



# **INGRAM INDEPENDENT SCHOOL DISTRICT SPECIAL EDUCATION STAFF HANDBOOK**

**2020-2021**

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## Acknowledgement

Special education staff at Ingram ISD make a contribution to the success of our students each and every day! We would like you to know that you are truly appreciated by this school district. We may not take the time to tell you as often as we should. This is one way we can say thank you for all that you do in support of our exceptional learners! You are a blessing to Ingram ISD!



This handbook is provided to you as a source to reference. Please understand that this document is a work in progress and any suggestions you have are welcomed. Each year we will continually improve upon the handbook and edit it to meet our district needs. Your input is greatly appreciated. The special education staff is responsible for reading, learning, and following the procedures of the Ingram Independent School District Special Education Handbook.

*Holly Lambert*

Holly Lambert, EdD

Director of Special Populations and Testing

Ingram ISD

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## SECTION I- GENERAL INFORMATION

Ingram ISD operates under Ingram ISD School Board Policy. This guide follows School Board Policy and includes Texas and Federal IDEA regulations. All Administrators, Staff and Stakeholders have access to this document.

### Who's Who of 2020-21 Special Education Department Staff

Name	Position	Contact Information
Dr. Holly Lambert	Director of Special Populations and Testing	<a href="mailto:hlambert@ingramisd.net">hlambert@ingramisd.net</a> 830-367-5517 ext. 511
Jennifer Harris	Special Education Administrative Assistant	<a href="mailto:jharris@ingramisd.net">jharris@ingramisd.net</a> 830-367-5517 ext 500
Pam Blair	LSSP- Elementary	<a href="mailto:pblair@ingramisd.net">pblair@ingramisd.net</a> Ext. 309
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Stacey Cannon	Speech Pathologist	<a href="mailto:scannon@ingramisd.net">scannon@ingramisd.net</a> Ext. 312
Tiffany Haag	Speech Therapy Assistant	<a href="mailto:thaag@ingramisd.net">thaag@ingramisd.net</a> Ext. 312
Lisa Scarpa	Occupational Therapist	<a href="mailto:lisascarpa@sbcglobal.net">lisascarpa@sbcglobal.net</a>
Regina Nelson	Occupational Therapist	<a href="mailto:rdj_27292@yahoo.com">rdj_27292@yahoo.com</a>
Kelly Rabon	Physical Therapist	<a href="mailto:kellyrabon@gmail.com">kellyrabon@gmail.com</a>
Barbara Talamantez	Auditory Impairment Teacher	<a href="mailto:btalamantez@gvtc.com">btalamantez@gvtc.com</a>
Vicki Coronado	Visual Impairment Teacher	<a href="mailto:tjs961@sbcglobal.net">tjs961@sbcglobal.net</a>

Monica Templeton	Special Ed Counselor	<a href="mailto:inspirecounselingservices@gmail.com">inspirecounselingservices@gmail.com</a>
David Skinner	Special Ed Teacher CPI Instructor	<a href="mailto:dskinner@ingramisd.net">dskinner@ingramisd.net</a>
Anthony Ramirez	Special Ed Teacher/Coach	<a href="mailto:aramirez@ingramisd.net">aramirez@ingramisd.net</a>
AJ Knaggs	Inclusion/Vocational Special Ed Teacher	<a href="mailto:ajknaggs@ingramisd.net">ajknaggs@ingramisd.net</a>
Kelli Goldsberry	Life Skills Teacher- IMS/ITM	<a href="mailto:kgoldsberry@ingramisd.net">kgoldsberry@ingramisd.net</a>
Catherine Aguero	LifeSkills Aide- IMS/ITM	<a href="mailto:caguero@ingramisd.net">caguero@ingramisd.net</a>
Mary Jeffers	Special Ed Teacher	<a href="mailto:mjeffers@ingramisd.net">mjeffers@ingramisd.net</a>
Katherine Bockoven	Special Ed Teacher	<a href="mailto:kbockoven@ingramisd.net">kbockoven@ingramisd.net</a>
Lori Payne	Special Ed Teacher	<a href="mailto:lpayne@ingramisd.net">lpayne@ingramisd.net</a>
Lynn Fredrich	Special Ed Teacher	<a href="mailto:lfredrich@ingramisd.net">lfredrich@ingramisd.net</a>
Donna Abajian	Special Ed Aide	<a href="mailto:dabajian@ingramisd.net">dabajian@ingramisd.net</a>
Emma Fintel	ECSE/FLU Teacher	<a href="mailto:efintel@ingramisd.net">efintel@ingramisd.net</a>
Patty Ovalle	ECSE/FLU Aide	<a href="mailto:povalle@ingramisd.net">povalle@ingramisd.net</a>
Shanna Evans	ECSE/FLU Aide	<a href="mailto:sevans@ingramisd.net">sevans@ingramisd.net</a>

**STAFF: As professionals;**

1. You are expected to read this document and be aware of all IISD policies and procedures.
2. You are expected to utilize this document and other forms as resources, and as compliance tools.
3. Questions regarding compliance and policy may be directed to the Special Education Director.

4. This handbook is an evolving document that will be updated as needed to service IISD needs.

#### **Nondiscrimination (from Texas Education Agency website)**

No qualified student with a disability will, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district service, program, or activity. [42 USC 12132; 29 USC 794; 34 CFR §104.4(a)]

#### **Provision Of Special Education (from Texas Education Agency website)**

Eligible students with disabilities will enjoy the right to a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction will be supplemented by the provision of related services when appropriate. [TEC §29.003(a)]

#### **Least Restrictive Environment (from Texas Education Agency website)**

A district will ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when 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. [20 USC 1412(5)(A); 20 USC 1413(a)(1); 34 CFR §300.114(a)(2)]

#### **Child Find (from Texas Education Agency website)**

A district will ensure that all children residing within a district who have disabilities, regardless of the severity of their disabilities, including children with disabilities who are (a) homeless, (b) wards of the state and/or (c) attending private schools, and who are in need of special education and related services are identified, located, and evaluated. A district will have a practical method for determining which children are currently receiving needed special education and related services and which children are not currently receiving needed special education and related services. This requirement applies to highly mobile children (including migrant children) and

children who are suspected of being in need of special education but who are advancing from grade to grade. Children who have previously received special education and related services and whose parents subsequently revoke consent should not be treated any differently in the child find process than any other child, including a child who was determined eligible and whose parents refused to provide initial consent for services. [20 USC 1412(a)(3) & 1413(a); 34 CFR §300.111(c)] (Items in italics appear in the December 2009 34 CFR Part 300 Analysis of Comments and Changes)

### **Aiding Students Who Have Learning Difficulties or Who Need Special Education or Section 504 Service (As Cited by the Texas Education Agency)**

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

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

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

Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts and charter schools must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of

being a child with a disability and in need of special education. However, a verbal request does not require the district or charter school to respond within the 15-school-day timeline.

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

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

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

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

Contact Person for Special Education Referrals:

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

Contact Person: Special Education Secretary

Phone Number: (830)367-5517 x500

**Additional Information:**

The following websites provide information and resources for students with disabilities and their families.

- [Legal Framework for the Child-Centered Special Education Process](#)
- [Partners Resource Network](#)
- [Special Education Information Center](#)

- [Texas Project First](#)

### **Special Education Contact Information**

The Special Education Office is located at Central Office on 510 College Street. The telephone number for the Special Education Office is (830) 367-5517 and the fax number is (830) 367-4869. The Special Education Office provides special education services throughout Ingram ISD. The goal of this office is to facilitate the instruction of special education students by providing administrative support, instructional support and related service support to all Ingram ISD students, parents, and staff.

### **Work Hours**

Staff members should report to work at either the SPED office or to a school campus each work day by the time designated by your campus administrator. Diagnosticians, LSSPs, Speech Pathologists and administrative staff should report to the campus no later than 8:00 AM. The work day will end at the time designated by the campus administrator. Central Office hours are 8:00-4:30 daily. Central Office summer hours are from 8:00-4:00 Monday through Thursday.

### **Daily Schedule**

Special education teachers must email the Special Education Director a copy of their daily schedule by the end of the second week of school. Your schedule must include the class/subject, initials of students you are working with, time of the day, and the days of the week if they are different. Your conference period and lunchtime also must be noted on the schedule. If you have an aide assisting you then a copy of their schedule must be submitted also to the Special Education Office. A new copy of the schedule must be emailed as schedule changes occur. Employees must make the Special Education office aware of their daily schedule so they can be reached when needed or in case of an emergency. If it is necessary for you to leave work early, please notify the campus administration and Special Education office via phone call, text message, or email.

## **Absences**

Absences need to be submitted through Substitute Request on the Ingram ISD website and will be approved by the Principal or Director of Special Education.

Diagnosticians/LSSP and Speech Pathologist must fill out an absence from duty form a week prior to the anticipated absence and get the absence approved through Special Ed. Director. If it is necessary for you to be absent because of sudden illness or an emergency, then email, text, or call the Special Education Secretary and/or Principal ASAP. Please try to schedule any appointments at the beginning or the end of the school day when possible.

## **E-mail**

Because the Special Education staff works on several campuses throughout the district, important information will be disseminated through email. Staff are required to review email daily. ARD invitations will be sent out through Google calendar email. It is vital that you respond to these invitations so it is known if you will be attending or not. Please remember that emails are records and are the property of Ingram ISD. E-mails should always have a professional tone and should be limited to work related topics. When emailing about a student, use the student's initials and does not include confidential information. IEP's should not be emailed to teachers but printed and marked confidential for teaching staff. Any student evaluations should be delivered in person to the case manager or archived to be obtained from ESPED.

## **Mailboxes**

Mailboxes are located in your campus office. All memos, mail, messages, etc. will be placed in mailboxes as soon as they are received. All official Ingram ISD correspondence (calendars, notices, etc.) will come to you via email or pony mail. It is important that staff members check boxes on a regular basis. Messages of an emergency nature will be delivered directly to the staff member. You will not be disturbed on a campus unless the message is urgent or is an emergency.

## **Visitors**

Visits from outside individuals that are not business related should be minimized. All

nonbusiness visits should be kept short (10 minutes or less). This rule is to protect the confidentiality of the students you work with. Any visitors that wish to stay in your classroom during the day require approval from the Campus Administrator or Special Education Director. Visitors may be asked to sign a Confidentiality Agreement.

## **Confidentiality**

As an employee of an educational institution, you will access individual student records while performing official duties.

Under the Family Educational Rights and Privacy Act (FERPA);

- You are legally and ethically obligated to safeguard the confidentiality of any information they contain.
- You are required to use good judgment in the storage and disclosure of personally identifiable information. FERPA-related violations may have serious repercussions.

## **Phone Calls/Social Media**

It is important that school phones are used for school business. Cell phones are to be used only at appropriate times; during lunch, conference period, before or after school. Parents should contact you on your classroom phone and not on your personal cell phone. All personal phone calls should be limited. Using Social Media during school hours is highly discouraged. Remember if you are posting messages and images on social media to protect the confidentiality of our students.

## **Keys and Building Security**

Keys may be obtained from campus personnel (secretary, assistant principal, etc). You are responsible for the use of your key so do not loan it to other people. Please make sure you lock your doors and secure any special education files in cabinets or drawers daily.

## **Materials/Supplies/Purchase Orders**

General office supplies are available to you on your campus. Special materials and/or supplies must be approved by the Special Education Director prior to order. You have a purchase order form for classroom materials. Staff can make requests for materials, supplies, technology, and staff development through the use of the Ingram ISD



Purchase form. The Purchase Form must be submitted with all other required paperwork. This form is submitted through Google forms to the Special Education Director. The Special Education Secretary will complete the order form and submit the PO.

### **Field Trips**

Special Education students should attend field trips with their grade level. It is strongly suggested that the inclusion teacher or other chaperones accompany them on the trip. Chaperones must fill out the background check form prior to attending a field trip. If you wish to take your class on a field trip (FLU/ECSE), please fill out the field trip form on your campus for approval. There are many field trip locations that are equipped to provide a great learning experience for our students. Please talk to the Special Education Director if you need help finding field trips.

### **Remote/Virtual Learning**

In times of district or state ordered school closures due to pandemics or other emergencies, the special education department will make every effort to meet the unique needs of the students and provide FAPE while maintaining the safety of students, parents, and staff. We are aware that services might look different and be difficult, at times, to complete remotely or virtually. Some of the ways Ingram ISD will provide services but are not limited to- Google Classroom/Meets, Zoom meetings, Facetime/phone calls, teletherapy, home drop offs of materials, paper packet pick-up/drop-offs, and video recorded lessons. The ARD committee will create a contingency plan to help streamline the process of moving from in person to remote instruction and vice versa. When remote learning has ended, ARD meetings will be held as needed to make compensatory services available for the students who need it. The decision for these services will be decided on a case by case basis by an ARD committee.

## **SECTION II- ROLES, RESPONSIBILITIES, AND PROCEDURES**

### **Special Education Secretary's Roles and Responsibilities**

- Once Google ARD scheduling form is received- set ARDs on Google calendar
- Schedule events for the Special Education Director on the calendars.

- Answer calls, take messages, and transfer calls for Special Education/Central Office
- Assist assessment personnel in keeping track of evaluation timelines.
- Assist case managers in keeping track of annual ARD dates.
- Manage ESPED access and functionality.
- Transfer and receive ESPED files for students.
- Every 6 weeks- spot check that progress reports are being archived.
- Spot check ARD documents.
- Send out ARD notices.
- Collect failure forms and file them in student folders
- Ensure ARD documents are being archived in a timely manner, within 2 days of ARD completion.
- Can act as ARD facilitator if needed.
- Take deliberation notes during ARD as needed.
- Purchase orders and contracted employee contracts and payments
- Manage Special Education accounts
- Manage SHARs (personal care billing) .
- Enter PEIMS data on special education students
- Meet with parents and get consent forms signed for testing.
- Set up payments for workshops once they are approved by the Director.
- Send a list of special education students to each campus administration once every six weeks.
- Other duties as the need arises

### **Special Education Teacher/Case Manager Roles and Responsibilities Monthly Checklist**

(other duties may be assigned as a need presents itself)

**Note:** ARD prep will be completed a week prior to ARD date. The Special Education Director and/or LSSPs will check the ARD preparation. Contact the Special Ed office about scheduling a staffing when problems are anticipated with an upcoming ARD. It is better to address concerns in a staffing than let the issues get out of hand during an ARD.

#### **August:**

- Locate student folders and organize IEPs and accommodation sheets for special education students (including BIPS and BIP/IEPs if a student has one).

- ❑ Obtain a copy of the student's STAAR Report Cards grades 3-12 from CTCs and begin to analyze strengths and weaknesses (go into your PLAAFPs) Compare to the IEP goals and objectives to ensure maximum support of student success. If there are any concerns please make the Special Education Director aware of your concerns.
- ❑ Obtain student schedules and begin planning the student's time for services with speech, OT/PT, VI, AI, counselors, etc. Set up your schedule.
- ❑ Set up meetings with grade levels/ teachers to discuss special education students within the first 2 weeks of school. Provide copies of IEP information to general education teachers and have them sign the receipt. These meetings are to promote success for the student.
- ❑ For resource time, use student sign in/out sheets to keep a daily log of the students and the amount of time they receive.
- ❑ For inclusion, use an inclusion/service log sheet to keep track of inclusion minutes. A copy will be submitted every 6 weeks to the Director.
- ❑ Document any ESY regression/recoupment data for the students who attended ESY.
- ❑ Use ARD request form (Google Form) to request ARDs for the year. Tentatively set dates for all annual ARDs for the year. Meet with the Director or Secretary if there are questions about scheduling.
- ❑ Meet with a Speech Therapist to determine when students will receive speech services.
- ❑ Begin holding ARD meetings as needed or as annuals come. Use the ARD checklist and agenda for each meeting.
- ❑ Discuss with your Principal who is responsible for tracking "discipline" days or days out of placement as an ARD may be required to make adjustments to help the student be more successful in that setting. (Manifestation Determination)
- ❑ Make sure in ESPED you are listed as the case manager for the students you are serving.

**Every Six Weeks:**

- ❑ Share grades from pull out sessions with the general education teacher so that they may record that grade.
- ❑ For self-contained classes, send/share a copy of lesson plans weekly with the director.
- ❑ Update your weekly schedule and send a copy to the director and campus administrators.

