exhausted the instructional options offered within the district, and is, therefore, unable to provide an appropriate educational program for the student, the Education Service Center's Region 13 [Regional Day School Program for the Deaf](#) (RDSPD) may be utilized when appropriate. The RDSPD offers comprehensive services for students who are deaf or hard of hearing from birth to age 22 who require direct instruction from a teacher of the deaf.

### Evaluation Procedures

The procedures and materials used for the assessment and placement of the student who is deaf or hard of hearing must be in the student's preferred mode of communication.

The evaluation data reviewed by a group of qualified professionals in connection with the determination of the student's disability based on being deaf or hard of hearing must include:

- An otological examination performed by an otolaryngologist, or by a licensed medical doctor with documentation that an otolaryngologist is not reasonably available;
- An audiological evaluation performed by a licensed audiologist; including a description of the implications of the hearing loss in a variety of circumstances with or without recommended amplification; and
- An assessment of the student's potential for communication through a variety of means, including: Oral (spoken) and Aural (hearing), Fingerspelling, and/or Sign Language.

### Eligibility Criteria

A student identified as [deaf or hard of hearing](#) is one who has been determined to meet the criteria for deafness or for hearing impairment.

Deafness means a hearing impairment that is so severe that the student is impaired with processing linguistic information through hearing, with or without amplification, that adversely affects the student's educational performance.

Hearing impairment means an impairment in hearing, whether permanent or fluctuating, that adversely affects the student's educational performance but that is not included under the definition of deafness.

## What We Provide

Austin ISD provides a full [continuum of services](#) based on the individual needs of each student:

- General education classroom with consultative support from a deaf ed certified teacher
- General education classroom with direct instructional services from a deaf ed certified teacher
- A combination of general education and self-contained special education classes with consultative and/or direct instructional services from a deaf ed certified teacher
- Self-contained special education classroom with the consultative and/or direct instructional services from a deaf ed certified teacher
- Daily direct instruction from a deaf ed certified teacher at an Regional Day School Program for the Deaf (RDSPD) cluster site placement
- Access to educational interpreters at an RDSPD cluster site

The components of the IEP/services for students who are [Deaf or Hard of Hearing](#):

- Determined by the [ARD Committee](#)
- Based upon individual needs of each student as identified by a full evaluation and/or PLAAFP
- May include related services such as Audiological Management, Speech Therapy, and/or Interpreting Services as determined by the ARD Committee
- May include [Assistive Technology](#) support
- May include individualized [Accommodations, Modifications, Supplementary Aids and Services](#)

Personnel have knowledge and competencies in the following areas:

- Extent to which significant hearing loss impacts access to the general curriculum, social skills and skills for daily living
- Specially designed instruction
- Specialized skills for developing language skills through a variety of communication modes (simultaneous communication, listening and spoken language)
- [Accommodations, Modifications, Supplementary Aids and Services](#)
- Technology supports including but not limited to Hearing [Assistive Technology](#), cochlear implants, hearing aids

## Resources

See [Accessible Instructional Materials](#)

See [Child Find/Identification](#)

See [Disability Categories - Deaf-Blindness](#) and [Deaf/Hard of Hearing](#)

[ESC 13 Resources](#)

[Texas DHH Ed Statewide Website](#)

[TEA Sensory Impairment Resources](#)

# Disability Categories

## What's Required

To be eligible for special education services, a student must first qualify in one or more of the disability categories listed below. In addition, each disability criteria requires addressing how the disability adversely impacts a student's educational ability to access the general education curriculum.

*Note: A student with a disability, who is determined by the [ARD Committee](#) to meet eligibility criteria for one or more disabilities but has no need for special education and related services, is not considered disabled under Individuals with Disabilities Education Improvement Act ([IDEA 2004](#)). Eligibility for services under [Section 504](#) may be considered in these cases.*

## Autism

[Autism](#) Spectrum Disorder describes a student with a developmental disability that significantly affects verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a student's educational performance. Other characteristics often associated with Autism include engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and/or unusual responses to sensory experiences.

Autism does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disturbance, as defined below.

## Deaf-Blindness

To qualify for a disability under [Deaf-Blindness](#), a student would have documented concomitant hearing and visual impairments, of which, the combinations cause such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness. See [Deaf/Hard of Hearing Services](#) and [Visual Impairments Services](#).

## Deaf/Hard of Hearing

A [Deaf/Hard of Hearing](#) disability applies to a student with a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects their educational performance. See [Deaf/Hard of Hearing Services](#).

## Emotional Disturbance

An [Emotional Disturbance](#) disability is met when a student exhibits one or more of the following characteristics

over a long period of time and to a marked degree that adversely affects their 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.

Emotional disturbance includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they meet criteria for an emotional disturbance as described above.

## Intellectual Disability

An [Intellectual Disability](#) is demonstrated when a student presents with significantly subaverage general intellectual functioning and deficits in adaptive behavior, generally manifested during the developmental period, that adversely affects a student's educational performance.

## Multiple Disabilities

[Multiple Disabilities](#) is met when a student presents with concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment). The combination of these impairments must cause severe educational needs that cannot be accommodated in special education programs solely for one of the impairments. It is important to note that this category does not include [Deaf-Blindness](#).

## Non-Categorical Early Childhood

A child can be found to have a [Non-Categorical Early Childhood](#) disability if they are between the ages of 3-5 and evaluated to have an intellectual disability, an emotional disturbance, a specific learning disability, or [autism](#).

## Orthopedic Impairment

An [Orthopedic Impairment](#) applies when a student's severe orthopedic impairment adversely affects their educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

## Other Health Impairment



An [Other Health Impairment](#) applies when a student presents with 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, sickle cell anemia, and Tourette syndrome; *and*
- adversely affects a student's educational performance.

*Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the diagnosing medical professional to discuss possible accommodations, modifications, supplementary aids and services.*

## Specific Learning Disability

A student is one with a [Specific Learning Disability](#) if one or more of the basic psychological processes 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 do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, [dyslexia](#), and developmental aphasia.

A student with a specific learning disability is one who:

- Has been determined through a variety of assessment tools and strategies to meet the criteria for a specific learning disability;
- When provided with learning experiences and instruction appropriate for the student's age or state-approved grade-level standards as indicated by performance on multiple measures such as in-class tests, grade average over time (e.g., six weeks or semester), norm- or criterion-referenced tests, and [statewide assessments](#), does not achieve adequately for the student's age or to meet state-approved grade-level standards in one or more of the following areas: oral expression; listening comprehension; written expression; basic reading skill; reading fluency skills; reading comprehension; mathematics calculation; or mathematics problem solving.
- Meets one of the following criteria:
  - Does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified above; or
  - Exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, state-approved grade-level standards, or intellectual development that is determined to be relevant to the identification of a specific learning disability, using appropriate assessments'
- Underachievement by a student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics.

It is important to note that qualifying as a student with a specific learning disability does not include those with learning problems that are primarily the result of visual, hearing, or motor disabilities; [intellectual disability](#); [emotional disturbance](#); or environmental, cultural, or economic disadvantage.

## Speech Impairment

[Speech Impairment](#) applies to a student with a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects their educational performance.

## Traumatic Brain Injury

[Traumatic Brain Injury](#) applies to a student with 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 student'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.

Traumatic brain injury does not apply to students with brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

## Visual Impairment

[Visual Impairment](#), including blindness, applies to a student with an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

# Discontinuing Special Education Services

## What's Required

Special education and related services are available to all eligible students ages 3-21. The [ARD Committee](#) determines whether a student has a disability and by reasons of the disability, needs special education and related services. Considerations for determining the need for special education services include:

- The [full and individual evaluation \(FIE\)](#) that determines if the student has a disability condition recognized under Individuals with Disabilities Education Improvement Act (IDEA)
- The age ranges that are served through special education are 3-21 years
- Parental consent for services

## What We Do

## No Longer Eligible for Services

If the [ARD Committee](#) determines that a student does not have a disability under IDEA based upon an evaluation, or if the committee finds that the student does not need specially designed instruction provided through special education as a result of the disability, the committee will determine that the student is not eligible for special education services. The [ARD Committee](#) will document this in their [ARD Meeting](#) and provide the parent with [prior written notice](#) to discontinue services.

## Services Through Age 21

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

## Revocation of Consent for All Special Education Services

Parents have the right to revoke consent for services at any time. If the parent chooses to revoke consent for services, Austin ISD must discontinue providing special education and related services to the student. A district evaluation representative will meet with the parent to obtain a signed [Prior Written Notice: Revocation of Consent](#). This form will be scanned and uploaded into the student's special education audit folder.

## Summary of Performance

Graduation with a regular high school diploma terminates a student's eligibility to receive special education and related services. A summary of performance (SOP) is required when a student's eligibility terminates due to graduation with a regular high school diploma or when the student exceeds the age eligibility for a free appropriate public education.

The SOP addresses both academic and functional performance and must consider, as appropriate, the views of the parent, the views of the student, and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals.

An evaluation must be included as part of the SOP for students [graduating](#) based on:

- Completion of the credit requirements for graduation under the Foundation High School Program or the Minimum High School Program through courses, one of more of which contain modified curriculum
- Satisfactory performance on required end-of-course assessments, unless the [ARD Committee](#) has determined that satisfactory performance on the required [end-of-course assessments](#) is not necessary for graduation, and
- Completion of the IEP as well as compliance with [TEA's Graduation Framework](#).

## Resources

[Region 18 ESC Framework](#)

See [Transition and Graduation - Summary of Performance](#)

# Dyslexia/Dysgraphia Services

## What's Required

### Early Intervention, Identification, and Support for Students At-Risk for Dyslexia

"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. Because early intervention is critical, a program for early identification, intervention, and support for students with dyslexia and related disorders must be available in each district.

The board of trustees of a school district must ensure that procedures for identifying a student with dyslexia or a related disorder are implemented in the district. A school district's strategies for screening for dyslexia and related disorders must be implemented in accordance with the Dyslexia handbook Procedures Concerning Dyslexia and Related Disorders. Screenings should only be done by individuals/professionals who are trained to assess for dyslexia and related disorders.

## What We Do

All kindergarten and first-grade students must be screened for dyslexia. Kindergarten students will be screened by the end of the year, and the screener must address Letter Naming Fluency and Phonological Awareness. The law requires that all students beyond first grade be screened or tested as appropriate. The appropriate time depends on multiple factors including:

- Student's reading performance
- Reading difficulties
- Poor response to supplemental, scientifically based reading instruction
- Teacher input
- Input from parent

A district may not use early intervention strategies, including [Multi-Tiered Systems of Support \(MTSS\)](#), to delay or deny the provision of a full and individual evaluation to a student suspected of having a [specific learning disability](#), including dyslexia or a related disorder.

## Evaluations and Identification of Students with Dyslexia

If the [Multi-Tiered System of Support \(MTSS\)](#) team suspects that the student has dyslexia, dysgraphia, or another disability included within Individuals with Disabilities Education Improvement Act (IDEA), the team must refer the student for a [full and individual initial evaluation \(FIIIE\)](#). Schools shall recommend for assessment for dyslexia if the student demonstrates:

- Poor performance in one or more areas of reading and spelling that is unexpected for their age/grade or

- Characteristics and risk factors of dyslexia

Parents always have the right to request a referral for a dyslexia evaluation at any time. These evaluations will be completed as part of a [Full and Individual Initial Evaluation \(FIIIE\)](#) under IDEA. Only when parents refuse an FIIIE will an evaluation under §Section 504 be considered. Further evaluation should only be conducted by individuals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.

## Determination of Services

A student identified with dyslexia may be eligible for dyslexia instruction under special education or a Section 504 plan. The [ARD Committee](#) will determine whether the student qualifies as a student with dyslexia and if there is a corresponding need for specially designed instruction because of the disability. If a student is not found eligible under IDEA, but is identified with the condition of dyslexia, the Section 504 Committee should develop an appropriate plan without delay that includes appropriate reading instruction. Parents of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and [multi-tiered systems of support](#) models.

### **Evidence-Based Instruction for Students with Dyslexia and Related Disorders**

A school district's techniques for treating dyslexia and related disorders must be implemented in accordance with the [Dyslexia Handbook](#). Appropriate reading instruction means critical evidence-based components of dyslexia instruction and delivery using the standard protocol of the program. Appropriate reading instruction provided to all students with dyslexia and related disorders must include the components of instruction and instructional strategies for:

- Phonological awareness
- Sound/Symbol Association
- Syllabication
- Orthography
- Morphology
- Syntax
- Reading Comprehension
- Vocabulary
- Reading Fluency

The standard protocol dyslexia instructional program must be explicit, systematic and intentional in its approach. This instruction should be designed for all students with dyslexia and take place in a small group setting. This evidence-based program must be implemented with fidelity by an appropriately trained instructor.

### **Public Education Information Management System (PEIMS) Reporting**

The district shall submit PEIMS coding reports to the state.

## Training

General education and special education teachers are provided training annually on dyslexia screeners, dyslexia characteristics, the referral process, and strategies to use in the classroom. Austin ISD provides the parent digital access to our state dyslexia handbook via our Special Education web site and via our district's [Dyslexia webpage](#).

## Resources

[TEA Dyslexia Handbook](#)

Austin ISD Board Policy [EHBAE](#) and [FB](#)

# Early Childhood Special Education

## What's Required

Austin ISD shall provide special education and related services to a child with a disability. For the Early Childhood Special Education services (ECSE), the child is three, four, or five years old and has been evaluated and meets eligibility criteria for at least one of the Individuals with Disabilities Education Improvement Act (IDEA) disability categories. An [ARD Committee](#) determines if the child needs special education and/or related services. For students referred and placed prior to their third birthday, please see [Child Find](#).

Austin ISD coordinates with [Texas Health and Human Services Commission \(THHSC\)](#) or its local designees—the Early Intervention Agency—to notify parents or guardians of the availability of the ECSE program for students in the district who are at least 3 years of age but younger than 6 years of age and who are potentially eligible for enrollment in Austin ISD's IDEA Part B Early Childhood Special Education (ECSE) program. Additionally, at least 90 days before the 3<sup>rd</sup> birthday of a child with a disability under Part C, who may be eligible for preschool special education and related services under Part B, the Early Intervention Agency—must notify the district that the child will shortly reach the age of eligibility for Austin ISD's ECSE program.

## What We Do

Austin ISD provides special education services to eligible 3, 4, and 5-year-old children with disabilities in Early Childhood Special Education.

- For children referred prior to age three as a referral through an early intervention program while receiving services through ECI, special education services must be made available to the child on their third birthday if the child is found eligible.
- A child who is four years old on or before September 1st and meets district pre-kindergarten requirements may enroll in the district's pre-kindergarten program. Certain procedures must be met for pre-kindergarten attendance.
- A student must be five years of age on or before September 1st to participate in the district's kindergarten program.

- If the child is to be evaluated by our district, the child participates in a screening and the parent completes appropriate referral paperwork, notice and consent. Based on the referral information, the assessment will be assigned to an arena assessment team or a speech-language pathologist. An arena assessment allows for an interactive and integrated process across domains to get a holistic picture of the child. The evaluation team and/or the Speech-Language Pathologist (SLP) completes the evaluation report.
- The evaluation must include:
  - A comprehensive measure of intelligence
  - A measure of adaptive behavior
  - Age-appropriate developmental/academic evaluation
  - A speech/language evaluation
  - A psychological evaluation if emotional or behavioral concerns are present
  - An [assistive technology](#)/augmentative communication assessment if determined to be necessary by the speech-language pathologist or evaluation specialist upon review of the referral paperwork
  - [Other Health Impairment \(OHI\)](#) disability forms will be presented to the parent by the evaluation specialist if relevant information is provided to determine its relevance.
    - *Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the diagnosing medical professional to discuss possible accommodations, modifications, supplementary aids and services.*
- The Speech/Language Pathologist completes the evaluation and report for a student with primary speech and language needs.
- The evaluation specialist from the assessment team compiles the evaluation report for a student who participated in an arena assessment by combining report information from all specialists involved in the assessment. This report includes a recommendation for eligibility and placement for the [ARD Committee](#) to use and consider when determining eligibility and placement. The lead ECSE teacher assures the space is available at the appropriate campus for the recommendation.
- The evaluation specialist at the child's home campus schedules the initial [ARD Committee](#) within 30 calendar days of the [Full and Individual Initial Evaluation \(FIIE\)](#) date and prior to the child's third birthday if the referral comes through ECI. Otherwise, the ARD must be held within 30 calendar days of the completion of the report.
- The ARD is held at the home campus and the teacher of the proposed receiving school is invited so that the committee can review the results of the FIIE report. The recommendations for eligibility and programming placements are discussed and reviewed with parental input. The committee determines eligibility and programming from the [continuum of services](#).
- Evaluation specialists are responsible for:
  - Developing the objectives and goals for the Individualized Educational Program ([IEP](#)) based on recommendations in the FIIE report
- Home campus personnel are responsible for:
  - Holding the [ARD Meeting](#) at the home campus and inviting the members from the campus which has the recommended/proposed program from the continuum of services
  - Submitting a request for transportation if appropriate
  - Completing Public Education Information System (PEIMS) information
- Receiving campus personnel are responsible for:

- Ensuring enrollment is complete
- Providing the services as specified in the IEP
- Completing and submitting the initial Child Outcome Summary Form (COSF)
- Speech Therapy Services are provided by a licensed or certified Speech/Language Pathologist (SLP) and may be provided in a variety of ways. Speech Therapy may take place at the home campus or the attending campus. Speech Therapy may be at a centralized school location as part of the Communication Acquisition Program for Preschoolers (CAPP). Speech Therapy Services are provided in Spanish by a licensed assistant SLP or certified Speech/Language Pathologist (SLP) at a centralized school location as part of the [emerging bilingual program](#) when deemed necessary by the assessment personnel and [ARD Committee](#). See [Speech-Language Services](#).
- On the [Continuum of Support](#):
  - In Class Support Services are provided when a special education teacher or special education paraprofessional provides instructional support services for preschoolers with disabilities in the general education pre-kindergarten or kindergarten classes.  
Bilingual
  - Self-Contained Services are provided by a special education teacher and special education paraprofessional(s) in a special education class.