- ❑ Collect data and work samples and document progress on the active copy in ESPED of the IEP goals and objectives and archived in the “Progress Reports” folder after you have added the progress.
- ❑ Print Progress Reports from ESPED for each student to send home with report cards. Also, archive them and email a copy home to parents either through Frontline software or download a copy to email through Google email account.
- ❑ Keep a copy of the archived progress report for your records in the student’s IEP folder.
- ❑ Obtain records of student’s grades. If the student is failing a class then you must meet with the teacher to form a plan of action on how to help the student become successful for the next six weeks and the rest of the year. (Use Failure Documentation form) A copy must be turned into Special Ed Director.
- ❑ If a student fails again, then you must call an ARD to make adjustments to help the student become more successful. Please create a new failure form or update the Failure Documentation form and give a new copy to the Special Ed Director.
- ❑ Give a copy of the STAAR testing page with accommodations to Campus Testing Coordinator after each ARD for students who take the STAAR test. This is important to ensure correct tests and accommodations are given during state testing.
- ❑ You may have to assist by completing observations during the evaluation process for students. Please complete these within 2 weeks of receiving them. We do not want to slow down the evaluation process.
- ❑ Fill out the ARD schedule form to send to the SPED secretary for scheduling ARDs. Case manager will contact parents and set up a date. The SPED secretary will send out a GMAIL invitation.
- ❑ Accept or decline ARD calendar invitations as you receive them.
- ❑ Fill out the ARD committee meeting membership checklist for each student and keep in their folders so you know who to invite to ARDs.
- ❑ Send an updated copy of your schedule (as needed).
- ❑ Input and submit SHARS billing in X Logs system monthly.

**Bring To Every Annual ARD/IEP Meeting:**

- ★ Current IEP and Progress Report for goals and objectives.
- ★ New DRAFT copies of proposed IEP
- ★ Any benchmarks or state assessment data.
- ★ Copies of data taken on progress to share with parents.
- ★ Copy of student’s most recent report card.
- ★ Any work samples to help show strengths and weaknesses.

- ★ HS- Copy of Student Transcript to help complete graduation and transition plans. Summary of Performance ESPED form for HS Seniors only.
- ★ Copy of Procedural Safeguards for parents (Annual ARDs).
- ★ Attendance data if student is chronically absent
- ★ Failure documentation

### **September:**

- Verify that the student's schedule of minutes matches your schedule before turning in a copy of your schedule. If you need help making your schedule work please talk to the Special Education Director for help.
- Email or school mail a hard copy of your schedule to the Special Education Director's office by September 10th, 2019.
- Finish tentatively scheduling all annuals for the semester with Special Education Secretary. (Use Google form to submit request)

### **October:**

- Make sure the student's schedule is consistent with the instructional arrangement in preparation for the upcoming "Snapshot" Day. Check with PEIMS personnel on your campus and special education secretary.
- Begin to gather documentation on effectiveness of accommodations for upcoming testing.
- ESY testing and documentation for ARD.
- HS- Hold ARDs to make any State Testing changes before EOCs in December.
- Begin STAAR online tutorials with students at High School.

### **November- December:**

- Continue to document effectiveness of accommodations and start thinking about State Testing options and accommodations. No ARDs to change state testing will be held within 2 weeks before test administration without the Director's approval.
- Start scheduling second semester annual ARDs with the Special Education Secretary.

### **January-February:**

- Document any regression noted for ESY consideration after Christmas break.
- HS- Review exiting seniors for documentation of: adult service agencies, post school training, employment, etc. This information will be documented in the ARD deliberations.

- ❑ Hold ARDs to update State Testing choices and accommodations for spring testing season. No ARDs to change state testing will be held two weeks before test administration without the Director's approval.
- ❑ Start using STAAR online tutorials for Spring testers.

**March:**

- ❑ After Spring Break, if you have a student that you are considering for ESY, document any regression and recoupment of critical skills.
- ❑ Order any resources before the cut off date in April. See SPED secretary for the date.
- ❑ Hold ESY ARDs and start planning for the student to attend ESY.
- ❑ HS- check on graduating seniors to make sure they are on track for graduation.
- ❑ Start holding transition ARDs.

**April:**

- ❑ Meet with the principal/ director to discuss concerns for next year. Let's be proactive and make each year even better for our students.
- ❑ For graduating seniors, make sure all requirements have been met and the proper documentation has been completed. (See counselor to help with questions)
- ❑ Continue transition ARDs.

**May:**

- ❑ All SPED documents should be locked in a secure location. (If you are not returning next year, please make the office staff aware of where your SPED files are locked up.)
- ❑ Remind general education teachers to turn in current IEPs to you so you can collect them to redistribute next year or shred any extra copies. (This will save you extra work next year.)
- ❑ Get any materials together for students attending ESY. You are in charge of sending materials for the students to work on while in ESY. Turn these materials into the Special Ed office.
- ❑ Find summer training to help you grow in your weaker areas of knowledge- complete earned off form and the special education director must sign off so you can attend training. Look for content specific training to enhance inclusion practices.

## **The Role of the Special Education Paraprofessional**

(not limited to the following list)

- Assist special education teacher
- Provide for physical and instructional needs of students
- Assist with implementation of classroom programs: i.e. Self-help, behavior management, and instructional programs.
- Follow the chain of command and work under the general supervision of the principal and immediate direction of the certified teacher.
- Cooperate and collaborate with the teacher.
- Maintain confidentiality of school and student issues.
- Refrain from contacting parents regarding student issues without teacher permission.
- Assist testing students, diagnosis of student needs, and implementation of the IEP
- Assist in working with students individually or in small groups.
- Support teacher with preparation of instructional materials, IEP's, aids, etc...
- Provide tutorial assistance to individual students and small groups as learning activities are implemented.
- Assist with creation of tasks and lessons to provide opportunities to improve learning based on individual needs of students.
- Assist in maintaining an orderly environment conducive to learning.
- Assist with inventory, care, maintenance and operation of assistive technology devices and equipment utilized in instruction.
- Assist with record keeping and preparation of reports.
- Assist with supervision of students on field trips, and acts as a transport aide if assigned to Special Education bus duty.
- Accompany students on community and vocational training trips off campus (CBI)
- Provide translation services as needed
- Perform other duties and functions as assigned by administration or teacher.
- Demonstrate the ability, skill, patience and understanding to work with behaviorally and physically disabled students.
- Assist students with physical disabilities according to their needs, including transferring to and from wheelchairs, lifting, or positioning.
- Assist students with personal care; including feeding, bathroom needs, and personal hygiene.

- Assist with managing student behavior, including crisis situations and controlling disruptive or dangerous student behavior, which may include the physical restraint of a student.
- Assume personal responsibility for learning and adapting to each student's medical, physical, communicative, emotional, and academic needs.
- Assist with supervising students throughout the school day, inside and outside the classroom. This includes lunchroom, bus, and playground duty.
- Keep teachers informed of special needs or problems of individual students.
- Uphold and enforce school rules, administrative regulations and state and local board policy.
- Provide orientation and assistance to substitute teachers and assistants.
- Is responsible for participating in professional development appropriate for job description

### **The Role of the Assessment Staff/Diagnosticians/LSSPs**

It is important that educational assessment staff recognize they are in a support position for special and general education staff on their individual campuses. In order to successfully fulfill this role, it is important that special education assessment staff build a good rapport with personnel in each building and work in cooperation with them to see that the special education team functions efficiently and that services in that building run smoothly. Each campus will have unique ways of complying with necessary procedures. Special education assessment staff are responsible for ensuring that their assigned campus maintains compliance with all state and federal requirements, policies and procedures. Educational assessment staff must be familiar with all facets of the local Ingram ISD program and appropriate personnel. All completed evaluations will be submitted to the Special Education Director for review.

### **Diagnostician/Assessment Staff Responsibilities**

#### **Beginning of the Year:**

- Obtain a list of students on assigned caseload from ESPED.
- Organize caseload time-lines (i.e. Annual Review, Re-evaluation due dates)
- Tentatively schedule REEDs for the year.
- Review ARD paperwork to determine whether any additional assessment was requested the previous school year. If yes, notify the appropriate assessment or related service personnel.



- Coordinate with related service personnel (i.e. occupational therapist, physical therapist, dyslexia service provider, etc.) to obtain their caseload service information.
- Other duties as assigned

### **Weekly:**

- Update Google sheet of Evaluation Timelines weekly.
- Archive all ARD documentation no later than the next school day after the ARD and give a copy to the parent at the ARD. If that is not possible, then a copy will be sent home, emailed, or mailed to the parent the next school day.
- Make sure the case manager is aware of any new students being evaluated. The case manager can be instrumental in helping you to get documentation to support the evaluation process.
- All evaluation documentation will be provided to the case manager at least 10 days prior to the ARD date to allow time to prep the ARD.
- Parents must be called or met with in advance to review evaluations prior to the ARD.
- You must schedule a meeting with the case manager and teacher(s) of the student to review data prior to the ARD meeting date. You must invite the Special Education Director to attend as well. This will allow all parties to prepare for ARD.
- Please contact via google form the special education secretary to schedule an ARD or schedule it on Google calendar.
- Take detailed notes in the deliberations section of ARD paperwork. These notes need to be reviewed at the end of the ARD for accuracy.
- Give copy of Guide to ARD Process and Procedural Safeguards Manuals to parents of newly referred students and at annual ARDs. Spanish copies are available.
- Other duties as assigned

### **Monthly:**

- Work with case managers to schedule ARDs for new evaluations and re-evaluation. Case manager will fill out a form to send to the SPED secretary and she will send out a GMAIL invitation.
- Attend ARD committee meetings. Please let the Director know in advance if you can't attend.

- ARDs to consider ESY can occur throughout the year but must happen by the first week of May for summer school planning purposes.
- Test new student referrals and re-evaluations on each campus within timelines.
- Submit Medicaid (SHARs) billing and related service logs
- Update Google Evaluation Timeline log.
- Update ARD calendar as needed.
- Attend training- Region 20, webinars, etc.
- Other duties as assigned

### **End of School:**

- Verify that all ARD paperwork has been archived in eSped and filed in student folders at Central Office.
- Submit summer professional development documentation form for Earned-Off days to director's secretary.
- Verify PEIMS data is correct.
- Ensure all referral logs/evaluation timelines have been completed and turned in.
- Prepare offices for summer cleaning.
- Other duties as assigned

### **Evaluation of Assessment Staff**

Assessment staff is evaluated by the Director of Special Education on an annual basis using Ingram ISD evaluation forms. Information regarding performance of the assessment staff is requested from the campus principals. This information and other information obtained from parents and staff is considered in completing the evaluation of each assessment staff.

### **Evaluation of Special Education Instructional Staff**

Special Education teaching staff will be evaluated using T-TESS. The Special Education Director along with the collaboration of campus administration will decide on T-TESS evaluation scores. Walkthroughs, conferences, lesson plans, informal and formal evaluations are the methods of collecting data for T-TESS scores. These scores will be used to select professional development for the coming year to promote growth in areas of concern.

### **Presentation of Data in ARD Meetings**

The assessment staff fulfills many roles in ARD meetings. One of the most important roles assumed by the assessment staff in an ARD meeting is that of presenting and interpreting data to other members of the ARD team. In assessing a student, the assessment staff has access to a large volume of information concerning the student and spends considerable time testing the student and writing a comprehensive evaluation report. It is of utmost importance that the assessment staff effectively communicates this information to the entire ARD committee. Evaluation information is the basis for all subsequent decisions pertaining to programming and placement of the student. Convey information in terms that the parents and staff members can understand. Non-evaluation personnel do not have the technical language of evaluation personnel and will not have a complete understanding of test results if such technical language is the only language used to explain test results. In discussing achievement test results, it is important to let other members of the ARD committee know what the student can do and what the student struggles with. Words such as standard deviation and standard scores, which are easily understood by evaluation personnel, may not be understood by other members of the ARD committee. Words such as strengths and weaknesses are more easily understood.

If a student is eligible for special education, be clear in explaining under what disability the student is eligible. Parents and the rest of the ARD committee have a right to know the appropriate disability code. When a parent brings a report from an outside agency or another district, the ARD committee must review and consider the information. Consideration is required, however, the ARD committee determines whether to accept the information or not. This should be documented in the minutes/deliberations. Minutes/deliberations will have detailed information about discussions that occur during the ARD meeting and decisions that have been made.

### **SECTION III: EVALUATION AND DISABILITY INFORMATION**

#### **Standards for Evaluation/Assessment Guidelines (As cited by TEA)**

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

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

There is an exception to the 45-school-day timeline. If a school receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply. Upon completing the evaluation, the district or charter school must give the parent a copy of the evaluation report at no cost. Additional information regarding special education is available from the school in a companion document titled *Parent's Guide to the Admission, Review, and Dismissal Process*.

### **Initial Referrals**

Referral of students for a full and individual initial evaluation for possible special education services will be a part of a district's overall general education, RTI, or parent referral. Prior to referral, students experiencing difficulty in the general education classroom should be considered for all support services available to all students, such as tutorial, remedial, compensatory, and other services. RTI, 504, Dyslexia, or other interventions or disabilities/disorders should not impede a student from getting referred to special education, 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 parents or legal guardian, or another person involved in the education or care of the student. The referral for a full and individual initial evaluation must be completed in accordance with TEC §29.004, not later than the 45th school day. [19 TAC §89.1011]

### **Referral Process for Campuses**

The campus requests a referral packet from the SPED office. Packets are numbered and assigned to a specific child. Packets include two copies of the teacher data form and one copy of the parent data form. Packets will include the following checklist:

#### **Reason for referral:**

- Academic concerns
  - Behavioral/emotional concerns
  - Speech concerns
  - Other- physical, visual, hearing, etc- Please specify below.
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- 
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**Items required for referral:**

- Parent information and date parent was contacted about SPED referral and campus concerns
- Teacher information (filled out by at least two teachers)/Teacher Input Sheets
- RtI data
- Work samples
- Vision and hearing screening (with follow-up results if the student failed one or the other)
- Copy of Home language survey
- District and State assessment scores
- Student grades
- Discipline data
- Woodcock Munoz/ LAS Battery results for EL students
- If a student is in early childhood or homeschool/private school, make sure the student is registered in TxEIS.

When the campus has gathered all the data and checked it off the list, the completed referral packet is returned to the SPED office. The packet is reviewed to ensure all data is present. If not, the packet is returned to the campus to be completed.

When a completed packet is accepted by the SPED office, parents are contacted to sign consent. When consent is signed the assessment timeline begins. Consent **will not** be signed until a referral packet has all data needed for the assessment to begin.

When initial referrals are made to special education, the LSSP/Diagnostician responsibilities include:

- The Special Education Secretary will issue a referral folder to the campus administrator to complete before consent is obtained from the parent.

- The Special Education Secretary will check with the campus registrar to ensure students are registered in TxEIS.
- Review the special education referral packet (student data, teacher input, interventions provided) information to determine if all necessary forms are included and completed in full.
- The Special Education Secretary/Assessment Staff will log the referral on the Google Sheet Evaluation Timelines Log and calculate the due dates.
- The Special Education Secretary/Assessment Staff will have the parent/guardian sign and date the Consent for Full and Individual Evaluation and collect parent/guardian information.
- The Special Education Secretary will enter the student in eSped and enter the date consent was signed.
- Administer appropriate evaluation to the student.
- Complete a Full Individual Evaluation report on students assessed in eSped by due date.
- Communicate results of the evaluation to appropriate school personnel and parent/guardian at least 10 school days prior to initial ARD.
- Notify the Special Education Secretary when initial ARD is due so they can get it scheduled via google form.
- Advise the ARD committee on appropriate designation of impairment/disability.
- Provide feedback and suggestions to teachers and administrators about appropriate teaching strategies and accommodations for the student.
- Responsible for requesting and receiving additional assessment from LSSPs, OTs, PTs, AT, Speech, VI and AI personnel.
- In order to communicate with outside professionals who work with the student an ESPED communication consent form must be signed by a parent. This form must be filled out for each person or organization that the school would like to communicate with annually. This form can be filled out at any time but it is recommended to be completed at any ARD meeting. A copy of this form can be faxed to the person or organization to verify parent permission if necessary.