It is important to note that when a ECSE placement is considered for a three-year-old student by the [ARD Committee](#), the default placement decision is a half-day, which is consistent with the general education preschool programming. There may be ARD Committee decisions for individual students which indicate services should be provided longer than a half-day.

## Resources

[Texas Health and Human Services Commission \(THHSC\): Early Intervention Services](#)  
[Early Intervention Services \(EIS\)](#)

# Emerging Bilingual Students

## What's Required

The special education department shall collaborate with the Language Proficiency Assessment Committee (LPAC) in the [ARD Meeting](#) to develop an appropriate individualized education program ([IEP](#)) for students who are emerging bilingual learners and receive special education services. The campus LPAC Coordinator and campus administrator shall ensure that campus staff has training and materials needed to make decisions in the [ARD Committee](#)

Emerging bilingual students are those with limited English Proficiency (LEP). For all emerging bilingual students who receive special education and/or related services:

- The LPAC report must have been completed within the past year for each Annual ARD to review.



- The [ARD Committee](#) will determine placement based on current district/state assessment and [IEP](#) Goals and Objectives needed.
- The [ARD Committee](#) will include the LPAC representative and will ensure that placement in a bilingual education or English as a second language program, if appropriate, is not refused solely because the student has a disability.

If the parent is one with emergent bilingual abilities and the parent's native language is Spanish, the district will provide at any [ARD Meeting](#) a person who is able to interpret for the parent. If a parent's native language is other than Spanish, the district will make a good faith effort to obtain an interpreter or translator to assist the parent. See [Translation and Interpretation](#).

## What We Do

If the parent has limited English proficiency and the parent's native language is Spanish, the district will provide [ARD Meeting](#) notices and [Prior Written Notices](#), as well as TEA's [Notice of Procedural Safeguards](#) and other special education related documents, to the parent in Spanish (TEA's [Aviso Sobre Procedimientos de Protección](#)). If the parent is limited English proficient and the parent's native language is Spanish, the district will also provide either all of the text (comparable rendition) of the written [IEP](#) translated into Spanish or an audio recording of the IEP translated into Spanish. The district may also audio record an [ARD Meeting](#) at which the parent was assisted by an interpreter and offer the parent an audio recording of the meeting; however, such recording shall not substitute for a written or audio recorded translation of the IEP unless it includes an oral translation into Spanish of all of the content in the student's IEP.

If the parent's native language is other than English or Spanish, the District will make a good faith effort to provide notices to the parent in the parent's native language, to provide a written or audio recorded translation of the [IEP](#) in the parent's or native language, and to facilitate the parent's or participation in any [ARD Meeting](#), including arranging for an interpreter, unless it is clearly not feasible to do so. The term "native language" when used with respect to an individual who is limited English proficient or an emergent bilingual student, means the language normally used by the individual.

## Role of LPAC and ARD

The members of the ARD and the LPAC will pool expertise related to special education and second language acquisition to collaborate making assessment and accommodation decisions with an LPAC member participating in the ARD to: evaluate student needs and to determine and implement testing requirements. Supporting documentation must be kept in the student's permanent record file (for LPAC) and student's [IEP](#) (for [ARD Committee](#)).

- Use the TEA manuals to assist with decision making.
- Review carefully to be clear on how to fulfill special education and ELL assessment requirements for ELLs receiving special education services.
- Decisions must be made on an individual basis.
- The decision is indicated as an "ARD Decision" in the student's TELPAS record.
- ELLs receiving special education services may be administered any [state assessment](#) depending on whether they meet the participation requirements.
  - STAAR

- STAAR Spanish (Grades 3-5 Math, Reading Language Arts, and Science)
- STAAR Alternate 2
- End of Course examinations (Algebra I, English I, English II, Biology, and US History)
- Chapter 101 of the Tex. Admin. Code requires the LPAC to work in conjunction with the [ARD Committee](#) to make assessment decisions for these students.
- This collaboration helps ensure that factors related to disabling conditions and second language acquisition are both carefully considered.
- The LPAC's involvement in assessment decision-making for ELLs served by special education should help ensure that ELL participation in these assessments is appropriate.

### **Accommodations for ELLs with Disabilities**

For these students, LPACs will make accommodation decisions for the STAAR program in conjunction with the student's [ARD Committee](#), as applicable.

### **Resources**

[Language Proficiency Assessment Committee Framework](#)  
[TEA's Language Proficiency Assessment Committee Resources](#)

## **Extended School Year Services**

### **What's Required**

Extended school year services (ESY) are those special education and related services provided to students with a disability beyond the normal school year in accordance with the student's individualized education program ([IEP](#)). The [ARD Committee](#) will determine annually whether ESY services are necessary for the provision of a free appropriate public education ([FAPE](#)) for the individual student, and if necessary, the type, amount, or duration of ESY services. To qualify for ESY services, a student must exhibit, or reasonably be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable time for recoupment of skill in one or more critical areas addressed in the IEP goals and objectives.

If Austin ISD does not propose ESY services for discussion at the annual review of a student's [IEP](#), the parent may request that the [ARD Committee](#) discuss ESY services.

The provision of ESY services is limited to the educational needs of the student and must not supplement the responsibility of other public agencies to continue to provide care and treatment services. No student will be denied ESY services because the student receives care and treatment services under the auspices of other agencies.

## What We Do

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

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

- Removal to a more restrictive placement,
- A significant loss of skills needed to progress in the general curriculum,
- A significant loss of self-help skills and, therefore, requires more direct services and support,
- Loss of access to non-educational community-based independent living skill instruction or an independent living environment as a result of losing skills, or
- Loss of access to on-the-job training or productive employment due to losing skills.

“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. If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results or reasonably may be expected to result in immediate physical harm to the student or to others, Extended School Year (ESY) services may be justified without consideration of the period of time for regaining such skills. The period of time for regaining a critical skill shall not exceed eight weeks.

In any case, the period of time for regaining a critical skill shall not exceed six weeks. If the [ARD Committee](#) determines that the student is in need of ESY services, then the [IEP](#) must include goals and objectives for ESY services from the student’s current IEP in the IEP Extended School Year Supplement.

For students who qualify under [Autism Spectrum Disorders](#), ESY is included as one of the possible services through the [Autism Supplement](#) that is reviewed by the [ARD Committee](#).

## Resources

[TEA Extended School Year Services for Students with Disabilities](#)

# Field Trips and Extracurricular Activities

## What’s Required

Students with disabilities have a right to participate in nonacademic and extracurricular services and activities with their non-disabled peers. In providing or arranging for the provision of nonacademic and extracurricular services and activities, Austin ISD ensures that each student with a disability participates with nondisabled students in the extracurricular services and activities to the maximum extent appropriate to the needs of that

student. Austin ISD also ensures that each student with a disability has the supplementary aids and services determined by the student's [ARD Committee](#) to be appropriate and necessary for the student to participate in nonacademic settings.

Prohibiting or limiting the participation of a student with a disability in field trips may constitute unlawful discrimination under [Section 504 and Americans with Disabilities Act](#).

## What We Do

Austin ISD provides all students with disabilities the same opportunity to participate in field trips and other extracurricular activities as non-disabled peers unless it is determined by the [ARD Committee](#) or Section 504 committee that the student should not attend the field trip for a clearly justifiable reason. The decision to exclude a student with a disability from participation must be made on an individual basis. The burden or proof for demonstrating the student should not participate is on the district.

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

- Lack of funds
- Medical conditions (unless the activity presents an unacceptable risk to the student's health or safety) or
- Parents are unable to attend the activity with their student

If a student with a disability(ies) requires support and services while on a field trip or during extracurricular activities, Austin ISD will provide these accommodations to ensure the student's participation.

Should the student's [ARD Committee](#) or 504 Committee determine that the student cannot participate, the decision to exclude the student from participation and the reasons for the exclusion must be considered and agreed upon by the committee. The student's [IEP](#) or 504 Accommodation Plan will serve as the Notice of Proposal to exclude the student from the field trip or extracurricular activity if this decision is absolutely necessary. See [Prior Written Notice](#).

## Resources

[34 CFR § 300.117 - Nonacademic settings](#)

# Free Appropriate Public Education

## What's Required

A free appropriate public education (FAPE) must be available to all students residing in Texas between the ages of 3 and 21, inclusive, including students with disabilities who have been suspended or expelled from school.

Under Federal law, students with disabilities are entitled to a FAPE at no expense to the family. The [ARD Committee](#) is charged with developing an individual program for each student that is reasonably calculated to provide FAPE to the student (*Endrew F. V Douglas County School District*, 137 S.Ct. 988, 2017).

Each state must ensure the following:

- FAPE is available to each eligible child residing in the State beginning no later than the child's third birthday; and an individualized education program ([IEP](#)) or an Individualized Family Service Plan (IFSP) is in effect for the child by that date.
  - If a child's third birthday occurs during the summer, the child's [ARD Committee](#) shall determine the date when services under the IEP or IFSP will begin.
- FAPE is available to any individual student with a disability who needs special education and related services, even though the student has not failed or been retained in a course or grade and is advancing from grade to grade.

## What We Do

Every eligible Austin ISD student with a disability is entitled to a free appropriate public education. Each student's [IEP](#) is the centerpiece of the district's plan for providing appropriate special education and related services that are reasonably calculated to enable the student to make appropriate progress in light of the student's unique and individual circumstances.

Austin ISD ensures that the IEP produced at the student's [ARD Meeting](#) reflects consideration of the following four factors:

- The student's [IEP](#) is individualized and based on the student's assessment and performance.
  - For example, goals and objectives are appropriately ambitious in light of the student's present levels of academic achievement and functional performance. The student's specially designed instruction and services are reflective of the student's current Full and Individual Evaluation (FIE) findings and recommendations.
- The student's specially designed instruction and services are implemented in the student's least restrictive environment.
  - For example, the [ARD Committee](#) may review the [accommodations, modifications, and supplementary aids and services](#) that a student may have received in the general education setting, together with the placement recommendations in the student's most recent FIE.
- The services are provided in a coordinated and collaborative manner.
  - For example, the [ARD Committee](#) may obtain parental consent to discuss a student's services with any relevant outside provider or private evaluator. Campus staff and administrators may document any staff meetings regarding the student and their educational program. Individual conferences may be held with the parent explaining assessments or other programmatic elements and may prompt collaboration, and these efforts are also documented.
- The student must demonstrate positive academic and non-academic benefits.
  - For example, the [ARD Committee](#) may consider the student's achievement on [state assessments](#), district assessments, benchmarks, [grades, progress reports](#), evaluation results, and participation and engagement in the educational environment, including, as appropriate, [extracurricular activities](#). Behavior progress as demonstrated by the student's acquisition of social and

behavioral skills that may be included in [counseling](#) or social skills programming.

## Resources

Department of Education's [Questions and Answers on U.S. Supreme Court Case Decision Endrew F. v. Douglas County School District Re-1](#)

# Glossary of Terms

**AIM/AEM** - Accessible Instructional Material/Accessible Educational Material

*Based on student need, the ARD Committee may determine if the student needs one of four types of specialized formats: braille, large print, audio and digital text may be needed by the student.*

**ALC**- Accelerated Learning Committee

*Established to develop an educational plan for students who did not perform satisfactorily on the STAAR test in grades 3, 5 or 8 Math or Reading Language Arts. The ARD Committee serves as the ALC for students with disabilities.*

**Accommodation** -

*A change in the teaching or testing procedures to provide students access to information and to create an equal opportunity to demonstrate content knowledge and skills.*

**APE** - Adaptive Physical Education

*Students eligible for APE will be taught grade-level physical education Texas Essential Knowledge and Skills (TEKS) through various accommodations and/or modifications in the least restrictive environment as determined by the student's Admission Review and Dismissal (ARD) Committee.*

**ARD** - Admission, Review, and Dismissal

*An ARD Committee is a group of people who help to determine whether or not a student is eligible for special education and related services and develops the Individualized Education Program (IEP) for eligible students.*

**ADA** - Americans with Disabilities Act

*Gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services, and telecommunications.*

**AT** - Assistive Technology

*Any device, program, or service that directly assists the student with a disability to increase, maintain, or improve their functional capabilities, based upon an evaluation of the needs of the student.*

**AU** - Autism

*The developmental disability that significantly affects verbal and nonverbal communication and social interaction, generally evident before age three, and adversely affects a student's educational performance.*

**BCBA** - Board Certified Behavior Analyst

**BIP** - Behavior Intervention Plan

*A written plan that is developed as part of the individualized education program to address behavioral concerns affecting the student's educational progress. It is based on a functional behavioral assessment (FBA) of the challenging behaviors, identifies events that predict these behaviors, includes positive interventions to change behaviors, and includes methods of evaluation.*

**CTE** - Career and Technology Education

*The programs dedicated to preparing young people to manage the dual roles of family member and wage earner.*

**COMS** - Certified Orientation and Mobility Specialist

*A specialist who conducts an orientation and mobility evaluation for an eligibility of a student under the disability category of visual impairment.*

**COSF** - Child Outcome Summary Form

*A report summarizing the student's current functioning using a seven-point scale to compare the child's functioning with what is expected for the child's age.*

**Consensus** -

*Agreement by all required [ARD Committee](#) members*

**CARS** - Counseling as a Related Service

*Services provided through an IEP by qualified mental health specialists.*

**Deaf-Blindness**

*A documented concomitant hearing and visual impairments, of which, the combinations cause such severe communication and other developmental and educational needs that students cannot be accommodated in special education programs solely for students with deafness or students with blindness.*

**DHH** - Deaf/Hard of Hearing

*A hearing impairment that is so severe that a student is impaired in processing linguistic information through hearing, with or without amplification, whether permanent or fluctuating, and adversely affects the student's educational performance.*

**Diagnosing Medical Professional** -

*A licensed physician or a licensed nurse practitioner are required for the completion of Other Health Information paperwork needed as part of an evaluation for the disability category of Other Health Impairment.*

**Disagreement -**

*Lack of agreement, or conflict, by the required members of the [ARD Committee](#). An ARD Committee member is entitled, but not required, to write a statement regarding the basis for the disagreement. This written statement is included in the IEP.*

**DAEP - Disciplinary Alternative Education Program**

*An education setting other than a student's regular classroom; located on or off a regular school campus that: provides for the students who are assigned to the DAEP to be separated from students who are not assigned there; focuses on English language arts, mathematics, science, history, and self-discipline; provides for students' educational and behavioral needs; and provides supervision and counseling.*

**ECI - Early Childhood Intervention**

*Programs and services provided to infants and toddlers with developmental delays from birth to age two, administered under Part C of the Individuals with Disabilities Education Act.*

**ECSE - Early Childhood Special Education**

*A state and federally mandated program to provide a free appropriate public education (FAPE) to young children ages 3-5 with disabilities.*

**ED - Emotional Disturbance**

*A condition that to a marked degree adversely affects a student's educational performance in which the student exhibits one or more of the following characteristics over a long period of time: 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; and/or a tendency to develop physical symptoms or fears associated with school or personal problems.*

**EOC - End of Course**

*The mandatory end of year assessments in Algebra I, English I, English II, Biology and US History that measure the student's academic performance in core high school courses and become part of the graduation requirements.*

**ESY - Extended School Year**

*Special education and related services that are part of an individualized education program that are provided beyond the regular school year. The need for ESY is determined by the ARD Committee.*

**Evaluation Specialist -**

*A specially-trained professional who conducts special education evaluations for any student who is potentially eligible for special education and related services. Austin ISD employs school psychologists (LSSPs) and educational diagnosticians to serve as evaluation specialists. Related services specialists may also serve as evaluation specialists for their areas of expertise.*



**FERPA** - Family Educational Rights and Privacy Act

*A federal law (20 U.S.C. §1232g; 34 CFR Part 99) that protects the privacy of student education Records. The law gives certain rights to parents with respect to their student's educational records.*

**FAPE** - Free and Appropriate Public Education

*Special education and related services that have been provided at public expense under public supervision and direction, and without charge to the parent.*

**FBA** - Functional Behavior Assessment

*A type of evaluation for describing challenging behavior and identifying the environmental factors and surrounding events associated with the challenging behavior. This evaluation identifies specific target behaviors and correlates to the Behavior Management Plan (BIP).*

**FIE** - Full and Individual Evaluation

*See FIIE and Reevaluation.*

**FIIE** - Full and Individual Initial Evaluation

*A comprehensive evaluation that consists of data gathered from multiple sources related to all areas of suspected disability. It is conducted for each student being considered for special education and related services.*

**IEE** - Independent Educational Evaluation

*An evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of the student being evaluated. A parent has a right to request an IEE at public expense when the parent disagrees with an evaluation conducted or obtained by the district.*

**ISD** - Independent School District

*The geographical district that organizes Texas public schools that is separate from other local units of government, such as cities and counties. See LEA.*

**IEP** - Individualized Education Program

*A written educational plan for each student with a disability that addresses the individual needs of a student. It takes into account the student's strengths and weaknesses, parent concerns, evaluation results, and areas of academic and developmental needs in order to develop goals and objectives for the school year. It is developed, reviewed, and revised by the admission, review and dismissal (ARD) committee, of which the parent is an active member.*

**IFSP** - Individualized Family Service Plan

*A comprehensive, written plan developed by a multidisciplinary team, including the parents, that provides a description of the appropriate transition services for the infant or toddler.*

**IGC** - Individual Graduation Committee

*When a student receives special education or related services, the student's ARD committee determines whether the student is required to achieve satisfactory performance on the End of Course examinations.*

**IDEA** - Individuals with Disabilities Education Act

*The federal law that gives every student with a disability the right to a free appropriate public education and provides legal protections for these students and their parents.*

**Informed Consent** -

*When a parent has been fully informed in their native language or other mode of communication, of all information about the action for which they are giving consent.*

**ID** - Intellectual Disability

*A disability characterized by significantly subaverage intellectual functioning and concurrently exhibiting deficits in at least two of the following areas: adaptive behavior; communication; self-care; home living; social/interpersonal skills; use of community resources; self-direction; functional academic skills; work; leisure; health and safety.*

**JJAEP** - Juvenile Justice Alternative Education Program

*The educational setting for students who are mandatorily expelled from school per the Texas Education Code or discretionarily expelled according to the school district's Student Success Guide.*

**LPAC**- Language Proficiency Assessment Committee

*The mandatory committee that is charged with reviewing all pertinent information on all identified emerging bilingual students upon their initial enrollment and at the end of each school year.*

**LRE** - Least Restrictive Environment

*To the maximum extent appropriate, students with disabilities shall be educated with students who are not disabled. Special Education is not a place. It is a continuum of services that are provided in a variety of ways and settings, based on the student's individual needs.*

**LEA** - Local Education Agency

*A public board of education legally constituted within a State for either administrative control or direction of public schools. Public school districts are specific examples of LEAs. See ISD.*

**LSSP** - Licensed Specialist in School Psychology

*The name of the license to practice psychology in the schools. Individuals holding this license are now known as School Psychologists.*

**MDR** - Manifestation Determination Review

*A requirement to hold a meeting within 10 school days of a behavior infraction causing a student with disabilities to be removed from their current placement. This is a process to review all relevant information and the relationship between the conduct and the student's disability.*

**MHS** - Mental Health Specialist

*A qualified MHS completes counseling as a related service and psychological service evaluations to assist in determining students eligible for services. In Austin ISD, this includes a Licensed Psychologist (LP), Licensed Professional Counselor (LPC), Licensed Marriage and Family Therapist (LMFT), School Psychologist (LSSP) or Licensed Clinical Social Worker (LCSW).*

**Modification -**

*A change in what the student is expected to learn and/or demonstrate. An instructional modification indicates what is being taught (the curriculum content) is altered.*

**Multiple Disabilities -**

*Concomitant impairments, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.*

**MTSS - Multi-tiered Systems of Support (Formally RtI)**

*Focuses on intervention for the student struggling in academics, behavior, and/or social-emotional areas. Campus Child Study Teams (CST) implement multi-tiered systems of support through the Child Study System to address the whole child through an integrated response. Tiers are based on student need and levels of support are provided based on progress monitoring data.*

**NCEC - Non-Categorical Early Childhood**

*A condition of developmental delay where a child between the ages of 3-5 has been identified as having an intellectual disability, emotional disturbance, specific learning disability or autism.*

**Non-Consensus -**

*Not agreed to by one or more required [ARD Committee](#) members, with or without conflict*

**OT - Occupational Therapy**

*A related service that is required to assist a student with a disability to benefit from special education. It is the therapeutic use of everyday life activities for the purpose of enhancing or enabling participation in roles, habits and routines in the school setting.*

**O&M - Orientation & Mobility**

*Related services provided to students with visual impairments by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community.*

**OI - Orthopedic Impairment**

*A severe physical impairment that adversely affects a student's educational performance and is caused by a congenital anomaly, a disease, or impairments from other causes.*

**OHI - Other Health Impairment**

*A condition that adversely affects a student's educational performance that means having limited strength, vitality, or alertness that is due to chronic or acute problems such as asthma; attention deficit hyperactivity disorder; diabetes; epilepsy; a heart condition; hemophilia; lead poisoning; nephritis; rheumatic fever; sickle cell anemia; and/or Tourette's syndrome.*

**Parent -**

*Throughout the Operating procedures, the term "parent" is used as a collective term to mean a biological or adoptive parent, a guardian generally authorized to act as the student's parent*

*or is authorized to make educational decisions for the student, an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the student lives, or an individual who is legally responsible for the student's welfare, or a surrogate parent who has been appointed as such. Under IDEA, parental rights transfer from the parent to the adult student on the day the student turns 18 years of age.*

**PT - Physical Therapist or Physical Therapy**

*A related service provided to qualifying students with disabilities that focused on the student's movement, activity and functioning in a school setting.*

**PLAAFP - Present Levels of Academic Achievement and Functional Performance**

*Statements that summarize the current strengths and needs of the student in both academic and functional areas. It must include how the student's disability affects the student's involvement and progress in the general education curriculum.*

**PWN - Prior Written Notice**

*Notice that must be given to the parents of a student whenever the local education agency proposes to initiate or change or refuses to initiate or change the identification, evaluation, or educational placement of the student, or the provision of a free appropriate public education to the student.*

**PEIMS - Public Education Information Management System**

*Data system that encompasses all data requested and received by TEA about public education, including student demographics and academic performance, personnel, financial, and organizational information.*

**RDSPD - Regional Day School Program for the Deaf**

*A specialized program for a student who has a hearing impairment that severely impairs processing linguistic information through hearing, even with an amplification device, and which adversely affects educational performance, as determined by the ARD Committee.*

**Related Services -**

*A wide array of developmental, corrective, and other supportive services that are required to assist the student to benefit from special education. Related services may include assistive technology, audiology services, counseling services, interpreting services, occupational therapy, orientation and mobility services, parent counseling and training, physical therapy, recreation, school health services, social work services in school, speech-language therapy and transportation.*

**RtI- Response to Intervention (Now known as Multi-tiered Systems of Support)**

*See MTSS*

**REED - Review of Existing Evaluation Data**

*Required review of existing evaluations about the student conducted by the ARD Committee. This must occur as part of an initial evaluation, if appropriate, or as part of a reevaluation for a student with disabilities.*

**SBS - Social Behavior Skills**

*A program on the continuum of services that provides instruction in social skills, coping skills, and responsible decision making to support students with significant social, emotional, or behavioral disabilities.*

**SCORES** - Social Communication Resources & Services

*A program on the continuum of services that provides instruction in social skills, coping skills, and functional communication to support students with social communication deficits.*

**SDI** - [Specially Designed Instruction](#)

*Instruction provided to a student with a disability who has an IEP in order to help them master IEP goals and objectives. Specially Designed Instruction goes beyond differentiated instruction and addresses the unique needs that exist because of a student's disability.*

**SECTION 504** - Section 504 of the Rehabilitation Act

*A federal law that provides a free appropriate public education (FAPE) to qualified students who have a physical or mental impairment that substantially limits one or more major life activities. It also protects the rights of individuals with disabilities in programs and activities that receive federal funding assistance from the US Department of Education.*

**SHARS** - School Health and Related Services

*A program that allows for Medicaid reimbursement to the district for providing special education and related services to qualifying students.*

**SLD** - Specific Learning Disability

*A disability in one or more of the basic psychological processes 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 do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimum brain dysfunction, dyslexia, and developmental aphasia.*

**SLP** - Speech and Language Pathologist

*The state certified professional responsible for the diagnosis, prognosis, and remediation of speech, language and swallowing disorders.*

**SI** - Speech or Language Impairment

*A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment that adversely affects the student's educational performance.*

**STAAR** - State of Texas Assessment of Academic Readiness

*A series of state-mandated standardized tests given to Texas public school students in grades 3-8 in Math, Reading and Language Arts and Science.*

**SIS** - Student Information System

*A web-based platform that helps schools*

**SSG** - Student Success Guide (Code of Conduct)

**SOP - Summary of Performance**

*A statement written when the student's eligibility ends due to graduation or age that addresses both academic and functional performance and must consider, as appropriate, the views of the parent, the views of the student, and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals*

**Supplementary aids and services**

*Provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate*

**TVI - Teacher of Students with Visual Impairment**

*A licensed special education teacher who has received certification and specialized training in meeting the educational needs of students who are blind or visually impaired.*

**TBSI - Texas Behavior Supports Initiative**

*A required state level training that is designed to build campus level knowledge and skills on the use of positive behavior supports for students with disabilities and to build campus level capacity on the use of positive behavior interventions for all students.*

**TDFPS - Texas Department of Family and Protective Services**

*The state department that is responsible for protecting children and vulnerable adults from abuse, neglect, and exploitation.*

**TEA- Texas Education Agency**

*The state department of education that is responsible for the public education of all students in Texas.*

**TEKS - Texas Essential Knowledge and Skills**

*The required curriculum for each grade level used in the Texas public schools.*

**TBI - Traumatic Brain Injury**

*An acquired brain injury caused by an external physical force that results in total or partial functional disability or psychosocial disability, or both, that adversely affect a student's educational performance.*

**VI - Visual Impairment**

*Impairment in vision that even with correction adversely affects a student's educational performance. The term includes both partial sight and blindness.*

**Resources**

*Additional acronyms and definitions can be found in the [Legal Framework Glossary](#)*

# Grades and Progress Monitoring

## What's Required

The student's case manager shall prepare progress reports concurrent with each marking period report card. This must include information about progress toward annual goals and objectives.

## What We Do

Each student receiving special education instruction has an individualized education program ([IEP](#)) which addresses the student's educational needs, and individual goals and objectives relative to the student's identified disability.

The district grading policy will be followed and discussed during the [ARD Meeting](#).

- Students receiving instruction in a special education classroom (resource or self-contained) will receive grades with supporting documentation.
- Grades received in any instructional setting will reflect work completed and progress documented.
- If the student with disabilities fails to make progress on the IEP, the responsible teacher will review the [IEP](#) for appropriateness of goals/objectives, instructional materials, and methods. The teacher must document the efforts made to try to help the student achieve success.
  - If a student with disabilities has not been progressing toward mastery of the goal by the annual ARD, the [ARD Committee](#) must convene to discuss the student's needs and make recommendations to assist the student.
  - An [ARD Committee](#) will meet if the student is not attending school to discuss the appropriateness of the IEP, need for additional testing, and pursuit of compulsory attendance, if appropriate.
- The grading of a student receiving special education services in a general education classroom is based upon the district grading policy and the [ARD Committee](#) recommends accommodations of pacing, methods, and materials needed. When accommodations have been recommended by the [ARD Committee](#), the special education teacher is responsible for:
  - Informing the general education teacher of the recommended accommodations;
  - Providing other information concerning the student's achievement and functioning levels, learning style and behavioral needs;
  - Offering assistance to the general education teacher on a scheduled basis, as recommended by the [ARD Committee](#); and
  - documenting contacts with the general education teacher.
- Unless the [ARD Committee](#) designates otherwise,
  - When a special education student in general education classes is enrolled in the [homebound](#) program, the general classroom teacher will be responsible for grading all assignments and recording grades on the report card and permanent record for all subject areas.
  - Report cards will be issued to students receiving [Early Childhood Special Education](#) (ECSE) instruction on the same schedule as non-disabled students on their assigned campus.
- The [IEP](#) must include a statement of how the student's parent will be regularly informed of their

student's progress toward the annual goals.

- Parents are informed through such means as periodic report cards, at least as often as parents are informed of their non-disabled student's progress.
- Provision of [IEP](#) progress reports to parents must be documented in the IEP documentation system communication log including when progress report was sent to parent and method of delivery.
- The reporting level for each goal/objective/benchmark should reflect quantitative data that is directly aligned to the goal/obj./benchmark criterion.
- Progress reports should not be filed prior to the close of a grade reporting period unless the report is filed at time of Annual ARD as required.
- An ARD is required when a student (all grade levels) is not making progress toward their annual goals and in the general education curriculum (i.e., failing a course). Revisions to the [IEP](#) should be considered at the [ARD Meeting](#) to address any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate. The responsibility is on the district to schedule the ARD in a proactive manner and include input from all relevant providers.

## Grade Placement Committee

### What's Required

#### Grade Placement Committee

House Bill 4545 eliminates grade retention and retesting requirements in grades 5 or 8. Austin ISD must implement supplemental accelerated instruction, an accelerated learning committee and modified teacher assignments for students who did not pass the STAAR or End of Course assessments.

See [Accelerated Instruction](#)

#### Parental Options for Student Retention

The district will follow all procedures for parental options for student retention per §28.02124. The [ARD Committee](#) may meet to discuss the results of the retention committee decision and review the need for any changes to the student's individualized education program ([IEP](#)) prior to the beginning of the next school year.

### What We Do

The [ARD Committee](#) serves as the Grade Placement Committee (GPC) to consider promotion or retention. At the ARD, the committee should:

- Determine the manner in which the student will participate in an accelerated instruction program and identify the accelerated instruction in the [IEP](#). Accelerated instruction is required even if the [ARD Committee](#) determines that 2nd STAAR administration is not required.
- Determine whether student will take 2nd STAAR Administration (\*Consideration: Look at 1st administration scores and if a student was close to achieving satisfactory level, the committee should consider recommending a 2nd administration). Document in IEP.



- Determine whether the student will be promoted or retained
  - The committee may promote the student to the next grade level if the committee concludes that the student has made sufficient progress in the measurable academic goals contained in the student’s IEP. A student promoted under this option is not required to take the subsequent STAAR administrations.
  - If the [ARD Committee](#) determines that the student will not participate, it can make a decision at that time whether to promote or retain the student.

Accelerated instruction should begin as soon as possible after a district has been notified that a student has not met the passing standard on a grade-advancement assessment and an ARD has been held.

## Health and Medical Services

### What’s Required

“School health services” may be provided by a qualified school nurse or other qualified person. “School nurse services” are provided by a qualified school nurse. School health and school nurse services are designed to enable a student with a disability to receive a free appropriate public education as described in the student’s individualized education program ([IEP](#)).

### What We Do

Services are provided to eligible students with disabilities based on the [ARD Committee](#) decision. These services are in addition to those routinely available to all students and may include 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.

### Referral for Evaluation

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

### Evaluation Criteria / Process

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

### **Nursing Services Delivery Models**

- Campus nurse
- Trained paraprofessional staff, including clinic aides and special education aides in Life Skills and [Early Childhood Special Education](#) classrooms, are trained to perform daily medical procedures and are monitored and supervised by the campus nurse.
- Private duty nurses are provided by the family.

### **Special Education and Related Supplemental Nursing Services**

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

### **Reimbursement for Health Services**

Austin ISD will follow all state and federal procedures per 34 CFR §300.154 regarding the use of public or private benefits. Parents may be asked to provide permission for the district to access Medicaid or other public benefits or insurance programs. The evaluation specialist will make this request. Consent will be provided in writing on the district form. Parents must be informed that their refusal to provide consent does not relieve the school district of the responsibility to provide special education services to the student at no cost to the parent.

Any Proceeds from public benefits or insurance or private insurance will not be treated as program income for purposes of 2 CFR 200.307 If the LEA spends reimbursements from Federal funds (e.g., Medicaid) for services under this part, those funds will not be considered "State or local" funds for purposes of the maintenance of effort provisions in §§300.163 and 300.203.

## **Homebound Services**

### **What's Required**

Special education homebound services are a very restrictive instructional arrangement/setting designed to provide special education and related services to students who are served at home or hospital bedside. To qualify for homebound services, a student is expected to be confined for a minimum of four consecutive weeks as documented by a licensed physician. For chronically ill students, this period of confinement may be a period of time totaling at least four weeks throughout the school year. The student's [ARD Committee](#) shall determine the amount of services to be provided to the student in accordance with federal and state laws, rules and regulations.