On initial evaluations, the cross battery module will be utilized to determine the presence of a specific learning disability. Use extreme caution when accepting evaluations from other districts. If no records are received on a transfer student or the other district assessments are not acceptable, a new full evaluation must be completed. If the other district conducted assessments that are not acceptable or appropriate, new evaluation must be completed. A nonverbal measure cannot solely be used to diagnose

ID. Follow ID criteria in handbook or Legal Framework found on Texas Education Agency Website.

## **Re-Evaluations**

Special education students must be re-evaluated at least **once every three years**. Current regulations require that the ARD committee review existing evaluation data (REED), and on the basis of that review, determine the scope of the re-evaluation to be completed. Diagnosticians/LSSPs are required to complete all paperwork and to attend ARD meetings in which planning for three year reevaluations are being discussed. Following this planning ARD meeting, it is the responsibility of the diagnostician to see that all required paperwork is completed and the evaluation done within timelines.

A REED is required prior to a three-year re-evaluation. The REED committee will plan and complete the necessary paperwork for a re-evaluation. The Diagnostician/LSSP is unable to act on the reevaluation until REED is conducted. All these activities must also be completed within the timelines set by the ARD committee and in accordance to the federal, state, and local laws.

### **Required paperwork includes the following:**

1. Notice of Proposal to Evaluate
2. Request for Parental Information
3. Request for Teacher Input
4. Vision/Hearing /Health Background
5. Observation Record(s)
6. Consent for FIE

### **Additional paperwork that may be required include:**

1. Letter to parents when parents fail to respond to attempts to obtain Consent for Evaluation
2. Other Health Impaired, Orthopedic Impairment Eligibility, or paperwork for psychological and autism reevaluations.

**DO NOT DELAY TESTING DUE TO FAILURE OF THE PARENTS TO RETURN THE PARENT INPUT.**

In the event that new information is not obtained from the parents, the test report should reflect attempts to obtain this information. A review of records would then be the most likely source of information for sociological data.

**ARD Timelines:**

- ARD notice of meeting- 5 days prior to ARD date
- The 5 days may be waived if parent agrees (must be signed, not verbal)

**Annual ARD:**

- Must occur on or before the previous year's annual ARD date to be in compliance

**Change in Placement:**

- Movement from one program to another
- A series of removals totaling more than 10 school days in one school year
- Manifestation Determination must be held within 10 school days of change in placement.
- A student moved to another campus for ISS is considered a "change in placement."

**Multidisciplinary Evaluation Teams**

(But not limited to these individuals or teams)

**Autism-** Diagnostician, LSSP, Speech, Counselor, General Education Teacher(s), Administrator(s), OT/or PT as needed, Parent, Autism Specialist

**ED/BD-** Diagnostician, LSSP, Speech (if needed), Counselor (if student receives counseling), General Education Teacher(s), OT/or PT (if needed), FBA evaluation staff, Behavior Specialist, Administrator, Parent.

**SLD-** Diagnostician/LSSP, Speech, General Education Teacher(s), OT/PT (if needed), parent

**REED Guidelines**

**(from Texas Education Agency website)**

A review of existing evaluation data (REED) is the process of looking at a student's



existing data to determine if additional data are needed as part of an initial evaluation (if appropriate) or as part of a reevaluation. Specifically, the group conducting the REED must determine whether further assessments are required to determine:

- Whether the student has or continues to have a disability;
- Whether the student's present levels of academic achievement needs and related developmental needs have changed;
- Whether the student needs or continues to need special education and related services; and
- Whether the student needs any additions or modifications to the special education and related services to meet the measurable annual goals set out in the individualized education program (IEP) and to participate, as appropriate, in the general education curriculum.

The local education agency (LEA) must ensure that a reevaluation of each student with a disability is conducted when:

- The LEA determines the student's educational or related services needs, including improved academic achievement and functional performance, warrant a reevaluation;
- The student's parent or teacher requests a reevaluation; or
- The admission, review and dismissal (ARD) committee is determining that the student is no longer a student with a disability.

A reevaluation may not occur more than once a year unless the parent and the LEA agree otherwise and must occur at least once every three years unless the parent and the LEA agree that a reevaluation is unnecessary.

**NOTE:** When dismissing a student due to lack of educational need, extensive documentation must be provided and noted in the report. Samples of this documentation may include but are not limited to the following: State assessments, grades, benchmarks, observations, etc. List all evaluations and data in the REED as justification for continuation of eligibility criterion. Hold REED meetings at least 60-90 days before the 3-year reevaluation date.

### **Evaluation for Transfer Students**

IDEA indicates that if a special education student transfers in from another state, the

new school district (in consultation with the parent) must provide the child with FAPE, including services comparable to those described in the child's IEP from the previous school system until the new district:

- Conducts an evaluation (if determined to be necessary by the new district); and
- Develops, adopts and implements a new IEP that is consistent with state and federal law.

When a student transfers to Ingram ISD, the local campus may place the student in special education on a temporary 30 school day basis. When records are received from the previous district, the Diagnostician must review all of the records provided. If the FIE is from another Texas school district, all of the required components of the FIE should be addressed in the written report. If the FIE is complete and current, the diagnostician and director of special education may choose to use the report from the previous district and need not test further. If records are not available and the local school does not receive a FIE, the diagnostician must complete a full evaluation. These are the steps that need to be followed when a special education student transfers from another school district in state or out of state:

- Students transferring from outside districts will have the student's file and IEP reviewed by the Special Education Director and Campus Administration before enrolling in a particular school.
- The student's IEP will be reviewed and updated/changed as needed from the outside district.
- A review ARD will be held to discuss appropriate placement of transfer students.
- Students will be placed according to the current IEP.
- Placement ARD must be held within 30 school days to review student's placement and update IEP as necessary.
- Request/Complete FIE, if necessary, before the 30-day ARD.
- Have the Special Education Secretary schedule an ARD meeting via google form within approximately 30 school days.

### **Additional Evaluations**

Additional evaluations must be requested through a REED. The timeline goal for additional evaluations is for the assessment to be completed within 30-45 school days

as determined by the ARD committee. Parental consent must be obtained for the additional assessment. An ARD meeting must be held within 30 days of the report date.

## **ELIGIBILITY CRITERIA**

(from Texas Education Agency website)

To be eligible to receive special education services, a student must have been determined by an ARD/IEP Committee to have one or more of the disabilities listed below and exhibit a need for specially designed instruction requiring special education and related services.

ORTHOPEDIC IMPAIRMENT (OI)

OTHER HEALTH IMPAIRMENT (OHI)

AUDITORY IMPAIRMENT (AI)

VISUAL IMPAIRMENT (VI)

DEAF-BLINDNESS (DB)

INTELLECTUAL DISABILITY (ID)

EMOTIONAL DISTURBANCE (ED)

LEARNING DISABILITY (LD)

SPEECH/LANGUAGE IMPAIRMENT (SI)

AUTISM (AU)

MULTIPLE DISABILITIES (MD)

TRAUMATIC BRAIN INJURY (TBI)

**NONCATEGORICAL EARLY CHILDHOOD (NCEC)**

A student is eligible to receive special education services from their LEA under the following circumstances:

1. Texas Administrative Code § 89.1050: (b) For a child from birth through two years of age with visual and/or auditory impairments, an individualized family services plan (IFSP) meeting must be held in place of an ARD committee meeting in accordance with 34 CFR, §§300.320-300.324.
2. A child is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in public school without the provision of special services;
3. A child is at least three but not more than 21 years of age and has one or more of the disabilities listed that prevent the student from being adequately or safely educated in public school without the provision of special services.

Please note: Students who turn 22 prior to September 1 are no longer eligible for special education services.

(a) **Special education services.** To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 Code of Federal Regulations

(CFR), §300.8(a), subject to the provisions of 34 CFR, §300.8(c), the Texas Education Code, §29.003, and this section. The provisions in this section specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or state law.

(b) **Eligibility determination.** The determination of whether a student is eligible for special education and related services is made by the student's admission, review, and dismissal committee. Any evaluation or re-evaluation of a student must be conducted in accordance with 34 CFR, §§300.301-300.306 and 300.122. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility must include, but is not limited to, the following:

(1) a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in the area of the disability; or

(2) a licensed or certified professional for a specific eligibility category defined in subsection (c) of this section.

(c) **Eligibility definitions.**

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

(2) **Deaf-blindness.** A student with deaf-blindness is one who has been determined to meet the criteria for deaf-blindness as stated in 34 CFR, §300.8(c)(2). In meeting the criteria stated in 34 CFR, §300.8(c)(2), a student with deaf-blindness is one who, based on the evaluations specified in subsections (c)(3) and (c)(12) of this section:

(A) meets the eligibility criteria for auditory impairment specified in subsection (c)(3) of this section and visual impairment specified in subsection (c)(12) of this section;

(B) meets the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;

(C) has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or

(D) has a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

(3) **Auditory impairment.** A student with an auditory impairment is one who has been determined to meet the criteria for deafness as stated in 34 CFR, §300.8(c)(3), or for hearing impairment as stated in 34 CFR, §300.8(c)(5). The evaluation data reviewed by the multidisciplinary team in connection with the determination of a student's eligibility based on an auditory impairment must include an otological examination performed by an otolaryngologist or by a licensed medical doctor, with documentation that an otolaryngologist is not reasonably available, and an audiological evaluation performed by a licensed audiologist. The evaluation data must include a description of the implications of the hearing loss for the student's hearing in a variety of circumstances with or without recommended amplification.

(4) **Emotional disturbance.** A student with an emotional disturbance is one who has been determined to meet the criteria for emotional disturbance as stated in 34 CFR, §300.8(c)(4). The written report of evaluation must include specific recommendations for behavioral supports and interventions.

(5) **Intellectual disability.** A student with an intellectual disability is one who has been determined to meet the criteria for an intellectual disability as stated in 34 CFR, §300.8(c)(6). In meeting the criteria stated in 34 CFR, §300.8(c)(6), a student with an intellectual disability is one who:

- (A) has been determined to have significantly subaverage intellectual functioning as measured by a standardized, individually administered test of cognitive ability in which the overall test score is at least two standard deviations below the mean, when taking into consideration the standard error of measurement of the test; and
- (B) concurrently exhibits deficits in at least two of the following areas of adaptive behavior: communication, self-care, home living, social/interpersonal skills, use of community resources, self-direction, functional academic skills, work, leisure, health, and safety.

(6) **Multiple disabilities.**

(A) A student with multiple disabilities is one who has been determined to meet the criteria for multiple disabilities as stated in 34 CFR, §300.8(c)(7). In meeting the criteria stated in 34 CFR, §300.8(c)(7), a student with multiple disabilities is one who has a combination of disabilities defined in this section and who meets all of the following conditions:

- (i) the student's disability is expected to continue indefinitely; and
- (ii) the disabilities severely impair performance in two or more of the following areas:
  - (I) psychomotor skills;
  - (II) self-care skills;
  - (III) communication;
  - (IV) social and emotional development; or

(V) cognition.

(B) Students who have more than one of the disabilities defined in this section but who do not meet the criteria in subparagraph (A) of this paragraph must not be classified or reported as having multiple disabilities.

(7) **Orthopedic impairment.** A student with an orthopedic impairment is one who has been determined to meet the criteria for orthopedic impairment as stated in 34 CFR, §300.8(c)(8). The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility based on an orthopedic impairment must include a licensed physician.

(8) **Other health impairment.** A student with other health impairment is one who has been determined to meet the criteria for other health impairment 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's Disorder as stated in 34 CFR, §300.8(c)(9). The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility based on other health impairment must include a licensed physician.

(9) **Specific Learning disability.**

(A) Prior to and as part of the evaluation described in subparagraph (B) of this paragraph and 34 CFR, §§300.307-300.311, and in order to ensure that underachievement in a student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics, the following must be considered:

- (i) data that demonstrates the student was provided appropriate instruction in reading (as described in 20 United States Code (USC), §6368(3)), and/or mathematics within general education settings delivered by qualified personnel; and
- (ii) data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal evaluation of student progress during instruction.

Data-based documentation of repeated assessments may include, but is not limited to, response to intervention progress monitoring results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program.

(B) A student with a learning disability is one who:

- (i) has been determined through a variety of assessment tools and strategies to meet the criteria for a specific learning disability as stated in 34 CFR, §300.8(c)(10), in accordance with the provisions in 34 CFR, §§300.307-300.311; and

(ii) does not achieve adequately for the student's age or meet state-approved grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematical calculation, or mathematics problem solving when provided appropriate instruction, as indicated by performance on multiple measures such as in-class tests; grade average over time (e.g. six weeks, semester); norm- or criterion-referenced tests; statewide assessments; or a process based on the student's response to scientific, research-based intervention; and

(I) does not make sufficient progress when provided a process based on the student's response to scientific, research-based intervention (as defined in 20 USC, §7801(37)), as indicated by the student's performance relative to the performance of the student's peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or

(II) exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, such as working memory and verbal comprehension, or between specific areas of cognitive function and academic achievement.

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

(11) **Traumatic brain injury.** A student with a traumatic brain injury is one who has been determined to meet the criteria for traumatic brain injury as stated in 34 CFR, §300.8(c)(12). The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility based on traumatic brain injury must include a licensed physician, in addition to the licensed or certified practitioners specified in subsection (b)(1) of this section.

(12) **Visual impairment.**

(A) A student with a visual impairment is one who has been determined to meet the criteria for visual impairment as stated in 34 CFR, §300.8(c)(13). The visual loss should be stated in exact measures of visual field and corrected visual acuity at a distance and at close range in each eye in a report by a licensed ophthalmologist or optometrist. The report should also include prognosis whenever possible. If exact measures cannot be obtained, the eye specialist must so state and provide best estimates. In meeting the criteria stated in 34 CFR, §300.8(c)(13), a student with a visual impairment is one who:

- (i) has been determined by a licensed ophthalmologist or optometrist:
  - (I) to have no vision or to have a serious visual loss after correction; or
  - (II) to have a progressive medical condition that will result in no vision or a serious visual loss after correction; and
- (ii) has been determined by the following evaluations to have a need for special services:
  - (I) a functional vision evaluation by a certified teacher of students with visual impairments or a certified orientation and mobility specialist. The evaluation must include the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation; and
  - (II) a learning media assessment by a certified teacher of students with visual impairments. The learning media assessment must include recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area.
  - (B) A student with a visual impairment is functionally blind if, based on the preceding evaluations, the student will use tactual media (which includes braille) as a primary tool for learning to be able to communicate in both reading and writing at the same level of proficiency as other students of comparable ability.
  - (C) Beginning with the 2014-2015 school year, a full individual and initial evaluation of a student suspected of having a visual impairment must include an orientation and mobility evaluation conducted by a person who is appropriately certified as an orientation and mobility specialist and must be conducted in a variety of lighting conditions and in a variety of settings, including in the student's home, school, and community and in settings unfamiliar to the student.
  - (D) Beginning with the 2014-2015 school year, a person who is appropriately certified as an orientation and mobility specialist must participate, as part of a multidisciplinary team, in evaluating data used in making the determination of the student's eligibility as a student with a visual impairment.
  - (E) Beginning with the 2014-2015 school year, the scope of any reevaluation of a student who has been determined, after the full individual and initial evaluation, to be eligible for the district's special education program on the basis of a visual impairment must be determined, in accordance with 34 CFR, §§300.122 and 300.303-300.311, by a multidisciplinary team that includes an appropriately certified orientation and mobility specialist.



(13) **Noncategorical.** A student between the ages of 3-5 who is evaluated as having an intellectual disability, an emotional disturbance, a specific learning disability, or autism may be described as non categorical early childhood.

## **EVALUATION OF STUDENTS WITH AUTISM**

When assessing a student with autism, the diagnostician will give an intelligence test and achievement test to determine current levels of intellectual and academic functioning. When a student with autism is being assessed, who has other known conditions, such as visual impairment, hearing impairment, lack of verbal skills, etc., careful consideration should be given to the choice of evaluation instruments. In addition, a formal measure of adaptive behavior is often valuable in identifying student's competencies. If a student's intellectual scores are in the mentally deficient range, a formal measure of adaptive behavior is always required. When adaptive behavior is addressed for students with autism who are not ID, the diagnostician should document the adaptive behavior is not commensurate with the student's chronological age. A Functional Behavior Assessment can be completed as part of the initial referral if behavior is a factor impeding the student's learning. A multidisciplinary team must complete the assessment to determine eligibility for Autism. An Autism determination will be made using the criteria from the DSM-V. Members of the multidisciplinary team include (but are not limited to):

- Educational Diagnostician or LSSP
- Speech Therapist
- OT or PT
- School Nurse
- Teacher(s)
- Outside Reports from qualified professionals- doctors, specialists, etc
- Parent input (if able to obtain)

Should you come across a report from a doctor or agency that mentions autism as a disability (as in an OT/PT Medical form) and the student has another disability but has not been identified by the district as AU follow these steps:

- Ask the parent if there is an evaluation report from the doctor or agency that indicates the student meets criteria for autism.
- Gather further data from teachers and other personnel about the student

The ARD Committee can decide whether any autism assessment is necessary. Use specific examples of why the assessment is not necessary if such is the case. Proceed with planning evaluation and required paperwork if necessary. Make sure that all this information is captured in the minutes/deliberations of the ARD. Remember a multidisciplinary team is required.

## **EVALUATION OF STUDENTS WITH EMOTIONAL DISTURBANCE**

When a student is suspected of having an emotional disturbance, the diagnostician should give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. The Diagnostician/LSSP will complete the psychological portion and report their findings in the FIE. When a psychological is requested as a part of an initial evaluation, the Request for Psychological Testing should be sent to the LSSP immediately upon referral for evaluation. A Functional Behavior Assessment will be completed as part of the initial referral. Do not delay assessment for the parent or teacher surveys of behavior. If a psychological evaluation is received from an outside agency or another district, please make a copy and send it to the appropriate Diagnostician/LSSP. It is of utmost importance that this information be reviewed and considered in an ARD and documented in the ARD paperwork. Remember a multidisciplinary team is required.

## **FUNCTIONAL BEHAVIOR ASSESSMENT PROCEDURES**

ARD Committee Completes REED requesting Functional Behavioral Assessment (FBA) Form:

- Completed Referral Packet
- FBA Assessor Assigned
- Notice/Consent for FBA (Esped/printed form) Assessment staff/secretary completes with parent
- Parent FBA Form- send home for parents to complete
- Teacher FBA Form Case Manager/Teacher completes
- Student Interview FBA Form Case Manager/Teacher completes
- Completed Referral Packet turned in to the Special Education Director or Secretary, then an FBA assessor is assigned, timelines recorded and packet given to the assigned assessor.
- Observation #1 & 2 (not to be conducted on the same day)

- FBA assessor completes one 30-45 minute observation to gather data about targeted behaviors. In addition the FBA assessor will schedule observation #2 with the classroom teacher.
- FBA assessor completes a second 30-45 minute observation to gather data about targeted behaviors. At this time the FBA assessor collects any additional data from the classroom teacher.
- After observation #2 is completed, a completed FBA will be in the esped system and a paper copy turned in to the Special Education Director for review.
- Data Review/Report Completed
- Confirm ARD
- The assessment staff/case manager confirms that an ARD has been scheduled to review the FBA.

## **EVALUATION OF LANGUAGE BY DIAGNOSTICIAN**

Diagnostician/Speech Pathologist will make an informal evaluation of students who are not specifically referred for speech and/or language problems. In making an informal evaluation, the Diagnostician/Speech Pathologist will consider the following information:

1. Significantly low scores on the subtests that measure Crystallized Knowledge, Oral Expression, or Listening Comprehension.
2. Observation of the student during testing.
3. Classroom observations
4. Teacher feedback

Based on these items, the Diagnostician will make a decision if further consultation is needed with the speech/language pathologist or whether informal evaluation is sufficient to rule out a language problem. The speech/language pathologist can conduct further speech testing with parent consent based on the diagnosticians findings.

### **Re-evaluations for Speech**

If previous evaluations have not indicated a speech or language problem, the diagnostician will make an informal evaluation of language following the above indicators. The diagnostician is to consult with the speech pathologist if needed.

The speech language pathologist may ask for input on cross battery assessment on students who have a cognitive component to help determine SI eligibility.

## **EVALUATION OF LEARNING DISABLED STUDENTS**

### **Initial referrals**

When a student is being evaluated for the first time, that is suspected to be SLD, give an appropriate intelligence test, abilities test and an achievement test. In many cases, the most appropriate intelligence test would be the current versions of Wechsler, WJ, KABC, or DAS. To test achievement, the most commonly used tests are the current versions of the Woodcock Johnson, the WIAT, or the KTEA. While these are the most commonly used tests, the Assessment Specialist is not limited to these choices. After administering achievement, intelligence, and abilities tests learning disabilities are determined using the Cross Battery Method, along with response to intervention documentation. Students will still be evaluated with or without RTI information.

### **Specific Learning Disabilities – Federal and State Requirements**

1. Determine whether the child does not achieve adequately for his/her age or meet state approved grade-level standards when provided with learning experiences and instruction appropriate for the child's age or state approved grade level standards.
2. Document the observation of the student: By at least one team member, other than the child's regular teacher. Describing the child's academic performance in the regular classroom setting. Or, in the case of a child less than school age or out of school, by a team member in an environment appropriate for a child of that age.
3. Determine if the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, (processing deficit) relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function. Areas of cognitive functioning include: crystallized knowledge, fluid reasoning, short term memory, visual processing, long-term retrieval, auditory processing, and processing speed. Areas of academics include: oral expression, listening comprehension, written expression, basic reading, reading fluency, reading comprehension, mathematical calculation, and mathematics problem

solving

4. Determine that the deficit is not the result of:

- A visual, hearing, or motor disability
- Intellectual disability
- Emotional disturbance
- Cultural factors
- Environmental or economic disadvantage
- Limited English proficiency
- Students may not be identified as SLD solely from RTI data

5. Ensure that underachievement in a child suspected of having an SLD is not due to lack of appropriate instruction in reading or math by using the following data:

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

6. Documentation of the determination of eligibility must include:

- Whether the child has a specific learning disability.
- The basis for making the determination.
- Assurance that the determination has been made in accordance with the documented evaluation procedures.
- Any relevant behavior noted during the observation of the child and the relationship of that behavior to the child's academic functioning.
- Any educationally relevant medical findings.
- Whether the deficit is not correctable without special education and related services.
- The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.
- Each group member must certify in writing whether the report reflects the member's conclusion.

- If the report does not reflect a team member's conclusion, the team member must submit a separate statement presenting his/her conclusions.

### **Re-evaluations for SLD**

Re-evaluations should be conducted using the cross battery method. Assessment data should be entered into ESPED along with any necessary disability reports. If you have questions or concerns about evaluations, please contact and conference with fellow assessment Personnel and/or Special Education Director.

### **Completion of SLD Disability Report**

A SLD disability report is required when a student is tested to determine if the student has a learning disability. These guidelines on completing the SLD report should be followed:

1. Complete the SLD report on all initial referrals that meet the disability condition criteria for specific learning disability.
2. When completing the SLD report, complete all sections. Please remember to report just the method utilized for determining the learning disability.
3. Re-evaluations:
  - a. For students who were SLD on their last evaluation, complete the SLD report when a new assessment has been requested.

### **EVALUATION OF AUDITORILY IMPAIRED STUDENTS**

#### **Initial Referrals & Eligibility**

When assessing students who are auditorily impaired, a nonverbal I.Q. test is not always the best choice. On initial referrals if the student can hear enough to respond in the testing environment, it is preferable to give an I.Q. test with verbal and performance sections. If the student can't hear enough to respond in the testing environment, a nonverbal I.Q. should be administered. By administering a test with verbal and performance sections, a more complete picture of how the student functions is obtained. In addition to intellectual testing, an academic achievement test such as the current version of Woodcock Johnson, KTEA or the WIAT should be administered. The AI teacher and speech therapist will also address the best mode of communication in the report. Speech pathologist will administer their normal battery

of tests.

### **Eligibility**

Part A-otological-medical clearance-REQUIRED on initial identifications

Part B-audiological-hearing test- REQUIRED on initial identifications

Part C-communication- REQUIRED on initial identifications

### **Re-evaluations & Eligibility**

A REED must be completed to determine which, if any, assessments need to be completed.

#### **Eligibility:**

Part A-otological-medical clearance-RARELY requested for re-evaluations

Part B-audiological-hearing test-requested MOST of the time

Part C-communication assessment-requested MOST of the time

### **General reminders**

AI students require otological and audiological evaluations for eligibility. The pre-evaluation ARD may determine a new otological and/or audiological are not required for continued eligibility at the three-year evaluation. Please work with your school nurse to make this determination. An AI teacher is required to attend all ARDs for AI students, regardless of the type, including a brief ARD for schedule changes, testing, related services, etc. The AI teacher will be responsible for servicing hearing aids. Students who have unilateral hearing loss, loss in one ear, may or may not meet eligibility criteria as AI. In the past, students who had unilateral losses were not considered to be eligible as AI. Many factors must be considered including how the student is functioning in the educational environment. When you assess a student who is AI, have your report co-signed by a person certified to teach students who are AI. Assessment specialists will forward a copy of your report to this person for their review prior to the ARD meeting.

## **EVALUATION OF STUDENTS WITH INTELLECTUAL DISABILITY (ID)**

### **Initial Evaluations (from Texas Education Agency website)**

The Texas commissioner's rules have refined the process for which we will be determining ID in the state of Texas. The following is a direct excerpt from the commissioner's rules:

(a) has been determined to have a significantly subaverage intellectual functioning as measured by a standardized individually administered test of cognitive ability in which the overall test score is at least two standard deviations below the mean, when taking into consideration the standard error of measurement of the test, and

(b) Concurrently exhibits deficits in at least two of the following areas of adaptive behavior: communication, self-care, home living, social interpersonal skills, and use of community resources, self direction, functioning academic skills, work, leisure, health and safety.

When assessing students suspected to have ID, the Assessment Specialist must administer a full scale intelligence test. If the student's cognitive functioning is too severe to allow for such a measure, documentation of an attempt to administer a formal assessment must be made. The student's full scale IQ must be two or more standard deviations below the mean, when taking into consideration the standard error of measurement of the test instrument that was used. The parent must be involved in initial diagnosis of ID. The current versions of Vineland Adaptive Behavior Scale will be used to gather the adaptive behavior information from the parent. For initial diagnosis of ID, there must be two areas of adaptive behavior that fall two or more standard deviations below the mean. For reevaluation, there must be a significant deficit (more than one standard deviation) in adaptive behavior. When diagnosing ID for the first time, it is of utmost importance to communicate this information to parents 5 school days before the ARD committee meets. A conference with the parents prior to the ARD meeting will give them the opportunity to hear this information in a less stressful setting than a formal ARD meeting.

Upon the diagnosis of Intellectually Disabled (ID) the following process shall be followed. Assessment Specialists will contact FLU teachers for an observation of the student. Observation will occur in the existing instructional arrangement observations and evaluation information will be given to regular education and special education teachers to complete and return to the diagnostician. Staffing to be held to review all data gathered (including general education teacher, administrator, FLU teacher, case manager, assessment specialists, and special education director). After staffing, if FLU is to be considered for the student, the Assessment Specialist will



contact the parent to discuss options and a classroom visit (upon parent request) can be held to see the FLU.

The Functional Living Teacher is responsible for IEPs, Personal Care Supplement (Medicaid- SHARS), state testing supplements and/or other specific documents that pertain strictly to FLU. An ARD will be held for placement (final decisions will not be made until the ARD). The ARD committee is the final determining factor. Functional Living Teachers will do an observation of the student in his current instructional arrangement.

## **EVALUATION OF VISUALLY IMPAIRED STUDENTS**

### **Initial referrals**

When assessing students who are visually impaired, it is essential that the Assessment Specialist consult with a teacher certified to teach the visually impaired in order to determine appropriate evaluation instruments and/or techniques. The certified teacher of the visually impaired must complete the Functional Vision Evaluation/Learning Media Evaluation before the evaluation by the assessment specialist. The initial full and individual evaluation (FIE) of a child with a visual impairment must include an Orientation and Mobility evaluation performed by a certified Orientation and Mobility Specialist in a variety of lighting conditions and settings. The Full Individual Evaluation Report and the REED FIE must be reviewed and co-signed by the teacher of the visually impaired.

## **EVALUATION OF STUDENTS WITH OTHER HEALTH IMPAIRMENTS**

When assessing a student suspected of having health problems that interfere with their education, the Assessment Specialist will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. If information indicates the student has a health condition that may interfere with education, the OHI disability report should be obtained. A licensed physician must complete this form. The Assessment Specialist will be responsible to ensure the diagnosis meets the criteria of chronic or acute health problems. All sections of the FIE must be completed. In addition to information from the nurse, information from the physician should be reported in the physical section of the FIE. Although there are many conditions that may cause a student to be eligible for special education under this disability, some of the more common conditions include asthma, heart conditions, attention deficit/hyperactivity disorder, diabetes, etc. Remember that the student must have a need for specially designed instruction to be eligible for special education

regardless of health conditions that may be present. The ARD committee makes the determination of eligibility.

### **EVALUATION OF STUDENTS WITH ORTHOPEDIC IMPAIRMENTS**

When assessing a student with orthopedic impairments, the Assessment Specialist will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. To establish eligibility as orthopedically impaired, a licensed physician must complete the OI Disability Report. All sections of the FIE must be completed. In addition to information from the nurse evaluation, information from the physician should be reported in the physical section of the FIE. Common conditions that may be included in this disability are impairments caused by congenital anomaly (clubfoot, absence of some members, etc.), impairments caused by disease (poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (cerebral palsy, amputations, and fractures or burns which cause contractures). Remember that the student must have an educational need to be eligible for special education services. The ARD committee makes the determination of eligibility.

### **EVALUATION OF STUDENTS WITH TRAUMATIC BRAIN INJURY**

When assessing students suspected of having a traumatic brain injury (TBI), the Assessment Specialist will give an intelligence test and an achievement test to determine current levels of intellectual and academic functioning. To establish eligibility as having a TBI, Traumatic Brain Injury Disability Report must be obtained from a licensed physician. Remember that a TBI is an acquired injury caused by an external physical force resulting in total or partial functional disability and/or psychosocial impairment. It cannot be a brain injury that is congenital or degenerative or the result of a birth trauma. All sections of the FIE must be completed. In addition to information from the nurse, information from the physician should be reported in the physical section of the FIE.

### **EVALUATION OF STUDENTS WITH SUSPICION OF DEAF-BLINDNESS OR MULTIPLE DISABILITIES**

Deaf-Blindness means concomitant hearing and visual impairment, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Multiple Disabilities means concomitant impairments (such as ID-blindness, ID-orthopedic impairment, etc.). The combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple Disabilities does not include deaf-blindness. The child must be assessed in all areas of suspected disability. The multidisciplinary team (MDT) that collects or reviews evaluation data must include, but is not limited to the members of the team that is required to establish the two or more disabilities that are the basis of the multiple disabilities. The child has a combination of disabilities and they are expected to continue indefinitely and they must severely impair performance in two or more of the following areas:

- Psychomotor Skills
- Self-care skills
- Communication
- Social and emotional development
- Cognition

The MDT must determine that by reason of the multiple disabilities, the child needs special education and related services.

### **EVALUATIONS FOR DYSLEXIA**

Upon request by the ARD or other committee for additional evaluation the assessment specialist will request a referral packet to be completed for that student. An evaluation will be completed to determine if the student meets criteria for dyslexia services through the special education department. If the student has already been diagnosed with dyslexia then they may also be referred for further evaluation to determine if the student needs to receive other services through special education. Please refer to the Dyslexia Handbook on the Texas Education Agency website for further guidance.

### **EVALUATIONS FOR LIMITED ENGLISH PROFICIENT STUDENTS (LEP)**

Assessment Staff will utilize procedures that differentiate between language proficiency and handicapping conditions and shall establish placement procedures which ensure that placement in an English as a second language program is not refused solely because the student has a disability. A language proficiency assessment committee member shall serve on the ARD Committee of each limited English proficient student who qualifies for services in the special education program.

A current Language Proficiency Assessment Committee (LPAC) report (completed within the past year) must include a referral packet. The student should have been tested in English and his/her native language, if possible. Referral information will include, but is not limited to: (a) Initial referral information, (b) LPAC report, (c) Language proficiency test (LAS Battery Test) scores from LPAC, (d) amount of time and level of support in ESL, (e) completed copy of the Home Language Survey, and (f) TELPAS scores.