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

## What We Do

Homebound instruction is a temporary service and is discontinued in consultation with the physician, or upon the expiration of the documented need for homebound services. To qualify for homebound instruction through special education, the student must meet the following four criteria:

- Be eligible for special education and related services as determined by an [ARD Committee](#)
- Be expected to be confined at home or hospital bedside for a minimum of four weeks
- Be confined at home or hospital for medical reasons only (unless the child is 0 – 5 years of age)
- Have a medical condition that is documented by a physician who is licensed to practice in the United States.

## Procedures for Special Education Homebound Instruction

- All students referred for special education homebound instruction must be residents of Austin ISD and enrolled in their school of attendance. Students will remain enrolled on the campus of attendance and continue to receive instructional assignments and [grades](#) from the home campus.
- The student's Special Education case manager is the initial contact person in the homebound referral process.
- Parent Responsibilities:
  - Contact the campus principal or special education teacher.
  - Sign Consent to Release/Exchange Information with the treating physician
    - *Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the diagnosing physician to discuss the least restrictive environment, including possible accommodations, modifications, supplementary aids and services.*
  - Share new medical developments
- School Responsibilities:
  - Conduct a brief interview with the parent
  - Obtain the signed medical Consent to Release/Exchange Information for Student
  - Submit a copy of the signed Consent to Release/Exchange Information form and the Assessment to Determine Eligibility form to the treating physician

- Communicate with the diagnosing physician to discuss the least restrictive environment, including possible accommodations, modifications, supplementary aids and services that could be provided at the campus.
- The licensed physician should return the Physician Statement of Medical Information form directly to the case manager at the student’s school of attendance. In the event there are questions or inconsistencies that may affect the eligibility determination, the school nurse or case manager should consult directly with the physician’s office to clarify information.
- The [ARD Committee](#) must consider the licensed physician’s information as one of the factors in the decision making process when determining homebound instructional services. The licensed physician’s information is not the sole consideration in the committee’s decision-making process.
- If eligible, a placement [ARD Meeting](#) will be held to establish beginning/ending dates for homebound services and a plan for reintegration of the student to the school.
- An [ARD Committee](#) will be held to plan for the student’s return to school.

## Resources

See [Continuum of Services](#)

See [AISD Website: Homebound Instruction Overview](#)

# In-Home Parent and Community Based Training

## What’s Required

For students with [autism](#) who receive special education and related services, the [ARD Committee](#) must consider in-home, parent, and community-based training to help the student generalize skills mastered at school into a variety of home/community settings. This is a related service that must be considered and addressed in the [IEP](#), specifically in the [Autism Supplement](#) based upon the individual needs of the student. In-home training involves working directly with the student and/or providing strategies for a variety of non-school settings including home or community to help the student generalize social/behavioral skills.

In-home training may also be considered by the ARD Committee for students with other [intellectual and/or developmental disabilities](#). The criterion for making such a determination is that the student is not making educational progress and requires support and training beyond the regular school day.

## What We Do

Once the referral for in-home training is made, an in-home training needs assessment should be conducted. This assessment should involve an interview with the parent, observation of the student, interview(s) with teacher(s), review of other data including current [IEPs](#) to determine mastered or near mastered goals and objectives for determination of skills to generalize. A parent, or a district approved designee, is required to participate in In-Home Training sessions in order to be equipped to implement generalization of [ARD Committee](#) determined goals.

This service may be implemented by the same - or different - service providers (in-home trainers/parent trainers). Service providers are determined by district personnel but should be knowledgeable of the unique needs of students with [autism](#).

Parent training is a separate service designed to help parents and families of students with such disabilities as autism gain knowledge of the unique needs of their students. Parent training may include information regarding community services, workshops, videos, conferences, and/or materials. The need for parent training will be addressed in the [ARD Meeting](#) and a request for the training sent to the Special Education Office.

## Independent Educational Evaluation

### What's Required

The parents of a student with a disability have the right to obtain an independent educational evaluation (IEE) of the student at public expense if the parent disagrees with an evaluation completed by the district. Public expense means that the district ensures that the evaluation is provided at no cost to the parent consistent with the provisions in Individuals with Disabilities Education Improvement Act (IDEA). A parent is only entitled to one IEE at public expense each time the district conducts an evaluation with which the parent disagrees.

If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Austin ISD uses when it initiates an evaluation to the extent those criteria are consistent with a parent's right to an IEE. An IEE is an evaluation conducted by a qualified examiner who is not employed by the district or responsible for the student's education.

### What We Do

Parents have the right to request and obtain an IEE and to have the Full and Individual Evaluation (FIE) considered by Austin ISD in any decision made with respect to providing a free appropriate public education (FAPE).

An IEE request must be made in writing to the Director of Evaluation or designee, as soon as possible after you receive an evaluation from the district with which you disagree, but no later than one year from the date you receive the Austin ISD evaluation. When the parent notifies the district that they disagree with an evaluation and requests an IEE, Austin ISD will respond within a reasonable time, either by agreeing to provide the IEE or by initiating a due process hearing to show that the district's evaluation is appropriate.

If Austin ISD has not yet had the opportunity to conduct an evaluation, the parent does not have a right to an IEE at public expense. In this case, Austin ISD will request to evaluate the student and should the parent disagree after receiving the completed Austin ISD evaluation, the district will consider an IEE. If the evaluation is more than one year old, Austin ISD may choose to conduct their own evaluation. In either of these situations, [Prior Written Notice](#) will be delivered by the district's Director of Evaluation in a timely manner to parents.

If an IEE is requested at the [ARD Committee](#) where the district's evaluation was reviewed, the committee will document the request and reason for the request in the [IEP](#) deliberations. If a request for an IEE is made outside of an [ARD Meeting](#) to campus staff, campus staff will provide the parent with a copy of the [Procedural Safeguards](#) and ask the parent to email or put in writing their request for an IEE to the Director of Evaluation. Campus staff will also, within 24 hours, notify the Director of Evaluation that the parent has made a verbal request for an IEE and was instructed to put it in writing to the Director of Evaluation.

If an IEE is approved, the Director of Evaluation will issue the requesting parent an IEE approval letter with specific instructions. Austin ISD will provide the parent with information about where an IEE may be obtained and the district's criteria applicable for IEEs. If the parent prefers to choose an independent evaluator that is not on Austin ISD's current list, the selected evaluator must comply with Austin ISD's criteria. After selecting an evaluator for the IEE, the parent will email or put in writing to the Director of Evaluation who they would like to proceed with for the IEE. Austin ISD will set up the IEE evaluator as a vendor for the district, if they are not already. Once the IEE evaluator has been established as a vendor, the evaluation department will contact both the parent and the IEE evaluator to proceed with scheduling and completing the IEE. A parent will not be reimbursed for the cost of an IEE; the district pays the vendor directly.

## Criteria for IEEs

Austin ISD will provide the parent with information about where an IEE may be obtained and the district's criteria applicable for IEEs. If you prefer to choose an independent evaluator that is not on the district's list, the selected evaluation must comply with Austin ISD's criteria.

If the IEE is provided at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Austin ISD uses when it initiates an evaluation. Austin ISD may not impose any conditions or timelines to the IEE provider.

- An IEE evaluator must possess current licensure and/or certification in Texas to conduct the specific evaluation(s).
- An IEE evaluator must meet appropriate professional requirements in the state and be trained to administer the specific tests and other evaluation materials used in conformance with the instructions provided by the producer.
- An IEE evaluator must be available within a 35-mile radius of the Austin area, or this will require pre-approval from the Director of Evaluation and Compliance.
- The fee for the evaluation, at public expense, must not exceed 35% above the Medicaid/School Health and Related Services (SHARS) rate for the specific evaluation.
- The evaluation and report must comply with the federal and state requirements that are applicable to district evaluations.
- The IEE evaluator or company must provide Austin ISD and the parent with a written copy of the evaluation upon completion.

## Consideration of Parent-Initiated IEE

The results of a parent-initiated IEE obtained at parent's expense will be considered by the [ARD Committee](#) in any decision made with respect to the provision of a free appropriate public education to the student (if the IEE meets federal and state criteria). After the [ARD Committee](#) has reviewed the data, the committee will report and take any action deemed appropriate by the committee. Such consideration does not make the Austin ISD liable for payment of the evaluation.

## Number of IEEs

A parent is entitled to only one publicly funded IEE for each evaluation performed by Austin ISD if the parent disagrees with the evaluation. This would include initial evaluations, three-year [reevaluations](#), or reevaluations conducted more frequently. A parent is not entitled to multiple IEEs at public expense without an intervening reevaluation.

## Resources

See Notice of Procedural Safeguards -

[English](#)

[Spanish](#)

See A Parent's Guide to the ARD Process -

[English](#)

[Spanish](#)

# Individualized Education Program (IEP)

## What's Required

Austin ISD must ensure that each student with a disability in its jurisdiction has an Individualized Education Program IEP in effect at the beginning of each school year. The members of the Admission, Review and Dismissal Committee shall coordinate with one another to ensure, through their preparation and participation in the [ARD Meeting](#) and through the participation of the parent, that the student's IEP is designed to ensure access to the general education curriculum.

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

- A statement of the student's present levels of academic achievement and functional performance
  - How the student's disability affects involvement and progress in the general education curriculum
  - For preschool children, as appropriate, how the disability affects the student's participation in appropriate activities
- Measurable annual goals, including academic and functional goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum
  - Objectives: Measurable steps designed to lead to the achievement of the annual goal
- A description of how the student's progress will be measured and when the progress will be provided
- A statement of the special education and related services and supplementary aids and services, program modifications or supports that will be provided to the student

- An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class
  - Accommodations needed to promote success in general, remedial, or supportive programs, if appropriate
- A statement of accommodations that are necessary to measure the academic achievement and functional performance of the student on [state and district wide assessments](#)
  - If the student must take an alternate assessment instead of a regular State or district wide assessment of student achievement, a statement of why the student cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate;
- The projected date for the beginning of the services and the anticipated frequency, location, and duration of the services
- Methods and procedures for [Behavior Support and Discipline](#), when appropriate
- Goals and objectives for [extended school year services \(ESY\)](#), when appropriate
- For students aged 14 and older, appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills, and the transition services needed to assist the student in reaching those goals
- Signatures of the committee members present, with an indication of consensus (agreement) or non-consensus (disagreement) with the decision

A student's IEP must be "reasonably calculated" to enable the student to make appropriate progress in light of their circumstances. Based on IDEA 2004, the IEP now requires a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided.

The district will prepare a supplement to the IEP report documenting any delays during the school year to a student's [full and individual initial evaluation](#), delays in the development of the student's initial IEP program, and whether any provision of special services to the student were interrupted, reduced, delayed, suspended, or discontinued. The supplement will also include any [compensatory education services](#) that are appropriate for the student based on these delays.

## What We Do

The development of each IEP is highly "individualized" with goals and objectives designed to be "appropriately ambitious" and challenging. The IEP reflects how the student will access the general curriculum, as appropriate, specialized instruction and related services (if applicable) for the student based upon the student's disability and needs.

Austin ISD must develop an IEP for eligible students with disabilities, ages three through twenty-one. The IEP is developed when the student needs a collaborative plan for the provision of a free and appropriate public education. Austin ISD teachers and staff are provided training opportunities annually through the ESC or locally to improve skills in IEP development and implementation.



## Development of the IEP

When developing the IEP, the [ARD Committee](#) must consider:

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

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

### **Present Levels of Academic Achievement and Functional Performance**

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

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

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

### **Standards-Based Measurable Annual Goals**

Federal law requires that schools be held accountable for educational results so that each student can meet their academic potential. [State assessments](#) are to be given to determine whether schools have been successful in teaching students the knowledge and skills for their enrolled grade as defined by the state content standards (the Texas Essential Knowledge and Skills or TEKS).

A standards-based IEP is a process in which the IEP team has incorporated state content standards in its development of goals aligned with, and chosen to facilitate the student's achievement of, state grade-level academic standards. The IEP should:

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

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

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

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

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

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

Every student receiving special education services must have at least one measurable annual goal. All students whose course content is modified and/or who take alternate assessments aligned to alternate assessment standards must have both annual goals and short-term objectives/benchmarks.

In the development of standards-based, measurable annual goals for a student, the [ARD Committee](#) should:

- Specify the specially designed instruction that the student requires to achieve their annual goal(s)
- Develop strategies that will assist the student in achieving their annual goal(s)
- Consider drafting measurable, intermediate steps (short-term objectives/benchmarks) for each annual goal to assist families, students, and educators in monitoring progress during the year, and, if appropriate, revising the IEP to address the student's instructional needs.

## Changes to the IEP

After the annual [ARD Meeting](#), the parent and district may agree not to convene an [ARD Meeting](#) for the purposes of making a change to the IEP and instead may develop a written document to amend or modify the student's current IEP.

- Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated. To the extent possible, Austin ISD encourages the consolidation of reevaluation [ARD Meetings](#) for the student and other [ARD Meetings](#) for the student.

Any agreement or amendment to the [ARD Meeting](#) will follow exact procedures and be documented in writing on the IEP.

- The campus administrator must approve the decision to complete a proposed amendment to the IEP.
- Discuss the proposed amendment with appropriate IEP team members including discussion with the parents in person or by phone.
- Complete the district form provided to you and obtain parent signature of agreement to amend the IEP.
- Distribute the signed amendment to all IEP team members and implementers.
- The case manager will file the original amendment with the parent signature in the student's eligibility form with the Annual ARD document that is being amended.

### **Changes that Require an [ARD Meeting](#)**

The amendment procedure MAY NOT be used to:

- Change the student’s educational placement or instructional setting
- Amend a transfer student's IEP adopted from another school district
- Conduct a Manifestation Determination Review
- Modify Present Levels of Academic Achievement or Functional Performance (PLAAFP) statements, Goals, or the [Behavior Intervention Plan \(BIP\)](#)
- Change special education schedule of services, amount of service time, or to add/drop services (excluding transportation)
- Address eligibility for special education services
- Review of a student’s lack of progress
- Amend state and/or district assessment decisions
- Extend or shorten current IEP end dates
- Consent to conduct any evaluation, including [Functional Behavior Assessment \(FBA\)](#)

### **Changes that DO NOT Require an [ARD Meeting](#)**

The amendment procedure MAY be used to:

- Amend all areas of transition
- Amend accommodations or revise existing modifications
- Correct minor clerical errors

## **Resources**

See [Accommodations, Modifications, Supplementary Aids and Services](#)

See [Continuum of Services](#)

[US Department of Education’s Guide to the Individualized Education Program](#)

Texas Education Agency (TEA)’s [IEP Development Guidebook: Goals, Accommodations & Modifications \(Oct. 2020\)](#)

Region 13’s [Writing Appropriate Measurable Postsecondary Goals](#)

TEA’s [IEP Development Guidebook: Goals, Accommodations & Modifications](#)

TEA’s [Measurable Annual Goals: Question & Answer](#)

[US DOE Topical Brief on Individualized Education Plans \(IEP\)](#)

[Resources to Support Special Education Students in General Curriculum](#)

[Austin ISD Board Policy EHBAB](#)

TEA’s [The Least Restrictive Environment: Question and Answer Document](#)

# Multi-Tiered Systems of Support (Formerly Response to Intervention)

## What's Required

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

## What We Do

Austin ISD's MTSS is designed to provide every student with high quality instruction. The emphasis of the MTSS process is on prevention and early identification of students in need of academic and/or [behavioral support](#). Academic and behavioral support interventions are provided at increasing levels of intensity in accordance with each individual student's needs. Interdisciplinary teams made up of administrators and teachers work collaboratively to problem solve and match students to the appropriate instructional and/or behavioral interventions. These "child study teams" (CST) monitor student progress and frequently review student data to evaluate each student's response to the interventions provided.

In Austin ISD, the MTSS process is composed of three instructional tiers. Tier I is experienced by all students in the general education classroom and is characterized by differentiated core instruction and school-wide behavior management practices. If a student needs academic and/or behavioral support beyond what is typically provided at Tier I, the student will be referred to an MTSS Child Study Team for placement in Tier II interventions. At Tier II, students receive targeted instructional and/or behavioral support designed to meet their individual needs and facilitate their success in the general education classroom. Students who do not respond to Tier II interventions may be referred to Tier III where they will experience more intensive interventions. See [Referral Process and Full and Individual Initial Evaluation](#).

If you have questions regarding the MTSS process, please contact Dr. Jane Ross, Assistant Director of the Child Study Team/MTSS at 512-414-0873.

## Resources

[Referral Process and Full and Individual Initial Evaluation](#)

See [Section 504 and Americans with Disabilities Act](#)

# Occupational Therapy

## What's Required

Individuals with Disabilities Education Improvement Act (IDEA) defines occupational therapy (OT) as services provided by a qualified occupational therapist to include:

- Improving, developing or restoring functions impaired or lost through illness, injury or deprivation;
- Improving ability to perform tasks for independent functioning if functions are impaired or lost; *and*
- Preventing, through early intervention, initial or further impairment or loss of function.