## **SECTION IV EARLY CHILDHOOD SPECIAL EDUCATION (ECSE)**

### **Services for Texas Students with Disabilities Ages 3-5**

(cited from Texas Education Agency website)

PPCD will now be called ECSE which stands for Early Childhood Special Education.

Eligible children with disabilities, ages 3-21, are entitled to receive a free appropriate public education (FAPE) under the Individuals with Disabilities Act (IDEA). In Texas, school district Early Childhood Special Education (ECSE) provides special education and related services for eligible children with disabilities ages 3-5. ECSE refers to the services provided by the school district, not to the place where they are provided. Eligible children may receive ECSE services in a variety of settings such as pre-kindergarten, resource, and self-contained classrooms or in community settings such as Head Start and Preschool.

### **Early Childhood Special Education (ECSE) Evaluation Team Information**

1. The following forms will be utilized in completing the referral: Procedural Safeguards and Receipt, Notice of FIE, Consent for FIE, and other forms as appropriate. When vision or hearing is failed, review each case individually to make sure issues are documented on the FIE if testing is continued. Consider the effects of continuing evaluation when vision or hearing is failed with possible effects documented in the report.

The ECSE Evaluation Team consist of but is not limited to:

- Diagnostician
- Speech therapist
- PPCD/ECSE teacher as needed
- OT/PT as needed

- AI teacher as needed
- VI teacher as needed
- LSSP, as needed

2. The Diagnostician will schedule the evaluation appointment.

3. The Diagnostician will complete the FIE, and appropriate sections of the ARD paperwork. The speech pathologist will complete the speech and language section of all forms.

4. After the evaluation is complete, the assessment specialist will be responsible for contacting the parent to discuss the test results and to review the proposed IEP. Document all contacts with parents.

5. For students who are transferring in from other ECSE placements, the Diagnostician should complete any necessary evaluations. The Diagnostician may ask for assistance from the speech pathologist and/or the ECSE teacher if necessary.

6. For students enrolled in Pre-K classes that are referred for possible placement in ECSE, the ECSE team (Diagnostician/LSSP, OT/PT, Speech, Administrators, ECSE teacher, etc) will conduct the evaluation.

7. Regular referral procedures should be followed on all preschool referrals.

### **Early Childhood Outcome Procedures**

Please refer to Texas Education Agency- Early Childhood Outcome and Prekindergarten Guidelines alignment manual for the rubric on how to evaluate students. This document can be obtained online or the Special Education office can get you an electronic/ hard copy. Please utilize the forms on ESPED. Region 20 provides further training if needed. IISD procedures are as follows:

An ECO or COSF (Child Outcomes Summary Form) is completed when a child with a disability enters an early childhood program and one is completed when he/she exits the early childhood program. The purpose of the COSF is to document the child's skills when he/she entered the program and to determine the growth in skills that has taken place when the child exits.

**Team Members** contributing to COSF data:

- Parents
- Teachers (gen ed and SPED)
- Speech Pathologists
- Related Service Providers (OT, PT, etc)
- Diagnostician/LSSP
- Teacher Assistants

COSF data is easily gathered in a team meeting or by using the Parent and Teacher Questionnaires specific to COSF requirements. These are available in both Spanish and English.

**Entry Data Process:**

- The Child Outcome Summary Form (COSF) must be completed within **30 school days** of the child's enrollment in IISD.
- Parent data **must** be collected (on a questionnaire or by interview) but parents don't have to participate in the team meeting to determine the child's entry rating. Determine the child's rating by using the Decision Tree for Summary Rating Discussions.
- LSSP/Diagnostician or Speech Therapist will take the lead in completing and submitting COSF forms. Speech is the lead if the child is ONLY receiving speech therapy services.
- The COSF team meets to discuss and review data and answer questions 1a, 2a and 3a. The team will determine entry ratings. This may happen right after the initial ARD or at a separate time (within 30 school days of enrollment).
- Print a copy of the COSF entry form and file it along with the questionnaires and interview documentation in the child's audit file.
- Archive the COSF entry form.

**Exit Data Process:**

- Complete the Exit COSF within 30 school days before the child exits services. A child exits if they are dismissed from SPED services or at the end of the school year after they have turned 6. See the FAQ page in regard to SPP 7 for clarification on entry/exit data.
- Parent information **must** be collected (by documented interview or by questionnaire) but parents do not have to participate in the team meeting to determine the COSF exit ratings.
- SLP is the lead for children receiving ONLY speech therapy. Diagnostician/LSSP is the lead for all others

- Complete exit COSF after reviewing evaluation tools, anecdotal data and questionnaires
- Answer all questions, including 1b, 2b and 3b. Document any skills gained since the entry was completed.
- Print a copy of the exit COSF to place in the student's audit file, along with supporting documentation (anecdotal data, interview data, questionnaires).

## **SECTION V: ASSISTIVE TECHNOLOGY & OTHER SERVICES**

### **Assistive Technology Roles and Responsibilities**

Objective: A knowledgeable, supportive network of people working together to help every ARD Team choose and provide appropriate Assistive Technology (AT) devices and services for students receiving special education services. Once it is determined by the case manager that a student is experiencing problems and there are issues of major concern the following procedures for an AT assessment should be followed:

- Case managers—All Special Education teachers—FLU, Resource, Inclusion, BIP notifies director of an AT concern/need for a student
- Completes Referral/Question Identification Guide and sends form to diagnostician
- Reviews Referral and determines if an AT assessment is needed (when the student can't go any further with the current system or device they are using)
- Sends notice and schedules a REED to obtain consent for the assessment notifies the appropriate AT team member/s
- AT Member/s—Communication/Speech, VI, OT, PT, AI completes the assessment section pertaining to the area of need
- Sends assessment recommendations to AT Diagnostician
- Diagnostician— Compiles all information from each AT team member recommending services and/or devices and sends to AT team members
- Makes any corrections needed, and sends to campus diagnostician determines appropriate AT member to present report/recommendations at the ARD meeting and informs the campus diagnostician
- AT member/s—the team member who is recommending a high tech device, etc. fills out Request to Purchase Goods/ Services form or Region 20 ESC form to borrow AT devices.
- Demonstrates for and works with student and teacher on how the device operates and remains a contact for the case manager

- Case manager—Special Education teachers maintains contact with special education director and follows up with difficulties or mechanical malfunctions of the services and/or devices recommended for student

### **AT Team Members**

AT Team can consist of but is not limited to- special education teacher, general education teacher(s), technology personnel, special education director, and diagnostician.

### **Assistive Technology Related Legal References**

(from TEA website)

The following are assistive technology legal references:

- Federal Regulations (IDEA): §300.5 and 300.6,300.105, 300.324
- State Law (Texas Education Code): §30.0015
- Commissioner's Rule (Texas Administrative Code): §89.1056

### **Home Use of Assistive Technology Devices**

(from TEA website)

Federal Regulations require admission, review and dismissal committees to consider the child's need for AT in the development of the student's individualized education program (IEP) (§300.346(a)(2)(v)). The use of AT devices and services must be reflected in the IEP (§300.346(c)). Schools must permit the use of school-purchased AT devices at home or in other settings, if the IEP team determines that the child needs access to those devices settings outside of school settings (for example, to complete homework assignments).

AT devices that are necessary to ensure a free and appropriate public education (FAPE) must be provided at no cost to the parents, and the parents cannot be charged for normal use, wear and tear. The school owns the AT devices but state law governs whether parents are liable for loss, theft, or damage.

### **Transfer of Assistive Technology Devices**

(from TEA website)

State law (TEC §30.0015) allows schools to transfer AT devices when a student moves to a different school in the district or no longer attends school in the district that purchased the



device. The AT device may be transferred to:

- the new school or school district,
- a state agency that provides services to the student after graduation, or
- the adult student or student's parents.

TEA has developed a form (Uniform Transfer Agreement Form for Assistive Technology Devices) to convey the title of AT devices that are transferred under this state law.

## **RELATED SERVICES**

Requests for an initial related service must be completed through a REED. When a FIE is written, all assessments including related services assessments become part of the FIE. When a 3 year reevaluation is due, the FIE report date, not the assessment date, is what determines when the re-evaluation is due. Assessment Specialists are the point/contact person on all campuses. They are responsible for contacting all providers (SLP, Vision, LSSP, Deaf Educator, OT/PT, AT) prior to assessment. When completing a REED, all areas of the FIE should be reviewed. Testing should only be requested in the areas needing formal assessment. Data in the area of the REED that does not require testing will be carried forward in the FIE. When completing a REED to be the new FIE document, the eligibility report from the previous FIE or a new eligibility will need to be attached. If you are completing a REED to request further testing, previous eligibility reports do not have to be attached. Evaluations, whether formal or informal, are required any time a student is being dismissed from services, including related services. This may be conducted through a REED.

### **Private Duty Nurse**

School health services and school nurse services are services designed to enable a child with a disability to receive a free and appropriate public education (FAPE) as described in the child's Individualized Education Program. School nurse services are "services provided by qualified school nurses". School health services are "services that may be provided by either a qualified school nurse or other qualified person". 34 C.F.R. 300.34 (c)(13).

A child who needs school health services or school nurse services in order to receive FAPE must be provided such services, as indicated in the child's IEP. Ingram ISD need only provide the services if a non-physician can perform the services. See *Cedar*

*Rapids Cmty. Sch. Dist. V. Garret F., 199 S. Ct. 992 (1999).* A student's need for school health or school nurse services must be documented in the student's IEP.

Parents' requests to allow a child's licensed private duty nurse (PDN) to provide services to the child at school will be considered and determined on a case-by-case basis. Campus administration and special education staff are required to notify the Director of Special Education upon receipt of a parental request for PDN services.

The Ingram ISD has created two separate formal agreements one of which is to be signed by the PDN and/or his or her sponsoring agency and the other of which is to be signed by the parent. To the extent of any conflict with these procedures and regulations, the formal agreements with the PDN and the parent shall control.

#### Procedures and Regulations:

- The PDN's responsibility is **limited** to providing needed health services to the student with whom the PDN has been assigned to work directly.
- The PDN will **not** interfere with the delivery of the student's IEP or other instruction.
- The PDN will comply with District and campus policies and procedures while he or she is serving the student.
- The PDN will submit to a criminal background check or otherwise provide evidence that one has been conducted.
- The PDN will provide proof of current licensure as a Registered Nurse.
- PDN's who are not Registered Nurses must be supervised by a Registered Nurse supervisor from the agency that employs them.
- The PDN or the agency providing the PDN has sole responsibility for the PDN, including training, evaluation, and liability insurance.
- The parent of the student must consent in writing for the PDN to review the student's education records including those related to special education services.
- The PDN must maintain confidentiality with regard to all students including but not limited to the individual student served by the PDN.
- The PDN will sign an Ingram ISD Confidentiality Agreement. Form
- Medical concerns brought forward by the PDN must be discussed with the school nurse. Academic, instructional, or supervisory concerns brought forward by the PDN must be presented to the child's teacher or campus principal.
- The PDN cannot direct or delegate duties and responsibilities to Ingram ISD faculty and staff.
- A current physician's order for all services needed during the school day will be required.
- The PDN and/or his or her supplying agency will comply with physician's orders for medications and treatment and shall furnish such orders to the campus nurse.

- Absences for the PDN shall be handled in accordance with the district's agreement with the licensed PDN.
- PDN's must seek the aid of school personnel in the case of student discipline issues.
- PDN's may not conduct or promote any personal business for profit activities on the campus.
- Only a parent or legal guardian may seek approval for a PDN to perform services on a district campus. Approval shall not be granted before all necessary documentation is completed to the satisfaction of District administrative personnel.
- If one or more of the teaching staff based on their experience and expertise determine that the PDN is interfering in the educational process involving the subject student or any other student, this will be discussed privately with the PDN. The parent will be notified and if the situation persists, the campus administrator will be informed and he or she will meet with the PDN and parent. If the situation is not resolved, the campus principal will notify the Director of Special Education to discuss the situation with the agency/nursing supervisor.
- The Ingram ISD reserves the right to conduct an independent nursing evaluation at its discretion and may do so at any time.
- The Ingram ISD reserves the right to withdraw its approval of the PDN at any time if, in the sole determination of the District, the parents or the PDN fail to comply with their separate written agreements or the continuation of such services on District property is contrary to the best interests of the District.
- In accordance with the separate agreements referenced herein, the District's consent and approval to a PDN is valid for only one school year or partial school year at a time. No automatic extension of any agreement or arrangement shall occur beyond the last day of each school year.

Please see Private Duty Nurse forms in the Appendix section of this handbook.

## **SECTION VI: EXTENDED SCHOOL YEAR SERVICES (ESY)**

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

These guidelines apply ONLY to Special Education students who are eligible for Extended School Year (ESY). ESY is an individualized instructional program provided by Special Education and is held beyond the regular school year. Eligible students are those with disabilities. The need for ESY services must be determined on an individual basis by the ARD committee. The IEP developed for ESY must include goals and objectives. The need for ESY services must be documented from formal and/or informal evaluations provided by the district or the parents. If a student requires a

significant amount of time to recoup acquired critical skills, then the ARD committee should discuss whether the student needs extended educational and/or related services during school breaks. ESY services may be justified without consideration of the period of time for recoupment of skills under one or both of the following conditions; The loss of acquired critical skills would be particularly severe or substantial; If such loss results, or reasonably may be expected to result in immediate physical harm to the student or to others ESY services are connected to previous and future school year services. Framework for the ESY program will include a process for planning prior to the initiation of and following the end of ESY services.

### **ESY Pre-Enrollment Procedures**

The ARD committee will decide if a student qualifies for ESY. The Case Manager/Special Education teacher is responsible for completing the following:

- ESY Form
- IEP for ESY
- Transportation form
- Special Education enrollment form (contact information)

All forms are due to the Special Education Director's Secretary by the last Monday of the school year.

### **During ESY Procedures**

The Special Education Director will give ESY forms to the ESY teacher(s). The duties of the ESY teacher(s) are as follows:

- Complete the attendance each day on the sheet provided.
- Complete IEP goals and objectives at the end of the ESY period and update Continued, Mastery or Regression
- Submit the IEP Progress and timesheets at the end of ESY to the Special Education Secretary.
- When the information is received from the teachers, the Special Education Secretary will enter the data for attendance into the computer and pass off the IEP information to the Case Manager/ Special Education teacher or Diagnostician. Copies will be made and filed accordingly.

### **Post ESY Procedures**

The Case Manager/ Special Education teacher will need to monitor the progress of the student during the first six weeks of school and note if the student has continued, mastered, or regressed. The receiving Special Education teacher (case manager) for the following year will need to schedule an ARD meeting after the first six-weeks of school in order to discuss progress, or lack thereof, with the ARD committee.

## **SECTION VII - Accommodations/ Designated Supports/STAAR/TELPAS**

During state assessments for the State of Texas Assessments of Academic Readiness (STAAR®), STAAR Spanish, and the Texas English Language Proficiency Assessment System (TELPAS), certain accessibility features may be provided to students based on their needs. In general, these procedures and materials are available to any student who regularly benefits from the use of them during instruction. A student cannot be required to use them during testing and there is no need to document their use on the answer document or in the Texas Assessment Management System for online administrations. District and campus testing coordinators are responsible for ensuring that test administrators understand the proper implementation of these procedures and use of these materials. In some cases, a student who uses them may need to complete the test in a separate setting to eliminate distractions to other students and to ensure the security and confidentiality of the test. In addition, if the administration of an accessibility feature requires a trained test administrator to view secure test content, he or she must sign the appropriate part of the security oath.

A list of the accessibility features is provided below.

- signing test administration directions for a student who is deaf or hard of hearing
- translating test administration directions into the native language of an English learner
- allowing a student to use a bilingual dictionary on mathematics, science, and social studies assessments (word-to-word translations; no definitions or examples; no applications on tablets or other devices)
- allowing a student to read the test aloud to facilitate comprehension (includes use of PVC pipe or recording device)
- reading aloud or signing the writing prompt to any student who requests this assistance
- providing reading assistance on the grade 3 mathematics test for any student:
  - The test administrator may read a word, phrase, or sentence in a test question or answer choice to any grade 3 student but only when asked to do so by the individual student.
  - If a student needs the entire test read aloud, the eligibility criteria for an oral administration must be met.

- typing a student’s response to the writing prompt into the online test for any grade 4 student who is taking STAAR writing online and cannot type proficiently:
- The test administrator transcribing the student’s response must do so in accordance with guidelines for transcribing found on the Transcribing page of the Complete Paper Administrations section in these District and Campus Coordinator Resources.
- Students taking the grade 7 writing test, English I, English II, or English III must meet the eligibility requirements for Basic Transcribing if this type of support is needed.
- making the following assistive tools available: Texas Education Agency 2020-2021 school year Student Assessment Division 2 of 2
- various types of scratch paper, dry erase boards, or any other medium that can be erased or destroyed
- colored overlays and the color settings for online tests
- blank place markers and the guideline tool for online tests
- magnifying devices and the zoom feature for online tests
- various types of highlighters, colored pencils, or any other tool that can be used to focus attention on text
- amplification devices (e.g., speakers, frequency-modulated [FM] systems)
- projection devices (e.g., closed-circuit televisions [CCTVs] or LCD projectors for online tests)
- giving permission for a student to use tools to minimize distractions or to help maintain focus (e.g., stress ball, noise-reducing headphones, or instrumental music [no lyrics] played through an individual student’s headphones or earbuds)
  - allowing individual test administration
  - allowing small-group administrations
- The number of students in a small group is determined at the local level based on individual student needs.
- The number of students in a group should mirror, to the extent possible, classroom testing situations.
- reminding students to stay on task
  - photocopying or enlarging the following non-secure test materials:
    - test administration directions
    - blank answer documents
    - the state-supplied mathematics graph paper
    - the state-supplied reference materials for grade 8 mathematics and science, Algebra I, and Algebra II (Mathematics reference materials for grades 3–7 contain rulers and may NOT be photocopied because the rulers could be distorted. However, reference materials without rulers can be printed from the Help tab in the Assessment Management System.) (Texas Education Agency, 2020)

**2. Designated Supports:** These are locally-approved supports for students who meet eligibility criteria.

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

**3. Designated Supports Requiring TEA Approval:** These supports require the submission and approval using the Accommodation Request Process below.

- **Complex Transcribing**
- **Extra Day**
- **Mathematics Scribe**
- **Other**

Please refer to the Texas Education Agency website:

<http://tea.texas.gov/student.assessment/accommodations/> to verify if the student meets the criteria for the designated support listed above. Remember, these supports must be utilized independently, routinely, and effectively in order for them to be used on the STAAR and/or TELPAS. The general and special education teachers are required to keep documentation on the effectiveness of these designated supports.

## **SECTION VIII: ARD/IEP PROCEDURES**

Every special education student shall have an annual ARD/IEP meeting before his/her

anniversary date. An ARD/IEP meeting may be requested at any time by parents, teachers, or other school personnel. Reasons for requesting an ARD/IEP meeting may include, but are not limited to, any of the following:

1. Changing instructional arrangement
2. Changing goals and objectives
3. Addressing discipline
4. Adding or deleting related services
5. Discussing ESY (Extended School Year) services
6. Considering additional evaluation
7. Lack of progress toward annual goals and general curriculum (including social emotional and study skills goals and objectives)
8. Information about the student provided by the parent
9. Schedule changes
10. Review of evaluation
11. Not meeting ARD expectations on state assessments

### **ANNUAL ARD NOTICES**

1. Case manager will schedule the annual ARD with the parent.
2. The Special Education Secretary/Diagnostician will send the first written notice.
3. Special Education Secretary/ will send a second written notice 1-2 weeks prior to the annual ARD date.
4. Case manager will confirm a meeting with the parent 1-2 days prior to the annual ARD. A third written notice will be mailed or sent with students 1-3 days prior to ARD meeting date.

### **ARD Committee Membership**

(1) ARD committees shall include those persons identified in 34 CFR, §300.321(a), as follows:

- (A) the parent(s) of the child
- (B) not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- (C) not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child
- (D) a representative of the school district who;
  - (i) is qualified to provide, or supervise the provision of, specially designed instruction



to meet the unique needs of children with disabilities

(ii) is knowledgeable about the general education curriculum

(iii) is knowledgeable about the availability of resources of the school district;

(E) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in subparagraphs (B)-(F) of this paragraph

(F) at the discretion of the parent or the school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel, as appropriate

(G) the child with a disability (whenever appropriate)/adult student

(2) The regular education teacher who serves as a member of a student's ARD committee should be a regular education teacher who is responsible for implementing a portion of the student's IEP.

(3) The special education teacher or special education provider that participates in the ARD committee meeting in accordance with 34 CFR, §300.321(a) (3), must be appropriately certified or licensed as required by 34 CFR, §300.18 and §300.156.

(4) If the student is:

(A) a student with a suspected or documented visual impairment, the ARD committee shall include a teacher who is certified in the education of students with visual impairments;

(B) a student with a suspected or documented auditory impairment, the ARD committee shall include a teacher who is certified in the education of students with auditory impairments; or

(C) a student with suspected or documented deaf-blindness, the ARD committee shall include a teacher who is certified in the education of students with visual impairments and a teacher who is certified in the education of students with auditory impairments.

(D) a student who is being considered for initial or continued placement in career and technology education – the career and technology director, career and technology coordinator, career and technology counselor, and/or the career and technology teacher who will instruct the student shall be included;

(E) a student who has been identified as Limited English Proficiency (LEP) professional representing the Language Proficiency Assessment Committee (LPAC) shall be included;

(F) any student who attends a parochial or other private school or facility or is home schooled – a representative of the parochial or other private school or facility or the student's parent or other representative of the home school shall be invited. Other methods shall be used to ensure participation by the parochial or other private school or facility of the parent of the home-schooled student, including individual or

conference telephone calls, if a representative cannot attend the meeting;

(G) any student who resides in a foster home - please refer to surrogate foster parent procedures in the special education handbook

(5) An ARD committee member, including a member described in subsection (c)(4) of this section, is not required to attend an ARD committee meeting if the conditions of either 34 CFR, §300.321(e)(1), regarding attendance, or 34 CFR, §300.321(e)(2), regarding excusal, have been met.

**Note:** Ingram ISD staff will only excuse required ARD committee members on a rare occasion where excusal requirements have been met. Excusing required ARD committee members will not be practiced on a regular basis. In the event that campus personnel believe exclusion of ARD member(s) may be necessarily appropriate the Special Education Director must be notified prior to the ARD.

Principals or assistant principals will serve as district representatives in all ARDs district-wide unless arrangements have been made for coverage prior to the ARD Meeting. A teacher who is certified in both special education and general education may only serve in one role at a time. When the dually certified teacher is serving as the teacher of record for a general education class, the teacher may only provide general education instruction, which would include providing general education accommodations for special education students placed in the general education class. If a student's IEP requires direct instruction by a special education teacher for all or part of the class, the dually certified teacher cannot simultaneously serve as both a special education teacher and as a general education teacher. Another special education teacher must provide special education instruction to the student and this second teacher should be designated as the teacher of record for special education.

### **ARD Committee Meeting Parent Participation**

Ingram ISD adheres to the following guidelines regarding parent participation in Admission, Review, and Dismissal (ARD) committee meetings.

A. Ingram Independent School District (IISD) shall maintain documentation to indicate the extent of parental participation in the Individualized Education Program (IEP) development and parental agreement or disagreement with ARD committee action. Documentation shall be maintained in the form of copies of the Notice of ARD Committee Meeting form. Other methods, such as, telephone calls or personal contacts, used to inform the parent of meetings shall be

recorded in writing, on the Notice of ARD Committee Meeting form, in the Special Education Referral/Eligibility Folder, and / or on the Record of Contacts form. Parental participation in person, through telephone contact, or by other methods during meetings and parental agreement or disagreement with ARD committee actions shall be documented within the deliberations in the ARD Committee Report form. All documentation shall be filed in the student's audit folder.

B. Ingram ISD procedures concerning parent permission for ARD committee meetings are as follows:

1. A meeting may be conducted without a parent in attendance if the parent has given written/verbal (with several witnesses hearing the consent) consent for the ARD/IEP Committee meeting to be held without them or if the campus is unable to convince the parent that the parent should attend. In this case, the campus shall have a record of its attempts to arrange a mutually agreed upon time and place, including, for instance:

- a. Detailed records of telephone calls made or attempted and the results of those calls, including verbal permission to hold the ARD received through a phone call
- b. Copies of correspondence sent to the parent and any responses received
- c. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

2. Document all attempts to contact parents. IISD requires a minimum issuance of 3 written notifications of ARD Committee Meeting notice and one telephone call before considering conducting the ARD committee meeting without written permission from the parent. If the parent has responded with their request to attend and they do not show up to the ARD meeting, the assessment specialist/diagnostician must schedule a second ARD meeting with two written notices and one phone call. An email or text does not count as a written notice but can count as parent contact. If the appropriate notices were not provided the ARD meeting must be rescheduled.

3. Ingram ISD takes whatever action is necessary to ensure that the parent understands the proceedings at the ARD committee meeting, including

arranging for an adequately trained interpreter for parents with deafness or whose native language is other than English. They will be able to adjust to different levels of language use, and familiar with educational terms, forms, procedures, techniques and tests.

**Note:** A copy of the annual ARD will be given to the parent upon completion of the ARD meeting unless parent specifies otherwise. If this occurs, a copy of the ARD will be sent home or mailed within 1 day of the ARD meeting. If any other situation arises that prevents the parent from getting a copy, the Special Education Director must be contacted.

### **ARD Expectations for Related Service and Speech Staff Assessments**

Please provide a signed assessment to LSSP/diagnostician at least 10 school days before the ARD. Speech and Related staff must attend the ARD to review their report.

- Be sure and give your input in the present levels of performance section of the ARD in ESPED.
- Provide updated IEPs for inclusion/resource students and new IEPs for Inclusion/resource students to diagnosticians at least 10 school days in advance
- Provide teachers input in evaluation of current IEPs and provide input for new IEPs so they can present those to diagnosticians at least 10 school days in +advance
- Provide schedule of services recommendations in related service provider box in ESPED on the schedule page in ARD forms
- Provide any recommended accommodations to the case manager that may be needed due to physical or communication delays
- Must attend ARD to discuss dismissals as well
- Must attend initial ARD for your area of services

### **PRIOR to THE ARD**

Please remember to contact parents with any recommended changes 5-10 days prior to the ARD. The case manager will keep a parent/student contact log. It is also recommended to review student attendance records and report any concerns to the ARD committee/parent if it is impacting services for the student.

### **STAAR IEP Page**

The STAAR screen in ESPED will be prepared by the special education teacher/case manager with the input of the general education teachers. The accuracy of this page is extremely important because the campus testing coordinator and the district testing coordinator will use it to set up testing groups.

This page should have the following:

- What kind of STAAR test the student is taking? Paper? Online? What subjects?
- If the ARD committee has decided the student is not required to take a test or retest?
- **EOC**- if the student has previously passed the test.
- What accommodations does the student use and for what test? Use the box to select the ones the student needs. **Be careful when selecting oral administration that is for paper test and text to speech is for online test.** Please review the TEA criteria to ensure the student qualifies for the accommodation. Accommodations must be **routinely and effectively** utilized in the school setting.
- Any notes to give further information about how the student tests. Ex. minimize distractions/noises, any accessibility features you want to make sure the student receives.

Please talk to the Special Education Director if you have further questions or concerns.

### **Review of Failure and Documentation**

When a special education student has received failing grades in a given content area and/or fails to make progress in one six-week of a semester, the student's progress in that area shall be reviewed. If the student fails to meet the expectations addressed in the IEP, the special education service provider is responsible for reviewing the IEP for appropriateness of placement, instructional levels, and materials and methods, including motivational techniques.

The review shall include:

- A meeting between the special education case manager/teacher (including speech pathologist) and the teacher of the failed content area to consider the reasons for the student's failure.
- Completion of the Failure Form (see Appendix for form) with all pertinent documentation attached. Documentation can include a copy of the grades,

attendance, lesson plans, record of accommodations and modifications used, student discipline record, etc.

- Parents should be contacted and a record of parent contact added to the failure form.

If the student fails any two six weeks within a semester and/or fails the semester regardless of the procedures implemented, an ARD meeting shall be held. If the parent, adult student, or the school staff requests an ARD committee meeting to discuss failing grades, an ARD/IEP committee meeting will be scheduled. In the event the student refuses to attend school and/or complete assignments, despite repeated, documented attempts to motivate the student and accommodate the instructional program, the student may be given a grade below 70 by the teacher. The ARD committee should consider if a Functional Behavioral Assessment should be reviewed, revised or requested through an ARD at this time.

### **Prior Written Notice**

Prior written notice is required whenever an ARD Committee meeting is convened. Prior written notice must be provided to the parents of a student with a disability or the adult student within five (5) school days and before an ARD Committee decision is implemented.

The district must provide prior written notice :

- Prior to implementing the ARD Committee's proposal to initiate, change or cease the identification, evaluation or educational placement of a student or the provision of FAPE to the student
- Prior to refusing to initiate, change or cease the identification, evaluation or educational placement of the student or the provision of FAPE to the student
- When a parent/adult student disagrees with the decisions of the ARD Committee and before the district implements the decisions
- When Ingram ISD implements an individualized education program (IEP) with which the parent or adult student disagrees and/or
- Following the parent/adult student's written revocation of consent for continued provision of special education and related services before the district discontinues the provision of special education and related services

Prior written notice must be provided even if:

- The parent/adult student withdraws a request

- The parent/adult student agrees to delay a request
- The district and parent/adult student agree with all requests and decisions

The notice must include:

- A description of the action proposed or refused by Ingram ISD
- An explanation of why Ingram ISD proposes or refuse to take the action
- A description of each evaluation procedure, assessment, record, or report Ingram ISD used as a basis for the proposed or refused action
- A statement that the parents of the student with a disability have protection under the procedural safeguards and, if the notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained
- Sources for parents to contact to obtain assistance in understanding their procedural safeguard rights
- A description of other options that the ARD Committee considered and the reasons why those options were rejected and
- A description of other factors relevant to Ingram ISD's proposal or refusal.

The actions described in the notice will not be implemented until at least five school days after Ingram ISD provides the prior written notice, unless the parent adult/student waives the five-day notice requirement. Documentation of the waiver will be placed in the student's audit folder.

### **TIPS TO PROMOTE AN EFFECTIVE ARD MEETING**

- Be Proactive, Preventative, and Prescriptive
- Utilize the ARD agenda for meetings.
- Establish a good relationship with the parents from the beginning. Build trust.
- Take the time to go over information or evaluation results with the parents before the ARD committee meeting.
- Provide a copy of clearly marked draft copies of IEP goals and objectives so the parents can digest the information effectively.
- Actively listen to the parents and their concerns.
- Make sure you are totally focused on the parent while they are talking.
- Make sure your body language is positive and open to the parent.
- Side conversations and lack of attention are disrespectful and will be noticed immediately by the parent.

- Start the meeting on time, be prepared; keep short notes to highlight parent concerns.
- Say something positive about the child to begin the conversation.
- Deliver all information regarding the child in the most positive manner possible.
- Have parent concerns and school issues in writing to present to the committee..
- Take time to explain special education terminology.
- Be prepared to discuss what is appropriate for the student..
- Respectfully consider alternative viewpoints – what does the ARD committee think?

### **DISMISSAL ARD/IEP**

Eligibility for special education services should be considered at least annually. A REED and/or an evaluation must be conducted prior to dismissal from any or all special education services. All components of a REED must be presented to the ARD committee for review.

### **IEP Amendment Procedures**

An IEP Amendment can be completed in certain circumstances. This will be allowed in the following incidence:

- Changes to state testing accommodations
- Changes to classroom accommodations
- Minor corrections to paperwork not involving major changes such as placement, diagnosis, etc.

1. The case manager proposing the change will contact the parents to discuss the proposed change. If the parent agrees, the Proposed changes to the Annual ARD must be signed by the teacher, special education director, and case manager, and administrator.

2. Following receipt of the signed IEP Amendment, the case manager and secretary will complete this process by doing the following:

- Ensure all signatures above have been obtained
- Ensure parents have received and agreed the proposed changes.
- Attach and archive in eSped all revised pages, including the IEP Amendment
- Provide case manager with a copy of the amended ARD paperwork
- File the amended ARD in the special education audit folder



- Mail the final copy of amendment to the parent

3. The proposed changes will go into effect immediately upon receiving written agreement to implement the change. This agreement must consist of a signed IEP amendment and a signed five day notice of proposal of change services indicating the parent/adult student waives their five day right. **If the parent/adult student does not agree to waive the five school days before starting services, then the IEP amendment cannot take effect until the five school days have passed.** If the parent does not agree or does not return the signed IEP Amendment to the Annual ARD then an ARD should be held to discuss concerns.