The American Occupational Therapy Association defines occupational therapy as “the use of purposeful activity or intervention to achieve functional outcomes. Achieving functional outcomes means to develop or facilitate restoration of the highest possible level of independence in interaction with the environment.”

School-based OT services support the student's participation in educational programming and activities. Occupational Therapy as a Related Service provided by schools is limited to that which is required for the student to benefit from their educational program. This differs from the medical model of therapy services and may not address the medical needs of a student based on their disability. Any related service, if determined necessary, is provided under IDEA in order for a student to benefit from their educational placement, by supporting the student's goals in their [IEP](#).

The need for OT services is determined through an evaluation to consider if the service is needed in order to assist the student with a disability to benefit from their education. Based on the evaluation and recommendations from the occupational therapist, the [ARD Committee](#) determines services. The amount of time, frequency, and duration of services are specified in the student's [IEP](#).

## What We Do

### Referral Process

When a parent or Austin ISD staff member raises a concern that involves occupational performance or participation in fine motor, sensory, or social interactions as they relate to a student's educational needs, the campus will consider a referral for occupational therapy. There are several circumstances under which a referral to occupational therapy may be generated to include the following:

- **Students currently receiving Special Education services:**
  - Students who currently receive special education services may demonstrate a lack of progress on a goal in an area that may require the addition of OT in order to allow the student to make satisfactory progress on that goal. The [ARD Committee](#) must:
    - Use measurable data to determine if there are barriers limiting the student's progress in the identified goals and objectives or if there are additional areas of difficulty for the student not previously identified.

- Consider campus-based support, including intervention strategies to benefit all students that are available to campus personnel that may address the identified barrier or additional area of difficulty.
- Determine if there is an educational need for an OT evaluation. If so, a [REED](#) will be held and parental consent will be obtained to generate a referral for an occupational therapy consult/evaluation. An evaluation report will be completed and filed.
  - If data shows that the strategies have resulted in adequate improvement in performance, and the barriers limiting student progress are addressed so that they do not involve performance skills in the areas of fine motor impacting functional and/or self-help skills or social/behaviors impacting classroom participation, the [ARD Committee](#) may determine that there is no educational need for an OT evaluation.
- **Students transferring into Austin ISD:**
  - Students may move into Austin ISD with OT as part of their [IEP](#). If this is the case, Austin ISD will implement the student's [IEP](#) provisions from the previous school district for up to 30 days while preparing for a permanent placement [ARD Meeting](#).
    - The occupational therapist will use this time to collect data needed to determine recommendations for OT services.
    - To provide therapy in Texas, licensed occupational therapists must have the following in order to provide OT services:
      - A current evaluation in hand (accurate/within last 3 years)
      - Goals that indicate an occupational therapist's support
      - OT services specified on the IEP service page
      - A physician referral for students with a medical condition as defined by the Texas OT Rule.
      - Without these, the occupational therapist may only provide general intervention strategies. If a current OT evaluation does not come with the student's paperwork, the occupational therapist will update the student's present levels of performance in their current educational setting and gain consent to conduct an OT evaluation.
- **Students currently undergoing a [Full and Individual Initial Evaluation \(FIIE\)](#) to determine eligibility for special education:**
  - The student's initial evaluation team may determine that information from an occupational therapist is needed to determine if the related service of OT would be necessary in the event the student qualifies for special education.
  - If it is determined that an occupational therapist is needed to participate in the FIIE, the campus evaluation specialist will obtain consent from the student's parents.
- **Students currently undergoing a [reevaluation](#) process:**
  - The student's parent and/or [ARD Committee](#) may determine that information from an occupational therapist is needed to determine if the related service of OT would be necessary to assist the student with a disability to benefit from their education.

- If it is determined that an occupational therapist is needed, the campus occupational therapist will be invited to the [ARD Meeting](#) where a REED will be conducted and consent will be obtained from the student's parents.

## Evaluation Process

In Austin ISD, an OT evaluation consists of the occupational profile and an analysis of occupational performance. For the evaluation, the occupational therapist may do any or all of the following:

- Review information such as work samples, report cards, outside evaluations, district evaluations, teacher observations, and previously attempted strategies
- Collaborate with the student's teacher(s) regarding the student's history and progress in relation to the identified educational concern
- Administration of specific rating scales
- Observe the student in the educational setting during the time and in the environment(s) where the challenge(s) occurs
- If no additional support is indicated, and it is determined that the area of concern can be addressed through general strategies (including classroom level interventions), the OT will complete a written evaluation report describing any observations/considerations and suggestions or follow-up that are recommended and review this information with the [ARD Committee](#)
- If an OT evaluation is indicated, the occupational therapist will complete the evaluation and review with the [ARD Committee](#)

## Service Delivery Models

In Austin ISD, an occupational therapist is assigned to each campus. Occupational therapy services, provided by an occupational therapist, may include working with the student, teachers, and other team members to ensure collaborative and coordinated service delivery either inside or outside the general education classroom, depending on the OT evaluation and the [ARD Committee](#)'s decision. In Austin ISD, OT services are provided in an integrated model to facilitate the implementation of the [IEP](#) in the natural environment at school (including classrooms, hallways, cafeterias, gym, playground, etc.). The occupational therapist works with the student in the classroom or other school environments to determine appropriate strategies, interventions and equipment/tools, and to train instructional staff on how and when to use strategies, interventions and equipment/tools.

In AISD, the terms used most often to describe the service delivery are "direct" and "indirect".

- Direct Services: The occupational therapist provides direct services, one on one with the student in the general education or special education setting.
- Indirect Services: The occupational therapist provides consultation to someone other than the student (i.e., special education teacher, general education teacher, parent). The occupational therapist uses this time to collaborate with the educational team to develop and implement strategies and accommodations that support the student's [IEP](#). In this model, the occupational therapist also addresses the student's educational need for modifications in the school environment, educationally relevant [adaptive equipment](#), and/or assistive devices.

The occupational therapist will participate with a collaborative team on the campus to assess the effectiveness of each service model, interventions and to revise/adapt for the specific student as needed.

## Resources

See [Adaptive Equipment](#)

See [Continuum of Services](#)

[The American Occupational Therapy Association](#)

# Out of District Placement

## What's Required

A school district may contract for the placement of a student with disabilities when the district and [ARD Committee](#) determines that an out of district placement or program is necessary in order for the student to receive a [free appropriate public education](#). Before the district places a student with a disability in, or refers a student to a residential facility, the district will initiate and conduct an [ARD Meeting](#) to develop an appropriate [IEP](#) for the student.

## What We Do

When a student who is already served in a self-contained classroom/program shows increasingly severe challenging behaviors that pose a threat to the safety of the student and/or other people despite the consistent implementation of the [Behavior Intervention Plan \(BIP\)](#) and other intervention supports, a staffing staff will be scheduled to review students' programming, consider other possible interventions, review current data, and discuss Austin ISD's [Continuum of Services](#) and Supports. The staffing would include the following members: campus administrator (s), the student's case manager, specific program staff, evaluation specialist, campus behavior specialist, campus special education support coordinator, Director of Campus Support, and Director of Compliance and Operations.

If warranted, the campus administrator, Director of Campus Support, and Director of Compliance and Operations will schedule a parent conference to discuss the staffing and to receive input from parents. A non-public school administrator from the placement site (varies based on the individual needs of the student) will then be contacted and an [ARD Meeting](#) will be scheduled to review [IEPs](#), discuss program, placement and options for continuum of support.

If the [ARD Committee](#) agrees that an out of district placement is absolutely necessary, it will determine and document a reintegration plan and implementation timeline within the student's [IEP](#). The Director of Compliance and Operations will initiate the transfer process with the non-public school and organize a site visit for the parents to the Non-Public School campus. Scheduled site visits from the district and for the parent will be initiated through the Director of Compliance and Operations as often as needed (but no less than twice a year) for continued support of the student. Based on the individual student's needs while attending non-public



school, there might be a need to hold regularly occurring staff meetings and/or [ARD Meetings](#) to discuss the student's [IEP](#) progress, programming and reintegration plan.

## Resources

See [Continuum of Services](#)

Texas Education Agency (TEA) Guidance on [Off Campus Program Placements for Students Receiving Special Education and Related Services](#)  
[Students Receiving Special Education and Related Services in an Off-Campus Program](#)

# Parent Concerns

## What's Required

Austin ISD shall endeavor to ensure that a parent is included in the process of developing a student's [IEP](#). The [ARD Committee](#) will collaborate to determine eligibility, write the student's IEP and attempt to reach consensus.

On occasion, disputes may arise between a parent and the district related to the identification, evaluation, or education placement of provision of a [free appropriate public education \(FAPE\)](#) for a student with a disability. The Texas Education Agency encourages the resolution of any dispute between parents and the school district at the lowest level possible and in a prompt, efficient and effective manner. The possible options for resolving disputes include, but are not limited to:

- [ARD Meeting](#)
- Meetings or conferences with the student's teacher(s)
- Meetings or conferences, subject to school district policies, with campus administrator(s), the special education director of the district, the superintendent, or the board of trustees
- Filing a grievance using district policy FNG
- Request mediation through Texas Education Agency (TEA)
- File a complaint with TEA
- Request a due process hearing through TEA
- Mediation following the filing of a request for due process
- File a complaint with the Office of Civil Rights

See Notice of Procedural Safeguards -

[English](#)

[Spanish](#)

See A Parent's Guide to the ARD Process -

[English](#)

[Spanish](#)

## What We Do

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

- As a first step, the parent should contact their student's school and speak to the principal or special education team lead or department chairperson regarding a concern.
- If the concern is about campus personnel or about an area not under special education's purview, a parent can file a formal complaint with the campus administrator who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution in congruence with Board Policy FNG (Local).
- If contacting the campus personnel is not providing a solution to the problem, the parent(s) should contact the Austin ISD Special Education central office and discuss the concern that is occurring on campus and the individual will direct them to the appropriate staff member to discuss their concern. The special education office may be reached at (512) 414-SPED (7733).
- If the special education contact that is provided to you is not able to assist with a solution, the parent(s) should contact the Special Education office to speak with the Executive Director for Evaluations & Compliance or the Executive Director of Instructional Programs at (512) 414-SPED (7733).
- If all efforts to reach a solution with the district are unsuccessful, the parent(s) or other interested party can file a complaint with the [Texas Education Agency](#) (TEA) or the [United States Department of Education Office of Civil Rights](#) (OCR).
- The parent(s) may also file a due process hearing request with TEA to resolve the issue(s) before a special education hearing officer.
- If the parties resolve any issues, the parents should contact TEA or OCR either verbally or in writing to request that the complaint/due process be withdrawn or that certain issues be dismissed.

## Resources

Austin ISD Board Policy FNG

[TEA's Special Education Dispute Resolution Systems Handbook \(English\)](#) [Spanish](#) [Chinese](#) [Vietnamese](#)  
[Arabic](#)

[State Special Education Dispute Resolution System: A Comparison of Services Available to Parents and Schools](#)

[TEA Guidance on IEP Facilitation](#)

[TEA Guidance on Special Education Mediation Program](#)

[TEA Guidance on Due Process Hearing Program](#)

[Legal Framework](#)

[Texas Project FIRST](#)

The [Partners Resource Network](#)

TEA Toll Free Parent Information Line: 1-800-252-9668

See Notice of Procedural Safeguards -

[English](#)

[Spanish](#)

See A Parent's Guide to the ARD Process -

[English](#)

[Spanish](#)

# Physical Therapy

## What's Required

Part B of Individuals with Disabilities Education Improvement Act (IDEA) defines physical therapy (PT) as services provided by a qualified physical therapist to include:

- Working collaboratively with a student's [ARD Committee](#) and participating in screening, evaluation, program planning, and intervention;
- Designing and implementing physical therapy interventions, including teaching and training of family and education personnel and measurement and documentation of progress, to help the student achieve their [IEP](#) goal; and,
- Assisting students in accessing school environments and benefiting from their educational program.

The Executive Council of Physical Therapy and Occupational Therapy Examiners defines physical therapy (PT) as “a form of health care that prevents, identifies, corrects, or alleviates acute or prolonged movement dysfunction or pain of anatomic or physiologic origin. In the educational setting, the physical therapist conducts evaluations and assessments to determine needed services to fulfill educational goals.”

School-based PT services support the student's participation in educational programming and activities. Physical Therapy as a Related Service provided by schools is limited to that which is required for the student to benefit from their educational program. This differs from the medical model of therapy services and may not address the medical needs of a student based on their disability. Any related service, if determined necessary, is provided under IDEA in order for a student to benefit from their education placement, by supporting the student's goals in their [IEP](#).

The need for PT services is determined through an evaluation to consider if the service is needed in order to assist the student with a disability to benefit from their education. Based on the evaluation and recommendations from the school physical therapist, the [ARD Committee](#) determines services. The amount of time, frequency, and duration of services are specified in the student's [IEP](#).

## What We Do

### Referral Process

When a parent or Austin ISD staff member raises a concern that involves physical performance or participation in gross motor, functional, or social interactions as they relate to a student's educational needs, the campus will consider a referral for physical therapy. There are several circumstances under which a referral to PT may be required to include the following:

- **Students currently receiving Special Education services:**
  - Students may be currently receiving special education services and demonstrate a lack of progress on a goal in an area that may require the addition of PT in order to allow the student to make satisfactory progress on that goal. The [ARD Committee](#) must:
    - Use measurable data to determine if there are barriers limiting the student's progress in the identified goals and objectives or if there are additional areas of difficulty for the student not previously identified.
    - Consider campus-based support, including intervention strategies to benefit all students that are available to campus personnel that may address the identified barrier or

additional area of difficulty. Determine if there is an educational need for an PT evaluation. If so, a [REED](#) will be held and parental consent will be obtained to generate a referral for an [occupational therapy](#) consult/evaluation will be completed and filed.

- If data shows that the strategies have resulted in adequate improvement in performance, and the barriers limiting student progress are addressed so that they do not involve performance skills in the areas of fine motor impacting functional and/or self-help skills or social/behaviors impacting classroom participation, the [ARD Committee](#) may determine that there is no educational need for an PT evaluation.
- **Students transferring into Austin ISD:**
  - Students may move into Austin ISD with PT as part of their [IEP](#). If this is the case, Austin ISD will implement the student's IEP provisions from the previous school district for up to 30 days while preparing for a permanent placement [ARD Meeting](#).
    - The physical therapist will use this time to collect data needed to determine recommendations for PT services.
    - To provide therapy in Texas, licensed physical therapists must have the following in order to provide PT services:
      - A current evaluation in hand (accurate/within last 3 years)
      - Goals that indicate a physical therapist's support
      - PT services specified on the IEP service page
      - A physician referral for students with a medical condition as defined by the Texas PT Rule
      - Without these, the physical therapist may only provide general intervention strategies. If a current PT evaluation does not come with the student's paperwork, the physical therapist will update the student's present levels of performance in their current educational setting and gain consent to conduct an PT evaluation.
- **Students currently undergoing a [Full and Individual Initial Evaluation \(FIIE\)](#) to determine eligibility for special education:**
  - The student's initial evaluation team may determine that information from a physical therapist is needed to determine if the related service of PT would be necessary in the event the student qualifies for special education.
  - If it is determined that a physical therapist is needed to participate in the FIIE, the campus evaluation specialist will obtain consent from the student's parents.
- **Students currently undergoing a reevaluation process:**
  - The student's parent and/or [ARD Committee](#) team may determine that information from a physical therapist is needed to determine if the related service of PT would be necessary to assist the student with a disability to benefit from their education.
  - If it is determined that a physical therapist is needed, the campus physical therapist will be invited to the [ARD Meeting](#) where a [REED](#) will be conducted and consent will be obtained from the student's parents.

## Evaluation Process

School-based physical therapists may evaluate a student with disabilities to determine the need for services in the educational setting. As a related service to special education, physical therapy services may be recommended to the ARD Committee if the expertise of a PT is required for students to access the general education curriculum, to participate in their educational environment, and to benefit from their specially designed educational program.

In Austin ISD, a PT evaluation consists of a motor profile and an analysis of physical performance. For the evaluation, the physical therapist may do any or all the following:

- Review information such as work samples, report cards, outside evaluations, district evaluations, teacher observations, and previously attempted strategies.
- Collaborate with the student's teacher(s) regarding the student's history and progress in relation to the identified educational concern.
- Administration of rating scales.
- Observe the student in the educational setting during the time and in the environment(s) where the problem(s) occurs.
- If no additional support is indicated and it is determined that the area of concern can be addressed through general strategies (including classroom level interventions), the PT will complete the PT Consultation Services form describing any observations/considerations and suggestions or follow-up that are recommended and review this information with the [ARD Committee](#).
- If a PT evaluation is indicated, the physical therapist will complete the evaluation and review with the [ARD Committee](#).