## **INTERPRETING SERVICES**

School districts provide the parent with a written copy of the child's individualized education program translated into Spanish if it is the parent's native language. If the parent's native language is not Spanish, the district must make a good faith effort to provide the parent with a written copy of the child's individualized education program translated into the parent's native language. The parent's native language is the language documented on the Home Language Survey when the student enrolls in Ingram ISD. Sometimes parents would prefer that they receive information in English, rather than the language indicated on the Home Language Survey. If parents indicate to campus personnel that they would prefer information in English, document the parent's request in the ARD deliberations.

## **Non-Certified Staff/Substitute Teachers**

Non-certified staff may not sign off on an ARD as the special education teacher nor should they be the teacher of record for a special education student. The district is in violation of federal and state laws if non-certified teachers perform duties only certified teachers may perform. Teachers enrolled in an Alternative Certification Program and teachers who are hired with an emergency or temporary certification may attend ARDs and perform all duties required of a special education certified teacher. Substitute teachers may not attend ARDs even if they are in a long term substitute position. Another teacher who is a current district employee and has knowledge of the student should participate in the ARD in place of the absent teacher. Another option would be to reschedule the ARD to a date when the teacher could attend.

## **Present Levels of Academic Achievement and Functional Performance (PLAAFPs), Goals and Objectives Procedures**

Teachers are responsible for evaluating and recording progress electronically on the eSped progress report document each 6 weeks. A hard copy will be sent home to parents. Teachers indicate progress on each objective with appropriate mastery percentage and any comments to justify progress or lack of progress. Updated goals and objectives shall become a part of the annual ARD. These will be archived, printed, and placed in the ARD document. If some or all of the objectives were not mastered and will be carried forward, a written explanation needs to be provided in the deliberations. If some or all of the objectives were not mastered and will **not** be carried forward, a written explanation needs to be provided in the deliberations.

Teachers will develop Present Levels of Academic Achievement and Functional Performance (PLAAFPs) by identifying the student's strengths and areas of need. Identification of strengths and areas of need should be based on an analysis of data such as current classroom performance, data on each goal and objective, assessments, benchmark tests, etc. When analyzing data, attention should be focused on areas of deficiency and skills for the specific subject area. The new proposed goals and objectives will be developed based on the strengths and areas of need identified in the student's Present Level of Academic Achievement and Functional Performance (PLAAFPs). The long term goal should reflect the student's current level of instruction and include objectives that would demonstrate movement toward grade level instruction by the end of one ARD year. The ARD/IEP committee may revise, rewrite or expand the goals and objectives, as it deems appropriate.

Teachers are encouraged to include parents in this process by conferencing with parents about concerns and areas of need prior to developing goals and objectives. A conference with a parent prior to the ARD/IEP meeting can provide parents time for questions that are more appropriately answered outside an ARD/IEP meeting. Student goals and objectives guidelines are:

- All students shall have at least one measurable annual goal in the area related to how the student qualifies for Special Education. Goals and objectives are developed and printed by accessing eSped. Special education teacher shall formulate an appropriate measurable annual goal and objectives by using eSped as a guide and ensuring each goal and objective has a timeframe, behavior,

mastery criteria, and a condition. Special education case managers/teachers send all proposed goals and objectives home to parents/guardians marked draft a minimum of 3-5 days prior to the ARD meeting. For students receiving related services and/or speech, teachers and therapists should collaborate on goals and objectives.

- Behavioral goals and objectives may be necessary for some students. Students who exhibit consistent behavior problems should be considered for an FBA prior to a behavior intervention plan. Indicate criteria, evaluation procedures, and person(s) responsible for each individual objective. If “observation” is to be used as an evaluation procedure the teacher must collect and maintain data to verify progress. Goals and objectives should be written with the idea in mind that the student can achieve mastery by the next annual ARD.

### **ARD Verification Receipt**

Prior to the first day of school and following each ARD meeting, case managers must ensure that all teachers that will be serving the student have received Verification of Receipt with copies of appropriate paperwork including benchmark/classroom accommodations along with successful teaching strategies and any behavior plans included. Case managers must collect all Verification of Receipt forms.

### **Medicaid Procedures (SHARS)**

(from Texas Education Agency website)

The School Health and Related Services (SHARS) program allows Texas school districts (LEAs) and shared service arrangements (SSAs) to request Medicaid reimbursement for certain health-related services. The Admission, Review, and Dismissal (ARD) committee determines SHARS services. Services must be medically necessary and reasonable to ensure that children with disabilities are able to participate in the educational program.

SHARS reimbursement is provided for children who meet all of the following requirements:

- Are 20 years of age and younger and eligible for Medicaid
- Meet eligibility requirements for special education described in the Individuals with Disabilities Education Act (IDEA)

- Have Individualized Education Program (IEPs) that prescribe the needed services

Services covered by SHARS include:

- Audiology services
- Counseling
- Nursing services
- Occupational therapy
- Personal care services
- Physical therapy
- Physician services
- Psychological services, including assessments
- Speech therapy
- Transportation in a school setting

Qualified personnel who are under contract with or employed by the LEA/SSA must provide SHARS services.

As an employee of Ingram ISD, you may be required to complete the paperwork on a student(s) in order for the district to participate in this program.

### **Revocation of Consent for Continued Provision of Special Education of Related Services**

A parent/adult student has the right to revoke their consent for their children/themselves to receive special education and related services. Parents/adult students must make this request in writing. The district may ask why a parent/adult student is choosing to revoke consent, but an explanation of their decision is not required. An ARD/IEP meeting is not necessary for this process; however, the parent/adult student may choose to revoke their consent at an ARD meeting. A parent/adult student cannot choose to revoke only certain special education/related services. If revocation is requested, all special education/related services will cease. The child/adult student will no longer be provided the protections under IDEA and the student's school records will not be amended to remove any reference to special education services provided to the student prior to the revocation. Upon receipt of the written revocation of consent, the assessment staff must provide the Prior Written Notice for Parental/Adult Student Revocation of Consent for the Provision of Special Education and Related Services within 5 school days. This form contains information

on the impact of revocation of consent for services and is to be given to parents/adult students in person. Each item explaining the impact of revocation of consent must be reviewed with the parent/adult student to ensure they have a full understanding of their decision to revoke services. School personnel should never recommend or suggest to a parent/adult student that they revoke consent for special education/related services. The decision to revoke consent should be strictly up to the parent/adult student.

## **SECTION VIII: SSI, ACCELERATED PLANS, PROMOTION/PLACEMENT**

### **Accelerated Instruction under the Student Success Initiative TEC §28.0211**

(cited from Student Success Initiative Manual 2019)

The terms “accelerated instruction” and “intensive program of instruction” are not defined in statute. School districts have the discretion to determine the appropriate form, content, and timing of the instruction based on an individual student’s needs. According to statute, accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year (summer school) outside normal school operations.

Students participating in STAAR Alternate 2 are not subject to SSI grade-advancement requirements. Students receiving special education services who take STAAR are subject to SSI grade-advancement requirements. However, if a student who receives special education services does not meet the passing standard on a state assessment, the ARD committee will make all decisions involving accelerated instruction and promotion. No GPC is convened. The role of the ARD committee in making decisions about students subject to SSI grade-advancement requirements is described in TEC §28.0211(i) and (i-1) and in 19 TAC §101.2003(d). Thus, a student receiving special education services enrolled in grade 5 or 8 who does not perform satisfactorily on the mathematics and reading assessment instruments is subject to SSI grade-advancement requirements.

According to TEC §28.0211(i-2), no later than September 1 of each school year, a school district must notify the parent or person standing in parental relation to a student enrolled in the district’s special education program of the options of the ARD committee for students who fail to perform satisfactorily on the fifth and eighth grade mathematics and reading assessments. Districts are encouraged to carefully weigh the individual needs of students with disabilities as they consider decisions pertaining to

the procedures outlined in this manual. For the students described above, the ARD committee must make decisions regarding appropriate assessment, accelerated instruction, and grade placement based on a student’s individual educational needs.

Student takes STAAR for the <b>FIRST</b> time.	
(If the student is absent for the first administration of STAAR, then he or she will participate in the second administration. This will be his or her <b>FIRST</b> time to take STAAR.)	
PASS	FAIL
The ARD committee considers the student’s IEP and local policy when determining grade advancement.	According to TEC §28.0211 (i) and (i-1), an ARD committee meeting* <b>MUST</b> be held before the student is administered STAAR for the second time. The ARD committee <b>MUST</b> determine 1) how the student will participate in an accelerated instruction program and 2) whether the student will be promoted or retained based upon the ARD committee determination that the student has made sufficient progress in the measurable academic goals in the student’s IEP. If promoted, retesting is not required.
Student takes a <b>RETEST</b> of STAAR.	
PASS	FAIL
The ARD committee considers the student’s IEP and local policy when determining grade advancement.	If the student retests in a subsequent administration of STAAR and does not meet the passing standard, then the ARD committee must document in the IEP: additional accelerated instruction, whether the student will retest (if applicable), and whether the student will be promoted or retained. The student’s IEP can be modified in an ARD committee meeting or through an agreement to amend the IEP. These decisions must follow the general rules governing ARD committee decision-making as set forth in 19 TAC, Chapter 89, Subchapter AA.

\* IDEA allows that “When conducting [ARD committee] meetings...the parent of a child with a disability and a public agency may agree to use alternative means of meeting participation, such as video conferences and conference calls.” (34 CFR §300.328). However, for the purposes of TEC §28.0211 (i) and (i-1), a meeting does not include an agreement to amend the IEP as outlined in 34 CFR §300.324(a) (4) and (6).

## **HB 657: SSI/ ARD**

If a student fails state assessment, ARD is required to meet before the second test administration. ARD can decide to promote if students have made sufficient progress in the measurable academic goals in the student's IEP. No additional testing may be required. Districts are required to notify parents no later than September 1 of each school year based on the current TEA guidance, of the ARD committee option. This bill codifies what the SSI manual already allows. Texas Education Agency has provided a SSI waiver for the 2020-21 school year.

### **Promotion or Placement ARD**

ARD Committees have the authority in decisions involving promotion of special education students as a part of the IEP process. However, before making any decision to promote a student, the ARD Committee should always remember that a decision to promote a student is a placement decision (See SSI Manual). A placement determination made by the ARD Committee is not the same as a social promotion. The committee should be able to articulate and document the reasons why a placement/promotion is necessary to provide FAPE to the student. The committee should ask itself whether there is an educational reason to deviate from the standards imposed on other students or is a proposed promotion really a "social" promotion. Additionally, the following factors must be carefully considered before any decision to promote can be made. The Individuals with Disabilities Education Act requires ARD Committees to develop an IEP which provides services to students with disabilities in the Least Restrictive Environment appropriate to meet their needs. The LRE discussion must focus on access to the general education curriculum in the general education classroom. The ARD Committee must consider whether promotion by ARD to the next grade might result in a more restrictive environment being necessary to meet the needs of the student. It is important for the ARD committee to always consider the same opportunities available to a general education student who would be at risk of being retained, such as summer school, tutorials, and accelerated instruction.

## **SECTION X: GRADUATION AND TRANSITION**

### **ARD Graduation Plan/Summary of Performance**

The ARD committee defines the student's graduation program and approves

substitution of a locally developed course if this is considered appropriate for the child. The student's coursework must be accurately reflected on the Academic Achievement Record (AAR). Students receiving Special Education services may receive a regular high school diploma by meeting the graduation requirements listed in 20 U.S.C. §§ 1412, 1414; 34 C.F.R. Part 300. A student's IEP may serve as a personal graduation plan. All students graduating under this section shall be provided with a Summary of Academic Achievement and Functional Performance. This summary shall consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals.

The Summary of Performance (screen in ESPED) must contain:

- A summary of student's academic achievement
- A summary of the student's functional performance and
- Recommendations on how to assist the student in meeting his/her postsecondary goals.

For students who graduate due to successful completion of the IEP, a Full and Individual Evaluation (FIE) must be provided and included as part of the summary of performance. This is not required for a student who participates in graduation ceremonies and receives a certificate of attendance, but remains in school to complete graduation requirements.

### **SB 748: Transition**

ARD must consider the use and availability of:

- Appropriate supplementary aids, services, curriculum, and other opportunities to assist the student in developing decision-making skills
- Appropriate supports and services to foster the student's independence and self-determination, including a supported decision-making agreement.

Notice requirement: No later than one year before 18th birthday, provide students and parents with:

- Written notice regarding transfer of rights and
- Information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement, and other supports and services that may enable the student to live independently.

IEP must include a statement/deliberations that the district provided the notice, information, and resources.



**For high school seniors, a summary of performance (ESPED form) will be completed during an annual ARD or REED/Re-evaluation meeting.**

## **TRANSITION PLANNING**

The Transition Specialist or case manager meets yearly with parents of students currently identified as students with Autism or parents of students in a life skills classroom setting. The district Transition Designee is the liaison regarding transition services for all campuses. Transition services take place primarily at the secondary level; however, they may start as early as elementary school. Prior to the date on which student turns age 14 (or before if requested) and annually thereafter, the student is invited to the Annual ARD along with the parent and the Transition Services Plan is developed and reviewed at the annual ARD meeting. Based on the student's needs, taking into account the student's strengths, interests and preferences, needed transition services are developed as a coordinated set of activities designed within a results-oriented process that is focused on improving the academic and functional achievement of the student to facilitate movement from school to post school activities, including postsecondary education, vocational training, integrated employment (including supported employment, continuing and adult education, adult services, independent living, or community participation). Services may include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. For secondary students, the following guidelines should be followed:

- Transition specialists or case manager schedules to meet with every special education student prior to age 14 and up (younger if appropriate) to conduct a transition planning meeting prior to the student's annual ARD meeting.
- Case manager obtains parent input.
- Case manager meets with the student to complete a transition worksheet and transition assessments (to be placed in the eligibility folder) and a Transition Service Plan for the ARD committee review and consideration.
- The ARD committee reviews and discusses the Transition Plan submitted by the Transition Specialist or case manager.

## **Ingram ISD 18 Plus Program**

Ingram ISD's 18 Plus Program is housed on the Ingram Tom Moore High School campus. The program hours and dates are based on ARD committee decisions for each student. This program will follow the school calendar for holidays or other events that may alter the normal schedule for the program. The students will have access to breakfast and lunch each day. Decisions on transportation, IEP goals/objectives, and accommodation/modifications will be decided through the ARD committee. Students will participate in community based learning activities and vocational training. Transition resources and other community resources will be provided to families of students in this program. The Texas Workforce Commission will assist in facilitating employment opportunities in the community and are invited to attend ARD meetings.

### Q & A Section

1. Q, How is the 18+ Program different from high school?
  - A. Transition activities are designed to promote independence and opportunities for employment in the community. These activities represent a significant change from the high school experience.
    - Schedule - In high school, students follow predictable schedules all day every day. Transition/Vocational activities vary, and do not last an entire day. Each student's transition schedule is individualized to his or her specific post-secondary goals. High school, by design, is very structured. In the Transition program, a student's schedule will be more flexible. Learning to manage time productively is an important skill that will be emphasized.
    - Instruction - In high school, instructional activities are classroom-based, while transition students learn skills and then practice their independence in a community setting. In high school, instruction is focused on earning academic credits. Transition instruction focuses on skills necessary to achieve employment and increase daily living skills necessary to become more independent.
  
2. Q, How are postsecondary goals addressed in the IEP?
  - A. Postsecondary goals are related to the student's individualized transition plan as part of the IEP. Areas of instruction may include self-advocacy, self-help skills, personal and social skills, vocational skills:
    - **Self-Advocacy Skills**  
Learn how to ask for the supports needed. Understand rights and responsibilities as an adult. Follow through with and be responsible, it is

very important to be accountable. Learn the value of natural consequences, learning from mistakes.

- **Self-Help Skills**

Learn/improve self-help tasks such as clothing selection, grooming and personal appearance, learn functional money management skills.

Understand time concepts. Know individual daily activities and when they occur.