### **Service Delivery Models**

In Austin ISD, a physical therapist is assigned to each campus. Physical therapy services, provided by a physical therapist, may include working with the student, teachers and other team members to ensure collaborative and coordinated service delivery either inside or outside the general education classroom, depending on the PT evaluation and the [ARD Committee](#)'s decision. In Austin ISD, PT services are provided in an integrated model to facilitate the implementation of the [IEP](#) in the natural environment at school (including classrooms, hallways, cafeterias, gym, playground, etc.). The physical therapist works with the student in the classroom or other school environments to determine appropriate strategies, interventions and equipment/tools, and to train instructional staff on how and when to use strategies, interventions and equipment/tools.

In Austin ISD, the terms used most often to describe the service delivery are “direct” and “indirect”.

- **Direct Services:** The physical therapist provides direct services, one on one with the student in the general education or special education setting.
- **Indirect Services:** The physical therapist provides consultation to someone other than the student (i.e. special education teacher, general education teacher, parent). The physical therapist uses this time to collaborate with the educational team to develop and implement strategies and accommodations that support the student's [IEP](#). In this model, the physical therapist also addresses the student's educational need for modifications in the school environment, educationally relevant [adaptive equipment](#), and/or assistive devices.

The physical therapist will participate with a collaborative team on the campus to assess the effectiveness of each service model, interventions and to revise/adapt for the specific student as needed.

## Resources

See [Adaptive Equipment](#)

See [Continuum of Services](#)

[The Executive Council of Physical Therapy and Occupational Therapy Examiners](#)

[Fact Sheet on Providing Physical Therapy in Schools under IDEA 2004 \(2009\). American Physical Therapy Association, Section on Pediatrics.](#)

# Prior Written Notice

## What's Required

Prior written notice (PWN) must be provided to the parent of a student with a disability whenever the district proposes or refuses to initiate or change the:

- Identification of a student
- Evaluation of a student
- Educational placement of a student
- Provision of a free appropriate public education to the student
- Ceases the provision of special education and related services due to the parent's revocation of consent for services

Prior written notice must be given at least five school days prior to the actions that the school proposes or refuses to take unless a shorter time is agreed upon by the parent. In counting school days, the day the notice is sent is not counted as part of the five school days. A parent may elect to receive PWN by an electronic email communication.

The PWN must be written in a language that is understandable to the general public and provided in the native language, or other mode of communication, used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district must take steps to ensure the notice is translated orally or by other means to the parent in their native language or other mode of communication and that they understand the content of the notice.

PWN must contain the following contents:

- A description of the action proposed or refused by the district
- An explanation of why the district proposes or refused to take the action
- A description of each evaluation procedure, assessment, record or report the district used as a basis for the proposed or refused action
- Sources for the parent to get help understanding the provisions of Individuals with Disabilities Education Improvement Act (IDEA)

- A description of other options considered by the [ARD Committee](#) and the reasons why those options were rejected
- A description of other factors relevant to the district's proposal or refusal
- A statement that the parent of a student with a disability has protections under the procedural safeguards of the IDEA and a copy of the [Notice of Procedural Safeguards](#) and the Parent's Guide to the ARD Process

PWN shall be provided following each [ARD Meeting](#) to document the decisions of the [ARD Committee](#). This may be documented through preparation of the [ARD Meeting](#) deliberations or minutes. A completed PWN would satisfy the district's obligation to document the decisions of a student's [ARD Committee](#). Austin ISD may use the IEP and the deliberations or minutes as part of the PWN so long as the document(s) the parent or guardian receives meet all the requirements of prior written notice. The deliberations and/or the Prior Written Notice may be used to establish how the district is providing a FAPE to a student and collaborating with a parent or to document other factors relevant to a student's [IEP](#).

## What We Do

# Ensuring Parental Participation

Austin ISD will make three advance attempts to notify parents of [ARD Meetings](#) and arrange a mutually agreeable time and location. Campus staff will make every effort to accommodate the parents' schedule; however, there is no requirement that an [ARD Meeting](#) be held outside of regular business hours of the school.

- The first Prior Written Notice of the ARD meeting is provided in writing at least 2 weeks (10 working days) prior to the scheduled ARD date. This early notice will allow more time to contact the parent and then proceed at the first scheduled date and time. The Notice form includes options to agree to the proposed date, change the date, hold the [ARD Meeting](#) on the phone or suggest the district proceed without the parent in attendance. A copy of the completed Notice form sent to the parent is maintained in EasyIEP as documentation.
  - Staff may call and discuss the proposed date with parents in order to pick a reasonable date and time for both parties before providing the Prior Written Notice.
- The second attempt to notify the parents of the ARD will also be in writing (if there is no response from the parent after the first notice). Austin ISD will copy the first notice form and send it as the second Notice of ARD meeting.
- The third Notice contact will be attempted to get parental participation if there is no response from the first two attempts. The third Notice may be a follow-up phone call to home or to work.
- If the campus has exhausted all reasonable efforts to arrange a mutually agreeable date and time for an ARD on multiple occasions, and sent out multiple meeting notices, it is recommended that the campus administrator provide the parent a written letter. The letter should include a summative of all the dated attempts to schedule the ARD and an ARD Meeting Notice. Contact your Special Education Coordinator for assistance.
- After three attempts and no response, contact your Special Education Coordinator for assistance on how to proceed. In limited circumstances, Austin ISD may go forward with the [ARD Meeting](#) as scheduled.

- All dates of scheduling attempts and the initials of personnel attempting contact must be documented on the district Notice form and filed in EasyIEP.

### **For Initial ARD Meetings:**

- Within 30 calendar days from the date of the completion of the student's [Full and Individual Initial Evaluation](#) report, the student's [ARD Committee](#) shall make its decisions regarding the student's initial eligibility, and, if appropriate, their [IEP](#) and placement.

## **Resources**

[OSEP Letter to Ferrera](#)

[OSEP Letter to Lieberman](#)

[OSERS Dear Colleague Letter \(December 5, 2014\)](#)

Texas Education Agency (TEA)'s [Special Education Prior Written Notice Quick Guide](#)

ESC Region 4 [Prior Written Notice: Legal Requirements and Best Practices](#)

[TEA's Legal Framework for Prior Written Notice](#)

[Notice of Procedural Safeguards](#)

# Public Health-Related Protocols

## **What's Required**

Austin ISD will comply with local ordinances or health mandates that necessitate limiting the physical access of campuses for students.

## **What We Do**

### **ARD Meetings**

[ARD Meetings](#) may be held virtually. Parents may choose to participate via telephone or teleconferencing. The [ARD Committee](#) will develop an IEP designed for in-person instruction and will formulate an individualized contingency plan to be implemented in the event of virtual instruction. When local ordinances necessitate social distancing, in-person learners electing to participate in [ARD Meetings](#) will have access to a confidential meeting space on school grounds and any necessary technology to access their ARD meeting virtually.

### **Specially Designed Instruction and Related Services**

If deemed necessary for public safety, instruction and services may be provided virtually. The [ARD Committee](#) will develop a contingency plan that outlines the individualized instruction and services to be provided if a student is accessing virtual off-campus learning. Best efforts will be made to provide all components of the agreed upon plan.



Austin ISD may utilize multiple platforms to best support learning. Both synchronous and asynchronous delivery models are considered direct services. Campuses may elect to allow for virtual learners to access in-person general education activities such as [extracurricular activities](#) or fine arts. When this is permitted, parents may request in-person related services for students for virtual instruction. Campus protocols regarding safety procedures and the use of Personal Protective Equipment (PPE) may be implemented when staff and/or students are on campus.

Campus staff will receive regular instruction in the methods used to provide virtual instruction, such as the provision of instructional phone calls, videoconferencing, homework packets, online lessons, and other available distance-based learning approaches. All parent contact will be documented through the parent contact log in EasyIEP.

## Evaluations

Safety precautions and the use of appropriate PPE will be implemented in the event of a public health emergency. Austin ISD will make every attempt to adhere to federal and state evaluation timelines. Should specific evaluation components that require face-to-face interaction be delayed during times of public safety emergency, the evaluation components that can be administered safely under the existing conditions will be completed by the federally imposed deadline.

By the evaluation due date, the evaluator will provide parents a [Prior Written Notice](#) documenting:

- A list of the any incomplete required portions of the evaluation, and
- A brief description of why the incomplete portions are required, such as due to safety concerns

Should a parent elect to temporarily decline their student's participation in required face-to-face evaluations due to public safety concerns, this shall not revoke consent. The evaluator will contact the parent once per grading period to determine whether they wish to continue delaying in-person testing and will provide [Prior Written Notice](#) that Austin ISD remains ready, willing and able to conduct their student's evaluation.

Local or state health authority guidance may supersede district procedures.

# Reevaluations

## What's Required

Austin ISD will ensure that a reevaluation of a student with a disability is conducted if:

- The district determines that the educational or related services' needs, including improved academic achievement and functional performance, of the student, warrant a reevaluation; or
- The student's parent or teacher requests a reevaluation; or
- Before determining that a student is no longer eligible for special education services.

A reevaluation will be conducted at least every three-years unless the parent and the district agree that it is unnecessary. A reevaluation may not occur more than once a year unless the parent and the district agree otherwise.

The district will obtain informed parental consent prior to conducting any reevaluation; however, the evaluation may be completed without the parent's consent if the district can demonstrate that it made reasonable efforts to obtain informed parental consent and the student's parent has failed to respond.

A reevaluation is not required (but a Summary of Performance is required) before the termination of a student's eligibility due to:

- Graduation from secondary school with a regular diploma, or
- Exceeding the age eligibility for a free appropriate public education under state law

## What We Do

### Beginning of the School Year

- Each campus's evaluation team member and department chair/lead teacher is responsible for compiling the list of students needing re-evaluation within the school year.
- The department chair or lead teacher, depending on the campus, is responsible for scheduling the ARD Committee meeting that will include a review of evaluation data (REED) at least 3 months prior to the student's 3 year re-evaluation date
- The campus evaluator is responsible for prepping the student's REED

### Data Collection

- General education and/or special education personnel forms may be completed by multiple sources.
- Any personnel with relevant information concerning the student will be asked to complete, sign, and date the form.
- The person completing the form should address those competencies about which they have direct knowledge and/or observation.
- Information from parents should be sent home for completion by the parent(s)/guardian(s).
- The [school nurse](#) completes the health information form (all relevant health information should be addressed).

### Review of Data

- The evaluation specialist or speech-language pathologist convenes a Review of Existing Evaluation Data (REED) meeting during an [ARD Meeting](#) to review the student's current eligibility and current progress.
- Based on the available data, the [ARD Committee](#) determines the need for a formal evaluation.
- If the decision is to formally evaluate, the parent will be provided Notice of the Evaluation and asked to sign the Consent for Evaluation.
  - Following the evaluation, the evaluation specialist will schedule an [ARD Meeting](#) within 20 days of the evaluation's completion date to review the re-evaluation data.
- If the decision is to continue the current disability identification without any additional formal evaluation information, the evaluation specialist will complete the REED document. This will become the new Full and Individual Evaluation Report. This information is placed in the student's special education eligibility folder.

- The Full and Individual Evaluation (FIE) must be finalized by the FIE due date.

### ARD Committee

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

### **Parents**

- The parent's right to request a formal evaluation always overrides the committee's decision to continue the disability identification without formal testing.
- The parent has the right to request a formal evaluation to determine whether the student continues to be a student with a disability.

### **Resources**

See [Transition and Graduation \(Summary of Performance\)](#)

# Referral Process and Full and Individual Initial Evaluation (FIIE)

## **What's Required**

Austin ISD provides all students with appropriate high-quality, research and evidence-based instruction in regular education settings by qualified personnel. Referral of students for a full and individual initial evaluation for a suspected disability and possible special education services must be a part of the district's overall, general education referral or screening system. A Full and Individual Initial Evaluation (FIIE) is conducted before the initial provision of special education and related services to a student with a disability.

Full and individual initial evaluations are conducted within 45 school days of receiving written parental consent for the evaluation. The purpose of the evaluation under Individuals with Disabilities Education Improvement Act (IDEA) is to determine:

- If the student is a child with a disability;
- Determine the educational needs of the student; *and*
- Guide decision making about the appropriate educational programming for the student.

## What We Do

Prior to referral, students experiencing difficulty with the general curriculum should be considered for support services available to all students. Non-exhaustive examples could include tutorials, remedial support, [compensatory services](#), and/or specific researched and evidence-based academic or [behavior interventions](#). Austin ISD uses a [Multi-Tiered System of Support](#) (MTSS) to provide targeted intervention to students in need of academic, behavior, functional, or social support.

If a student continues to experience difficulty with the general curriculum that all students are receiving, after the provision of interventions, district or campus personnel will refer the student for a full and individual initial evaluation or for a [Section 504](#) evaluation to determine if the student needs specific aids, accommodations, or services. A referral for a full and individual initial evaluation may be initiated by school personnel, the student's parents, or another person involved in the education or care of the student at any time.

## Evaluation Procedures

- Austin ISD will give [prior written notice](#), specifically titled notice of proposal to evaluate, to obtain informed consent of parents prior to administering any evaluation. The parent will be fully informed and indicate their consent by marking that:
  - The parent has been fully informed of all information relevant to the initial evaluation in their native language or other mode of communication;
  - The parent understands and agrees in writing to the district carrying out the initial evaluation;
  - The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time; and,
  - If the parent revokes consent, that revocation is not retroactive; therefore, it does not negate an action that has occurred after the consent was given and before the consent was revoked.
- If the family has an outside provider or agency that can contribute relevant information or recommendations towards a student's evaluation, a release of confidential information form will be given to the parent. This specific form is required for any student suspected of [Other Health Impairment](#), where a medical professional's diagnosis is needed for disability qualification.
  - *Note: To serve the student in the least restrictive environment, parents will be asked to submit a release for confidential health information so Austin ISD may collaborate with the diagnosing medical professional to discuss possible accommodations, modifications, supplementary aids and services.*
- Evaluation instruments must not be culturally or racially discriminatory and be administered in accordance with standardized procedures in order to prevent inappropriate evaluations for specific cultural and racial groups. Austin ISD uses a variety of evaluation instruments and strategies to gather relevant functional and developmental information about the student, including information provided by

parents, teachers, related service providers, and outside providers or agencies. All data is reviewed, interpreted and compiled into a FIIE Report.

- The evaluator determines the scope of the evaluation needed within each required area of assessment depending on the individual student and the suspected disability. If the parent includes conditions or restrictions on which assessments are conducted or how assessments are conducted, Austin ISD will notify the parent that the parent's restrictions or conditions effectively withhold consent and that the parent has the option to either provide consent without such conditions or restrictions or to decline the evaluation. The district may seek to override a lack of parental consent for an FIIE requesting a special education due process hearing.
- Austin ISD has the right to conduct an evaluation or reevaluation if the district has reason to suspect that a student has a disability and that by virtue of the suspected disability needs specially designed instruction. If the parent refuses consent for the district-proposed evaluation or reevaluation, the district may seek to override parental refusal to consent by requesting a special education due process hearing. If Austin ISD decides not to pursue the evaluation, the school does not violate the requirement under IDEA to identify, locate, and evaluate all students with disabilities who are in need of special education and related services.

## Areas of Evaluation

Evaluations for every student must include:

- Information about the student's academic, developmental and functional performance;
- Be administered by trained and knowledgeable personnel;
- Be administered in the student's native language or other mode of communication; and,
- Be unbiased or given in such a way so as not to discriminate against the student, regardless of their cultural background, race, or disability.

Every student referred for a special education evaluation in Austin ISD will be assessed in all areas related to the student's suspected disability (ies). The assessments and evaluative instruments used will also be tailored to the student's suspected disabilities and potential need for related services. However, Austin ISD will ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs, whether or not the assessments used are commonly linked to the student's suspected disability categories.

Austin ISD maintains a list of the most current appropriate assessment instruments used to address cognition, language, memory, attention, reasoning, abstract thinking, judgment, sensory, perceptual, fine and gross motor abilities, emotional-behavioral, adaptive functioning, information processing, academic abilities, and speech.

Every evaluation will address the student's performance and abilities in the following areas:

- Language and Communication
- Physical (health, vision, hearing, and motor abilities)
- Emotional/Behavioral
- Sociological
- Intellectual/Cognitive and Adaptive Functioning
- Achievement/Academics
- Assistive Technology

At the end of every evaluation, a summary of the synthesized findings will be documented, along with recommendations for the student.

## Request for Evaluation

The student's parent or legal guardian, school personnel, or another person involved in the education or care of the student can make a referral for special education at any time. The district may not deny a referral or delay an initial evaluation because pre-referral interventions have not been implemented with a student.

- The appropriate time to evaluate a student for special education and related services is when the student receiving [Multi-Tiered System of Support](#) (MTSS) support is not responding sufficiently or closing the gap between their performance and their peers' performance, the student may be a student with a disability and a need for special education services. If a student is receiving MTSS services, and there is a decision to conduct an FIIE, the student should continue receiving the MTSS services while the evaluation is being conducted.
- If a parent makes a written request for an initial evaluation for special education services to an employee of the district, Austin ISD must respond no later than 15 school days after receiving the request. At that time, Austin ISD must provide a [prior written notice](#) of whether it agrees 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.
- Requests for a special education evaluation may be made verbally to an employee of the district and need not be in writing. Austin ISD must still comply with all [Child Find](#) requirements for students suspected of being a child with a disability and in need of special education. Please note, that a verbal request or one that is made to a district employee who is not a campus or district administrator does not require the district to respond within the 15-day timeline.

Upon completing the evaluation, Austin ISD will provide the parent a copy of the evaluation report at no cost.

## Timeline

All evaluation personnel are responsible for adhering to all federal compliance dates for initial evaluations, reevaluations, and transfers where the student has been in special education in another district.

- **Initial Evaluations:** If the district decides to evaluate the student, it must complete the FIE and evaluation report no later than 45 school days from the day it receives a parent's written consent to evaluate. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation time period will be extended by the number of school days equal to the number of school days that the student is absent.
- **REEDs and Reevaluations:** For the three-year reevaluation, Austin ISD conducts a REED prior to the due date of the three-year reevaluation and with enough time for any requested evaluation to be completed and report written by the reevaluation due date. A best practice recommendation that the district upholds is that a REED is completed at least 45 school days before the three-year anniversary date. If additional data is needed, the information must be obtained prior to the reevaluation due date. For any other reevaluation, the REED will be completed by the timeline designated by the [ARD Committee](#).

- **Transfer Initial Evaluation or Reevaluation:** If a student transfers in from another district with a signed consent form, Austin ISD will contact the sending district to see where the evaluation was in the process. If any evaluative measures have been administered, Austin ISD will attempt to obtain copies of the protocols and/or results and conduct any measures that have not been given to complete the student's evaluation. Austin ISD will consider and test for all Individuals with Disabilities Education Improvement Act (IDEA) suspected disabilities, even if it was not specifically stated in the transfer paperwork. Austin ISD will adhere to the federal compliance dates for the initial and re-evaluations.

Austin ISD will complete an [ARD Meeting](#) no later than 30 days following completion of the FIE.

### **Exception to the 45-Day Timeline**

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

## **Delayed or Denied Evaluations and Compensatory Services**

If a student is in the process of being evaluated and the evaluation is delayed for any reason, the [ARD Committee](#) must consider [compensatory services](#) and address it in their [IEP](#). Texas Education Agency (TEA) defines compensatory services as those educational services that are required for a student to make up for skills or learning lost when services described in an [IEP](#) were not provided. The [ARD Committee](#) will determine whether, and to what extent, compensatory services are required. Decisions about compensatory services are made on an individual basis based upon the student's needs.

### **Resources**

See [Adaptive Equipment](#)

See [Compensatory Services](#)

See [Child Find/Identification](#)

[Delayed or Denied Evaluations & Compensatory Services](#)

TEA Guidance on [Multi-Tiered Systems of Support](#)

TEA Guidance on [Special Education: Initial Referral Timeline](#)

TEA Guidance on [Special Education: Full and Individual Initial Evaluation Timeline](#)

Austin ISD's [Multi-Tiered Systems of Support website](#)

[Austin ISD Board Policy EHBAA](#)

[TEA REED and Reevaluation Q&A](#)

# Residential Facilities Monitoring

## What's Required

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

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

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

## Resources

[Austin ISD Board Policy EHBAC](#)

See [Continuum of Services](#)

# Section 504 and Americans with Disabilities Act

## What's Required

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

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations,



commercial facilities, and transportation. The current text of the ADA includes changes made by the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009.

## **Child Find**

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

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

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

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

See [Accommodations, Modifications, Supplementary Aids and Services](#)

## **What We Do**

A student can be referred for a Section 504/ADA evaluation by the parent or school personnel. To be eligible under Section 504/ADA, a committee consisting of the Section 504 coordinator, a general education teacher, and the parent must determine that:

- The student has a physical or mental impairment
- This impairment limits one or more major life activities, and
- The impact of the impairment must be substantial.

Once a student is determined to be eligible for Section 504/ADA, those accommodations are provided in the general education classroom to mitigate the student's impairment so that the student may participate in academic and [extracurricular activities](#).

## **Test Accommodations for College Board and ACT Tests**

Accommodations for these tests require a separate process from test accommodations which may be offered in a student's [IEP](#) or Section 504 plan within Austin ISD. Even if your student has accommodations specified within their Austin ISD developed IEP or Section 504 plan, there is no guarantee they will be allowed them during the administration of the College Board and ACT tests. The allowance for test accommodation is determined solely by the College Board and ACT testing services. Families, and not Austin ISD staff, are ultimately responsible for obtaining these accommodations. Although Austin ISD will assist with the

applications as a courtesy for all students with IEPs and 504 plans for families who timely follow the application process, families have the ability to submit their requests directly to the College Board and ACT test services.

Any additional educational and neuropsychological testing needed for or requested by the College Board or ACT testing service offices is the responsibility of the family and will not be provided by Austin ISD staff. Families will receive notification directly from the College Board or ACT testing services on the accommodations granted. It is important for families to adhere strictly to the specified or recommended timelines for submitting all requests for accommodation and to provide whatever documentation is specified. This includes making requests to the appropriate Austin ISD staff within designated timelines as well as the timelines requested by the College Board or the ACT test services offices. Failure to timely submit the requested information to either the testing services or Austin ISD staff may result in your student's inability to be allowed accommodation for their test.

For more information on submitting accommodation requests to the College Board, please [visit their website](#).

## Resources

See [Accommodations and Modifications](#)

See AISD Section 504 Manual

See [Child Find Duty/Identification](#)

See [Multi-Tiered System of Support](#) (MTSS)

See [Referral Process and Full and Individual Initial Evaluation](#)

# Speech-Language Services

## What's Required

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

- The student has a communication disorder such as, stuttering, impaired articulation, language impairment, or voice impairment; ([CFR 34 300.8\(c\)\(11\)](#)) and
- The speech or language impairment adversely affects the student's educational performance; [19 TAC 89.1040\(c\)\(10\)](#) and
- By reason of speech or language impairment, the student needs special education and/or related services (20 USC 1401(3)(A)).

## What We Do

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

- Prior to referral, students experiencing language difficulty in the general education classroom should be considered for the support services available to all students, such as tutorials, remedial services, and/or other support services.
- If the student continues to experience difficulty in the general education classroom after the provision of interventions, the Response to Intervention (RTI) Committee must refer the student for a full and individual initial evaluation.
- Students with suspected speech and/or language impairments are evaluated using a comprehensive battery that is conducted by a professional that is licensed and/or certified as a speech-language pathologist. Professionals may maintain the Texas state license in speech-language pathology or may hold the Texas Education Agency (TEA) Speech and Hearing Therapy certificate as previously granted by the TEA. Many speech-language pathologists also hold the American Speech, Hearing, and Language Associations Certificate of Clinical Competence in Speech and Language Pathology.
- When a student is determined eligible for speech-language services, the service delivery, and clinical methods must focus on achieving the speech and/or language goals in the student's [IEP](#). These services may be provided using a direct service delivery model, and may target one or more of the following areas:
  - Articulation - Abnormal production of speech sounds.
  - Stuttering - Abnormal flow of verbal expression characterized by impaired rate/rhythm.
  - Language - Impairment or delayed development of comprehension and/or use of a spoken/written or other symbol system.
  - Voice - Absence or abnormal production of vocal quality, pitch, loudness, and/or resonance.

### **Direct Service Delivery Models**

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

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

## **Feeding and Swallowing**

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

## **Speech Therapy Services for Medically Fragile Students**

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

### Dismissal Considerations

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

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

## **Resources**

See [Continuum of Services](#)

# State Performance Plan and Data Collection

## What's Required

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

Texas Education Agency (TEA) is required to publicly report district performance against state targets for the following indicators:

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

### District Data Collection

- Data for Indicators 1 and 2 are collected through Public Education Information Management System (PEIMS) submissions and reported from the AEIS dataset.
- Data for Indicators 3A-C are collected from student test answer documents and reported from the Annual Measurable Objective dataset.
- Data for Indicators 4A-B, 5A-C, 6, 9 and 10 are collected and reported through PEIMS.
- Data for Indicators 7, 11, 12, 13 and 14 are collected through online TEASE applications. Contact data for Indicator 14 are collected through online TEASE applications and results from survey instruments are reported from aggregate datasets.

### District Determinations

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

- Performance on SPP compliance indicators 9, 10, 11, 12 and 13
- Data submission (valid, reliable, timely)

- Uncorrected noncompliance from other sources (complaints resolution, due process, residential facility monitoring and monitoring activities)
- Any audit findings
- PBM special education intervention stage

TEA uses the following determination levels to report district performance:

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

## **Appeals Process**

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

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

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

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

## **What We Do**

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

### **SPP Indicator 7: Early Childhood Outcomes**

In 2005, the Early Childhood Outcomes (ECO) Center created the Child Outcomes Summary Process as a way for states to summarize data on students for federal reporting purposes. States use the Child Outcomes

Summary Form to document the percent of preschool students with [IEP](#) who demonstrate improved functioning in three outcome areas:

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

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

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

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

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

### **SPP Indicator 11: Child Find**

Periodically, our Director of Evaluations or her designee checks a report in easyIEP that reflects the information input by campus evaluation specialist(s). This report provides:

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

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

### **SPP Indicator 12: Early Childhood Transitions**

State Performance Plan (SPP) Indicator 12 is a percentage of students referred by Part C / Early Childhood Intervention (ECI) prior to age 3 who are found eligible for Part B / district Special Education Services and who have an [IEP](#) developed and implemented by their third birthday.

Periodically, our Director of Evaluations or designee checks a report in EasyIEP that reflects the information input by campus evaluation specialists. This report provides the data collected for SPP 12:

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

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

### **SPP Indicator 13: Postsecondary Goals/Transition**

Indicator 13 relates to the percent of youth, ages 14 and above, who have [IEPs](#) that include appropriate measurable postsecondary goals which are annually updated and based upon age-appropriate transition assessment and services. This includes courses of study and annual [IEP](#) goals that align to each student's postsecondary goals, which will reasonably enable the student to meet their goals. There must also be evidence that the student was invited to the [ARD Meeting](#) where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the [ARD Meeting](#) with prior consent of the parent or student who has reached the age of majority.

On a monthly basis, the Transition Specialist will do a spot check for Transition Plans for compliance. Transition planning meetings are held for students prior to annual ARDs for students on or before the age of 14. Transition planning is visited annually until students graduate via credit requirements, [ARD Committee](#) (as a continuing student,) or age out. The SPP 13 information collected, is then presented to TEA annually at the end of each school year. All data collected for SPP 13 are compiled by the transition Specialist or the TED for Austin ISD. This data includes student demographics as well as required answers for the following questions:

- Are there appropriate measurable postsecondary goals in the areas of training, education, employment, and, when appropriate, independent living skills?
- Are the postsecondary goals updated annually?
- Is there evidence that the measurable postsecondary goals were based on age-appropriate transition assessment(s)?
- Are there transition services in the [IEP](#) that will reasonably enable the student to meet their postsecondary goals?
- Do the transition services include courses of study that will reasonably enable the student to meet their postsecondary goals?



- Is (are) there annual [IEP](#) goal(s) related to the student's transition service needs?
- Is there evidence that the student was invited to the [ARD Meeting](#) where transition services were discussed?
- If appropriate, is there evidence that a representative of any participating agency was invited to the [ARD Meeting](#) with the prior consent of the parent or student who has reached the age of majority?

After the window opens in the spring, data for SPP Indicator 13 is entered by Data Entry Agents (Middle and High School Program Specialists) into the web-based SPP 13 application.

## State Performance Plan Indicator 14

Indicator 14 relates to the percent of youth who are no longer in secondary school, had [IEPs](#) in effect at the time they left school and were:

- Enrolled in higher education within one year of leaving high school
- Enrolled in higher education or competitively employed within one year of leaving high school or
- Enrolled in higher education or in some other postsecondary education or training program or
- Competitively employed or in some other employment within one year of leaving high school

### SPP Indicator 14 - Definitions

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

## Resources

Additional information on the State Performance Plan, State Performance Plan Indicator data collection procedures, and a timeline for reporting SPP indicators can be found at: [Texas Performance Plan](#).

# State Assessments

## What's Required

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

## What We Do

Decisions regarding assessments are made by the [ARD Committee](#) and should be based on the instruction the student receives and the accommodations/modifications the student needs in order to be successful. Assessment decisions should not be made solely on the [disability category](#) or placement; rather, accommodations should be appropriate to the needs of each student and accurately reflect student achievement.

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

In making decisions regarding assessments, the [ARD Committee](#) should annually:

- Review the student's current information to determine the student's present level of functioning;
- Determine how the student receives TEKS instruction and the student's level of performance on the grade-level curriculum for their enrolled grade level;
- Determine the appropriate assessment for the student.
- Document the appropriate assessment and all allowable or approved accommodations that the student will need during testing.

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

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

## STAAR Participation Requirements

STAAR with approved or allowable accommodations should be the first consideration when determining which assessment is most appropriate for a student. The student is accessing the grade-level TEKS with or without allowable testing accommodations.

- If a student does not meet the passing standard on the statewide assessment in 5th and 8th grades, the student's IEP must include a statement regarding how the student will participate in an accelerated instruction program.

## End of Course Exams

When a student receives special education services, the student's [ARD Committee](#) determines whether the

student is required to achieve satisfactory performance on the End of Course (EOC) assessments. If the [ARD Committee](#) determines that a student is not required to achieve satisfactory performance on the EOC assessments, the student is considered to be in compliance with assessment requirements under TEC §39.025 and an Individual Graduation Committee (IGC) review would not be necessary. [Texas Education Code §28.0258](#)

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

- Why the student cannot participate in the regular assessment and
- Why the particular assessment selected is appropriate for the student.

### **STAAR Alternate 2 (STAAR ALT 2) Participation Requirements**

Only students receiving special education services and who meet **all** of the requirements (as determined by the [ARD Committee](#)), may participate in the STAAR ALT 2 assessment. The [ARD Committee](#) must complete the STAAR ALT 2 eligibility requirements before recommending STAAR ALT 2. If the committee indicates yes on **all** the criteria, evidence of each item must be provided on the form. In order to participate the student must meet **all** of the following:

- Has a significant cognitive disability ([Intellectual disability](#)) that affects the student's intellectual potential;
- Requires specialized supports to access the grade-level curriculum and environment;
- Requires intensive individualized instruction in a variety of instructional settings; and,
- Accesses and participates in the grade-level TEKs through prerequisite skills (student expectations from earlier grades) that are linked to the grade level curriculum.

The STAAR ALT 2 determination is based on the student's significant cognitive disability and not on any other factor. The decision to administer STAAR ALT 2 is not based upon the student's racial or economic background, English language status, excessive or extended absences, location of services delivery, anticipated disruptive behavior or emotional distress, or any other such factors.

The [ARD Committee](#) must also provide one of the following assurances:

- Students in grades 3-8 who are eligible for STAAR ALT 2 should be assessed only the grade/subjects in which they are enrolled and should not be assessed in the above-grade enrolled curriculum.
- For a student in high school, the student is enrolled in a course that has a Public Education Information Management Systems (PEIMS) course number indicating that the coursework is accessed through prerequisite skills.

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

### **No Authentic Academic Response Eligibility Requirements**

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

- Because of multiple impairments, the student is unable to receive information during instruction and assessment. For example, the student may have a combination of visual, auditory and/or tactile impairments or
- The student is consistently unable to provide an authentic academic response during instruction. The student exhibits one or more of the following characteristics.
  - Is unable to demonstrate any observable reaction to a specific stimulus
  - Exhibits only startle responses
  - Tracks or fixates on objects at random and not for a purpose
  - Moves or responds only to internal stimuli
  - Vocalizes intermittently regardless of changes in the environment around him/her

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

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

The student's [ARD Committee](#) must ensure that the NAAR designation is documented in their IEP.

### **Medical Exemption Eligibility Requirements**

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

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

- The student is unable to respond to test questions due to a chronic illness.
- The student is receiving extensive short-term medical treatment due to a medical emergency or serious injury in an accident.
- The student is unable to interact with peers or educators without risk of infection or contamination to himself/herself or others.
- The student is unable to receive sufficient or consistent [homebound services](#) due to medical issues.

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

- The medical incident or condition must prevent the student from participating in sufficient instruction offered at school, at home, at a hospital, or at a residential facility.
- The information used to make the medical exception determination must reflect the student's situation just prior to and throughout the testing window.

- The medical incident or condition must be identified and verified in writing by a licensed physician and kept on file by the local district.

## Resources

See [Accelerated Learning](#)

See [Accommodations, Modifications, Supplementary Aids and Services](#)

# Student Records

## What's Required

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

## What We Do

The parent has the right to review their student's entire education record. The school may presume that the parent has authority to inspect and review records relating to their student unless advised that they do not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

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

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

## Confidentiality

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

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

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

If the student attends a private school, the parent's consent must be obtained before any personally identifiable information about the student is released between officials in the school district where the private school is located and officials in the school district where the parent resides. No parental consent is required to request records if the private school and student are located within KISD boundaries.

## Amending Records

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

- Within a reasonable time, the school must decide whether to amend the information.
- If the school refuses to amend the information as requested, it must inform the parent of the refusal and of their right to a hearing to challenge the information in the records.
- This type of hearing is a local hearing under [FERPA](#) and is not an Individuals with Disabilities Education Improvement Act (IDEA) due process hearing held before an impartial hearing officer.
- If, as a result of the hearing, the school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must change the information and inform the parent in writing.
- If, as a result of the hearing, the school decides that the information is not inaccurate, misleading,

or otherwise in violation of the privacy or other rights of the student, the parent must be informed of their right to place a statement commenting on the information in the student's records for as long as the record or contested portion is maintained by the school.

- If the parent revokes consent in writing for the student's receipt of special education and related services after the school initially provided services to the student, the school is not required to amend the student's education records to remove any references to the student's previous receipt of special education services.
- However, the parent still has the right to ask the school to amend the student's records if the parent believes the records are inaccurate, misleading, or violate the student's rights.

## Texas Public Information Act

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

## Resources

[Austin ISD Online Public Information Act Request Form](#)

# Transition and Graduation

## What's Required

Texas requirements for transition services are aligned to the federal requirements included in Individuals with Disabilities Education Improvement Act (IDEA), which include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills. Federal law requires that transition services and activities be included in the development of the [IEP](#) no later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the ARD Committee.

TAC § 89.1055

In Texas, the ARD committee must consider and, if appropriate, address specific transition related information not later than age 14. Each year thereafter, the ARD committee will review the information, and if necessary, update the relevant portion(s) of the [IEP](#).

By age 14, the following information is required to be considered, and if appropriate, addressed:

- Appropriate student involvement in their transition to life outside the public school system
- Appropriate parent involvement in the student's transition (if the student is younger than 18 years of age)
- Appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled (if the student is at least 18 years of age)
- When appropriate
  - Postsecondary education options

- Functional vocational evaluation
- Employment goals and objectives
- Independent living goals and objectives
- Availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, aligned with the student's transition goals and objectives (if the student is at least 18 years of age)
- Appropriate circumstances for referring a student or the student's parents to a governmental agency for services

By age 16, the following information is required to be considered, and if appropriate, addressed:

- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to
  - Training
  - Education
  - Employment
  - Where appropriate, independent living skills
- Transition services, including courses of study, needed to assist the student in reaching those postsecondary goals

By age 17, and no later than one year before the student's 18th birthday, [prior written notice](#) of the transfer of the parent's rights to the student at the age of 18 must be provided to the student's parent. See [TEA's Notice of Transfer of Rights](#).

When a student turns 18, their ARD committee must consider and, if appropriate, address the adult student's parent involvement in the the adult student's transition and future if:

- The parent is invited to participate by the adult student or by Austin ISD
- The parent has the adult student's consent to participate pursuant to a supported decision-making agreement

## What We Do

### What is Transition for a Student with Special Needs

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

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



# Transition and Employment Guide

Austin ISD must:

- Post the Texas Transition and Employment Guide ([English](#)) ([Spanish](#)) on the district's website.
- Provide written information and, if necessary, assistance to the parent regarding how to access the electronic version of the guide at
  - The [ARD Meeting](#) at which transition is discussed or
  - The first [ARD Meeting](#) that occurs after the guide becomes available if the student's [ARD Committee](#) has already met previously to discuss transition.

In Austin ISD, transition services mean working as a team with the student, parent, school staff and outside agencies or community service to develop a coordinated set of activities for a student with a disability that is based on the individual student's needs, taking into account the student's:

- Strengths, Preferences and Interests, including
  - Instruction
  - Related services
  - Community experience
  - The development of employment and other post school adult living objectives
  - If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
- All of these activities will be considered for each student, however specific activities will be determined by the needs of each student.
- Transition is a results-oriented process that is focused on improving the academic and functional achievement of a student with disabilities to facilitate the movement from school to post-school activities.
- These activities, through state procedures, begin on or before the student turns 14 years old with postsecondary goals in education or training, employment and if appropriate, independent living skills based on age-appropriate transition assessments and, an examination of transition issues including the appropriate courses of study based on transition goals.
- The [IEP](#) will include transition services which are needed to assist the student in reaching those post-secondary goals.
- The Case Manager is responsible for providing, when appropriate, parent, teacher, and student input forms for transition planning and/or as a portion of transition assessment.
- Although transition planning must be in place by age 14, it can be completed earlier, depending on the needs of the student.
  - Earlier transition planning, when appropriate, can be considered for students with moderate to severe disabilities who may need additional services from outside agencies with long waiting lists.
- Appropriate student involvement in the student's transition to life outside the public school system includes student's participation in the ARD committee.
  - Best practices would indicate that to the extent possible, the student should lead a portion of the [ARD Meeting](#) taking into consideration their capabilities.
- The student will be invited to the [ARD Meeting](#) when transition services will be discussed.
- The [ARD Committee](#) will make decisions regarding transition goals and services based on

- age-appropriate transition assessments.
- The transition goals and services in the student's [IEP](#) will be updated annually.
  - An [ARD Committee](#) will consider, and if appropriate, address the issue of a formal functional vocational evaluation.
    - A formal functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes, and skills. Information is gathered through situational assessments in the setting where the job is performed and takes [ARD Committee](#) input and parent permission.
    - The [ARD Committee](#) identifies students who will benefit from services in a vocational program such as Community Based Instruction (CBI), Community Based Vocational Instruction (CBVI) or Work Based Learning (WBL).
    - The informal or formal functional vocational evaluation can be a useful tool in assessing progress for these students. The informal functional vocational evaluation is an ongoing data collection process and is part of a student in special education services ongoing data collection process.
  - Age-appropriate instructional environments will be available for students who are 18 years of age and older.
    - The [ARD Committee](#) must determine the appropriate environment for each student in this age category on a case-by-case basis, but decisions should be made by taking into consideration what typical students in general education are doing at that age (e.g., college, technical school, employment, volunteer positions, etc.) and the comparable environments available.
  - Formal transition planning is completed during the [ARD Meeting](#) and focuses on assisting students with disabilities to become independent within the community, to the greatest extent possible.
  - For students with Autism Spectrum Disorders (ASD), IEP goals and objectives will address the skills necessary to function in current and future environments.
    - Transition (or futures) planning for students with ASD, at any age, includes [ARD Committee](#) determination of need, and establishment of a plan, if appropriate, to support the student's successful transition from current to next environment(s).
    - Such support might also include assisting students to transition from elementary to middle school level, from middle to high school, and/or across instructional settings.
  - Prior to the student's 17th birthday, the Notice of Transfer of Parental Rights must be completed. Refer to the current Individuals with Disabilities Education Act (IDEA) for more detailed information regarding this subject.
  - Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
  - By age 17, inform student/parent of transfer of rights to student when students reach age 18 and complete the transfer of rights statement in the ARD Supplement: Personal Graduation Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
  - If a student's goal is to be employed after graduation from high school, the appropriate courses should be included in the [IEP](#) and addressed on the Graduation Options supplement; this begins documentation of the student's goals after graduation.
  - Adult service providers (agencies) should be included at the transition meeting prior to graduation, depending upon services needed by the individual student. If an agency commits to providing a service and that service is never provided, the [ARD Committee](#) must reconvene to determine how that need will be met.

## Summary of Performance: A Report for Students Exiting Public School or Graduating Seniors

For all graduating seniors or students exiting public school because of age eligibilities, a Summary of Performance (SOP) will be provided to the student, which includes:

- The student's post-secondary goals, academic achievement, and functional performance
- Recommendations on how to assist the student in achieving their post-secondary goals
- Written recommendations of outside agencies
- Views of the parent and student

Best practices include the student in creating the SOP when possible and making the student aware of its contents. The SOP will be provided to the student for use with agency and post-secondary educational environments to facilitate the student's post-secondary transition success.

The Summary of Performance should include the following:

- Demographics: Enter campus, year of graduation, student's name, date of birth, primary and other disabilities, dominant language, and date of most recent ARD Meeting in the appropriate spaces.
- Student's Interest: Select the student's post-secondary interest. Both employment and education may apply. If the student is interested in employment, select part time or full time. Complete career interest section. "College" is not acceptable, because this section requires a career goal. If the student is identified as MR or MI and will not be attending college or seeking employment, complete this section with "day activities" and proceed accordingly.
- Student's Strengths: Review PLAAFPs, also ask the student in what course he/she does best. (i.e. What are your favorite courses?). Attendance can also be included. Prompt the student if he/she cannot answer the question. If the student will be seeking employment, relate their strengths to the post-secondary career goal. This is more specific than student strengths and can include extracurricular/community activities and other student accomplishments.
- Recommendations/modifications/accommodations to consider for meeting post-secondary education/training goals and/or employment goals: Ask the student what supports have worked for him/her in the past? (i.e., extended time, assignment notebook, etc.) and relate to the student's goal. If the student will be working with a job coach, place in this section.
- Agency Information: Indicate how the student was linked to an agency, e.g., student is a client with (DARS, MHIDD), Student has completed an application with, student has met with a counselor at, student/parent received information about DARS on, etc.
- The school will ensure all graduating seniors have a graduation option identified and a Summary of Performance completed.

### Summary of Performance

Graduation with a regular high school diploma terminates a student's eligibility to receive special education and related services. A summary of performance is required when a student's eligibility terminates due to graduation with a regular high school diploma or the student exceeds the age eligibility for a free appropriate public education.

A summary of performance is required when a student's eligibility terminates due to graduation with a regular high school diploma or exceeding the age limit of a free appropriate public education. The summary of academic and functional performance must consider the views of the parent or guardian, the views of the student and written recommendations from adult service agencies on how to assist the child in meeting postsecondary goals.

An evaluation must be included as part of the summary of performance for students graduating based on:

- Completion of the credit requirements for graduation under the Foundation High School Program or the Minimum High School Program through courses, one of more of which contain modified curriculum
- Satisfactory performance on required end-of-course assessments, unless the [ARD Committee](#) has determined that satisfactory performance on the required end-of-course assessments is not necessary for graduation and
- Completion of the [IEP](#) as well as compliance with Texas Education Agency (TEA)'s [Graduation Framework](#).

## Graduation

Senate Bill 673 (Scooter's Law) and Tex. Educ. Code §28.025(f) ensures that students who receive special education services but who have not yet completed the requirements of their [IEPs](#) have the opportunity to participate in a graduation ceremony upon completion of four years of high school. Austin ISD shall issue a certificate of attendance to a student who receives special education services and who has completed four years of high school but has not completed the student's IEP. A student who completes all graduation requirements except for required end-of-course assessment instruments may be issued a certificate of coursework completion. These students also have the opportunity to participate in one graduation ceremony.

# Translation and Interpretation

## What's Required

**Texas Education Code § 29.005. Individualized Education Program.** [Excerpt]

(d) If the child's parent is unable to speak English, the district shall:

(1) provide the parent with a written or audiotaped copy of the child's individualized education program translated into Spanish if Spanish is the parent's native language; or

(2) if the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's individualized education program translated into the parent's native language.

## 34 CFR § 300.322 (e) Parent Participation

The public agency must take whatever action is necessary to ensure that the parent understands the proceedings of the [ARD Meeting](#), including arranging for an interpreter for parents with deafness or whose native language is other than English.

### **34 CFR § 300.503(c) Notice in understandable language**

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

## **What We Do**

Communication and collaboration with families is an essential component of the student-centered ARD process. Campuses will take action to ensure that every parent understands the proceedings of the [ARD Meeting](#). This includes arranging for a language interpreter for parents whose native language is other than English and for parents with deafness. If an interpreter is required at an [ARD Meeting](#), and the parent or guardian is not in attendance, Austin ISD must provide a copy of the [IEP](#) to the parent or guardian in their native language.

- For interpretation during the [ARD Meeting](#), the translator/interpreter must be trained as a language translator/interpreter by Austin ISD. At times, Austin ISD hires qualified independent contractors to serve as interpreters.
- The interpreter for the hearing impaired must be trained as an interpreter for the hearing impaired.
- For all languages, the school must request a translator/interpreter through the Translator Request form, giving as much advance notice as possible to ensure the request can be filled, especially for languages other than English, which can be difficult to obtain.

Austin ISD endeavors to provide an accurate oral translation/interpretation of the [ARD Meeting](#) where all elements of the [IEP](#) are discussed and a recording of the translation is provided to the parent. For all regulatory, audit and legal purposes, the English document is the only official document. Should any dispute arise over the contents of an IEP, the only document that shall be considered legally binding shall be the English document.

# Transportation

## **What's Required**

Transportation and assistance may be provided to a student whose disability requires the student to:

- go to and from school;
- travel between schools; or
- move around inside of school buildings or around the school grounds.

Some students with disabilities need special equipment such as separate or adapted buses, lifts and ramps.

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

- Specialized or [adaptive equipment](#) for persons who require specialized positioning or seating;
- A skilled nurse to conduct invasive procedures;
- Bus monitor; or
- Air-conditioned vehicles for persons who are sensitive to heat or prone to seizures

## What We Do

There is no specific evaluation for the provision of transportation as a related service. The [ARD Committee](#) is responsible for determining if transportation is required to assist a student with a disability to benefit from special education and related services, and how the transportation services should be implemented. The [IEP](#) should describe the transportation services to be provided.

Transportation as a related service may also include travel training, which is instruction that enables a student with disabilities to develop awareness of the environment and learn skills needed to move safely from place to place within the environment.

### Local Transportation Rules

Austin ISD's Student Success Guide governs expected behavior by all students. Violation of school bus rules and regulations may result in restrictions. The student will follow local procedures unless the [ARD Committee](#) recommendations are different.

When changes are made to a student's transportation service, routes must be revised. Families should plan to provide transportation to and from school up to five business days after such changes are requested during the school year. Drivers will contact families to provide route information.

# Visual Impairments Services

## What's Required

Austin 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)(i) and 20 USC 1412(a)(5)(A)]
- 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)(ii) and 20 USC 1412(a)(5)(A)]
- 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 [ARD Committee](#) must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

## What We Do

Austin ISD offers a continuum of placement options for students with [visual impairments](#). These include:

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

### Components of services for students with Visual Impairment:

- Determined by the [ARD Committee](#)
- Based upon individual needs of student
- May Orientation and Mobility (O&M) as determined by the [ARD Committee](#)
- May include services from a Braille specialist
- May include technology support
- Expanded core curriculum

### Personnel have knowledge and competencies in the following areas:

- Extent to which significant visual loss impacts access to the general curriculum, social skills and skills for daily living
- Specially designed instruction
- Accommodations and modifications
- Technology supports including use of Braille, magnification and travel training

## Orientation and Mobility Services

Orientation and Mobility (O&M) is a very important component in the spectrum of services provided to students with [visual impairments](#). In addition to the general education that all students receive, students with visual impairments, starting at birth, also need the Expanded Core Curriculum to meet needs directly related to their vision disability (NASDSE, 1999, p. 70). O&M is one of the related services within the Expanded Core Curriculum for students with visual impairments. Movement, independent or supported, is critical for learning. Orientation & mobility (O&M) is recognized in Individuals with Disabilities Education Improvement Act (IDEA) as a related service, which may be required to assist a student with a visual impairment to benefit from special education. Orientation and mobility specialists provide instruction to students whose visual impairment has adversely affected their ability to travel. It is a necessary skill in the achievement of independence. "Orientation" is the ability to know where one is and how to get to a desired location. It includes body awareness concepts, spatial concepts, and environmental concepts. "Mobility" is the ability to safely navigate

from one's present location in the environment to one's desired location in another part of the environment. It includes skills such as guide technique, self-protective techniques and cane skills 34 CFR § 300.304(c)(4) requires that "the student is assessed in all areas related to the suspected disability" and 34 CFR 300.304(c)(6) requires that "the evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs".

### **Referral Process for Students with Vision Loss**

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

### **Service Delivery Models**

- The types of service delivery models available include:
  - Monitoring/Consultation
  - Direct
  - Integrated
- The [ARD Committee](#) determines the appropriate service delivery model and the frequency and duration of services based on the evaluation and recommendation from the O&M specialist.

TEA provides guidance for Services to Students who are Blind or Visually Impaired. The Education Service Center will be contacted if further assistance is needed for training, assessment or other services.

### **Resources**

See [Accessible Instructional Materials](#)

See [Continuum of Services](#)

[TEA Guidance on Navigating Accessibility for Students Who Are BVI](#)  
[Health & Human Services: Early Childhood Intervention Services](#)