- **Personal and Social Skills**

Develop safe and appropriate relationships across all domains (work, school, community). Explore the different types of community activities available in their area. Focus on activities that are of personal interest or value to the individual.

- **Vocational Skills**

Have a desire to work. Identify the type of work envisioned by the individual. Talk to others about job interests and the types of supports that might be needed to work in an occupational field of choice. Develop a resume. Connect with local agencies to help with individual job search. Actively participate in the job search process. Determine accommodations needed on the job.

3. Q. When does a student exit the 18+ Program and graduate from high school?  
A. Upon completion of the IEP, when the student meets one of the graduation requirements of the foundation graduation plan at any time during the academic year the ARD committee will convene an ARD, or when the adult student revokes their consent for services, the services will end. The student will also exit the 18+ Program at the end of the academic year at such time they no longer meet eligibility requirements due to age.

### **Parental Rights Regarding Adult Students**

Student's rights are explained prior to age 18. Beginning not later than one year before the child reaches the age of 18, the ARD committee must provide a statement that the child has been informed of the child's rights under the Individuals with Disabilities Education Act, if any, that will transfer to the child on reaching the age of 18. Therefore, at the annual ARD in the school year prior to the student turning 17, the student will be informed that his/her rights will transfer to the student at age 18 and the

communication of this transfer will be documented in the deliberations.

### **Notification of Transfer of Parental Rights**

Unless the parent, other individual or agency has been granted guardianship of the student, the student's case manager/diagnostician must give the Notification of Transfer of Parental Rights to the adult student and parent informing them of the transfer of parental rights at the annual ARD following the student's 18th birthday. In addition to the Notification of Transfer of Parental Rights the campus should also provide the student with the Notice of Procedural Safeguards and obtain a signed Receipt for Notice of Procedural Safeguards. Once rights have been transferred to the adult student, any notice that is required to be given to the adult student and parent does not create a right for the parent to consent to or participate in the proposal or refusal to which the notice relates. The adult student and/or Ingram ISD may invite the parent to the ARD.

## **SECTION XI: BEHAVIOR**

### **TEXAS BEHAVIOR SUPPORT INITIATIVE**

(from Texas Education Agency website)

Senate Bill 1196, enacted by the 77th Texas Legislature mandates the following:

- No special education student may be placed in seclusion.
- Time Out may not be used by a general education or special education teacher for students with disabilities unless included in a student's IEP and/or BIP and documented on Documentation for Use of Restrictive TimeOut Procedures.
- Restraint may only be used in an emergency and documentation on Incident Report completed in addition to written notification sent to parents within one school day and a good faith effort to notify the parent verbally on the day the incident occurs.
- Each campus must have a Core Team which must include an administrator, general and special educators trained with documentation of training submitted to TEA.
- In the event a person who has not been trained is called upon to use restraint or time-out, they will be required to attend training within 30 school days.

**Note:** Non-Violent Crisis Intervention (CPI): Core Team Members and self-contained staff must complete an 12-14-hour class initially. Once initially trained, an 6-8 hour refresher course is required every year. Classes will be offered in the summer and on Saturdays throughout the year as needed. ALL Special Education Self-Contained staff (teachers and paraprofessionals) must participate in all above noted training. Self-contained classes are PPCD and FLU.

**§89.1053. Procedures for Use of Restraint and Time-Out.**

(from Texas Education Agency website)

(a) Requirement to implement. In addition to the requirements of 34 Code of Federal Regulations (CFR), §300.324(a)(2)(i), school districts and charter schools must implement the provisions of this section regarding the use of restraint and time-out. In accordance with the provisions of Texas Education Code (TEC), §37.0021 (Use of Confinement, Restraint, Seclusion, and Time-Out), it is the policy of the state to treat with dignity and respect all students, including students with disabilities who receive special education services under TEC, Chapter 29, Subchapter A.

(b) Definitions.

(1) Emergency means a situation in which a student's behavior poses a threat of:

(A) imminent, serious physical harm to the student or others; or

(B) imminent, serious property destruction.

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

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

(A) that is not locked; and

(B) from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

(c) Use of restraint. A school employee, volunteer, or independent contractor may use restraint only in an emergency as defined in subsection (b) of this section and with the following limitations.

(1) Restraint must be limited to the use of such reasonable force as is necessary to address the emergency.

(2) Restraint must be discontinued at the point at which the emergency no longer exists.

(3) Restraint must be implemented in such a way as to protect the health and safety of the student and others.

(4) Restraint must not deprive the student of basic human necessities.

(d) Training on the use of restraint. Training for school employees, volunteers, or independent contractors must be provided according to the following requirements.

(1) A core team of personnel on each campus must be trained in the use of restraint, and the team must include a campus administrator or designee and any general or special education personnel likely to use restraint.

(2) Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 school days following the use of restraint.

(3) Training on the use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint.

(4) All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of restraint.

(e) Documentation and notification on use of restraint. In a case in which restraint is used, school employees, volunteers, or independent contractors must implement the following documentation requirements.

(1) On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.

(2) On the day restraint is utilized, a good faith effort must be made to verbally notify the parent(s) regarding the use of restraint.

(3) Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.

(4) Written documentation regarding the use of restraint must be placed in the student's special education eligibility folder in a timely manner so the information is available to the admission, review, and dismissal (ARD) committee when it considers the impact of the student's behavior on the student's learning and/or the creation or revision of a behavioral intervention plan (BIP).

(5) Written notification to the parent(s) and documentation to the student's special education eligibility folder must include the following:

(A) the name of the student;

(B) the name of the staff member(s) administering the restraint;

(C) the date of the restraint and time that the restraint began and ended;

(D) the location of the restraint;

(E) the nature of the restraint;

(F) a description of the activity in which the student was engaged immediately preceding the use of restraint;

(G) the behavior that prompted the restraint;

(H) the efforts made to de-escalate the situation and alternatives to restraint that were attempted; and

(I) information documenting parent contact and notification.

(f) Clarification regarding restraint. The provisions adopted under this section does not apply to the use of physical force or a mechanical device that does not significantly

restrict the free movement of all or a portion of the student's body. Restraint that involves significant restriction as referenced in subsection (b)(2) of this section does not include:

- (1) physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
  - (2) limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
  - (3) limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the individualized education program (IEP) as required by 34 CFR, §300.324(a)(2)(i) to promote student learning and reduce and/or prevent the need for ongoing intervention; or
  - (4) seat belts and other safety equipment used to secure students during transportation.
- (g) Use of time-out. A school employee, volunteer, or independent contractor may use time-out in accordance with subsection (b)(3) of this section with the following limitations.
- (1) Physical force or threat of physical force must not be used to place a student in time-out.
  - (2) Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease a targeted behavior.
  - (3) Use of time-out must not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.
- (h) Training on the use of time-out. Training for school employees, volunteers, or independent contractors must be provided according to the following requirements.



- (1) General or special education personnel who implement time-out based on requirements established in a student's IEP and/or BIP must be trained in the use of time-out.
- (2) Newly-identified personnel called upon to implement time-out based on requirements established in a student's IEP and/or BIP must receive training in the use of time-out within 30 school days of being assigned the responsibility for implementing time-out.
- (3) Training on the use of time-out must be provided as part of a program which addresses a full continuum of positive behavioral intervention strategies, and must address the impact of time-out on the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.
- (4) All trained personnel must receive instruction in current professionally accepted practices and standards regarding behavior management and the use of time-out.
  - (i) Documentation on the use of time-out. Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.
  - (j) Student safety. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.
  - (k) Data reporting. With the exception of actions covered by subsection (f) of this section, data regarding the use of restraint must be electronically reported to the Texas Education Agency (TEA) in accordance with reporting standards specified by the TEA.
  - (l) Peace officers. The provisions adopted under this section apply to a peace officer only if the peace officer is employed or commissioned by the school district or provides, as a school resource officer, a regular police presence on a school district campus under a memorandum of understanding between the school district and a

local law enforcement agency, except that the data reporting requirements in subsection (k) of this section apply to the use of restraint by any peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity.

(m) The provisions adopted under this section do not apply to:

(1) juvenile probation, detention, or corrections personnel; or

(2) an educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

## **SECTION XII: HOMEBOUND & HOMESCHOOL PROCEDURES & FOSTER CARE**

### **Ingram ISD Homebound Procedures**

After notification is received, the diagnostician will review the paperwork, notify the Special Education Director and case manager.

1. The ARD committee should include but is not limited to the following:

- Administrator
- Counselor
- General education teacher of the student
- Special education teacher
- School nurse, if possible
- Homebound teacher
- Parent/adult student (18 or older)

2. Prior to the ARD, complete the following paperwork:

- Give the parent/adult student the “Notice of Procedural Safeguards” (if initial referral, annual ARD, or parent request).
- Give the parent/adult student a copy of “A Guide to the Admission, Review and Dismissal Process” (if initial referral or parent request).
- Give parent/adult student the Notice of ARD. Unless waived in writing by the parent/adult student, a five school day waiting period is required between Notice of ARD and the ARD meeting.
- ESPED forms for homebound that a doctor must complete.

3. The school will conduct an ARD committee meeting and create/update an FIE when the student enters and exits homebound.

### **Evaluation Requirements for Homebound Placement**

1. To establish a need for homebound services, the homebound needs for evaluation must be completed by the physician determining that the student will be out of school for a minimum of 4 consecutive weeks.
2. If a student is currently receiving special education services, a new FIE will not be required unless additional areas of disability are suspected.
3. If other disabilities are suspected, such as TBI or ED, a full evaluation with formal assessment should be conducted.

### **Procedures for Placing Student on Special Education Homebound Services**

These guidelines apply ONLY to Special Education eligible students; general education homebound is coordinated by the campus office administration. This instructional arrangement/setting is for providing special education and related services to students who are served at home or hospital bedside.

(A) Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician licensed to practice in the United States. Homebound or hospital bedside instruction may, as provided by local district policy, also be provided to chronically ill students who are expected to be confined for any period of time totaling at least four weeks throughout the school year as documented by a physician licensed to practice in the United States. The student's ARD committee shall determine the amount of services to be provided to the student in this instructional arrangement/setting in accordance with federal and state laws, rules, and regulations, including the provisions specified in subsection (b) of this section.

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

## **Transitioning Students with Chronic Illness between Homebound and the Classroom**

A student with a chronic illness or acute health problem that is a long-term condition that requires the student to be in the homebound instructional setting for at least 4 weeks will generate contact hours based on the following:

- Students transitioning back to a school-based placement may continue to be coded homebound during the transition period subject to the homebound funding chart.
- The length of the transition period must be determined by the ARD committee based on current medical information. During the transition period, students are to be served in the homebound instructional setting for the period of time each week as specified by the ARD committee.
- Any student attendance in the classroom that is generated during the transition period will not be reported for funding purposes because funding will be based on instruction in the homebound setting.
- Once the student has completed the transition period as determined by the ARD committee, the student no longer generates eligible days present according to the homebound funding chart but instead generates attendance based on whether the student is present at the official attendance-taking time.

## **Students with a Recurring Chronic or Acute Health Condition**

A student with a chronic illness or acute health problem that is a recurring condition that requires the student to be in the homebound instructional setting for a period of time (which may be in daily or weekly increments) totaling at least 4 weeks throughout the school year will generate contact hours based on the following:

- Students moving back and forth between the homebound instructional setting and a school based placement must be coded homebound for those days they are in the homebound instructional setting subject to the homebound funding chart.
- Students with a recurring condition generally do not require a transition period.

## **Referral Procedures for Special Education Homebound Services Due to Pregnancy**

1. The case manager sets up a contingency ARD.
2. Contingency ARD is held.

3. Diagnostician is responsible for ensuring that all required documentation is fully completed.

4. Upon delivery or need for pregnancy related Homebound Services:

- The Special Education Director shall be notified that student is ready to start homebound instruction by the diagnostician/case manager.
- Special Education Director will work with the diagnostician and campus to secure a highly qualified certified teacher.
- The diagnostician will notify the attendance/PEIMS clerk to change coding upon entry into Homebound.
- Homebound teacher will collect assignments for special education students and will return to teachers upon completion.

Homebound teacher will work collaboratively with campus attendance clerk to maintain accurate attendance records. Homebound teacher will maintain attendance sheet. It is imperative that the attendance sheet and contact logs all match.

### **Dismissal from Pregnancy Related Homebound Services**

Homebound Teachers will work to ensure that the attendance sheet and contact logs match and accurately reflect the correct dismissal date. The Special Education/PRS Student Record Contact Hours Served form will be attached to the attendance sheet. The Homebound Teacher will inform the diagnostician and nurse of the student's dismissal date. Diagnosticians will notify the Special Education Director with proper dismissal paperwork from the physician.

### **Serving Students with Special Needs who are Homeschooled**

The student must reside in the district boundaries. If a student qualifies for services, the district will offer a Free and Appropriate Public Education (FAPE). The parent may decline FAPE and choose an Individual Services Plan for their child. Services may be made available based on the availability of funding to support those service providers.

### **Remote/Virtual Instruction for Homebound Students**

The decision for remote/virtual homebound instruction will be decided through the ARD committee. A contingency plan will be created to provide the appropriate services and instruction decided upon by the ARD committee. If virtual instruction is not appropriate for the student a waiver will be submitted through the Texas Education Agency on that student.

## **HB 1556: Foster Care**

There is no longer a 60 day wait period for foster care parents to make educational decisions unless court order specifies otherwise.

### **SURROGATE PARENT PROCEDURES**

1. When a foster parent or Residential Facility case manager enrolls a student in Ingram ISD, they complete the enrollment card indicating they are a foster parent or case manager of the child. The foster parent must bring written documentation, at the time of enrollment, that they have been assigned the foster parent of the child by a licensed placing agency which indicates they have the right to make educational decisions concerning the student. If the student is under the court appointed guardianship and residing in a Residential Facility, written documentation from a court order must be obtained indicating they have been appointed the student's legal guardian.
2. If the foster parent indicates they are the temporary managing conservator of the child then all efforts should be made to include the biological or adoptive parents as well as the foster parent in any decisions made including ARD/IEP meetings. If the biological parent is unable to be located then document the efforts to locate them on the Record of Contacts Log. An exception to this is if by contacting the parent it would endanger the child then parent contact must not be made.
3. If the student is placed in a group home by the biological parents or guardian, then the ARD notice will be sent to the biological parents or guardian. The biological parents or guardian may give proxy to the group home case manager to represent them pertaining to educational decisions.
4. Obtain a Release of Confidential Information form indicating the group home or Residential Facility has the right to represent the student in educational decisions. These forms will be filed in the eligibility folder. The student, the case manager as well as the parents should be notified of the ARD.
5. If the student has NOT resided with the foster parent for at least 60 days, the foster parent can be appointed as a surrogate parent if s/he meets surrogate parent qualifications. After the student has resided with the foster parent for 60 days, the

foster parent who was the surrogate parent can now be the parent.

6. If the foster student with a disability turns 18 years old, all rights under IDEA transfer from the parent to the adult student. At this time the student may represent themselves and a surrogate parent would not be assigned. Send the ARD notice to the student. If the foster/surrogate parent desires to attend the ARD, the Release of Confidential Information form will need to be completed by the adult student in order for the foster/surrogate parent to attend the ARD. The exception would be if the child has been determined to be incompetent under State law. In this case, the court appoints a guardian for the student.

7. Foster Parents must attend special training provided through Region centers or through Foster Care Agency. Ingram ISD will help facilitate and remind the parent to complete this training but the district will not be held responsible if foster parent chooses not to complete the required training.

#### **APPENDIX: FORMS**

**Ingram ISD - Special Education Department  
ARD Committee Meeting Membership Checklist**

Student Name \_\_\_\_\_ ARD Date \_\_\_\_\_

**Required Members**

- \_\_\_\_\_ Parent/ Surrogate Parent/ Guardian
- \_\_\_\_\_ Adult Student
- \_\_\_\_\_ School Age student if appropriate
- \_\_\_\_\_ General Education Teacher
- \_\_\_\_\_ Special Education Teacher
- \_\_\_\_\_ Speech Therapist
- \_\_\_\_\_ Administrator/Administrator Designee
- \_\_\_\_\_ Evaluation Personnel/ Diagnostician
- \_\_\_\_\_ Career Technology Education Teacher (When considering student for initial or continued CTE placement.)
- \_\_\_\_\_ Teacher of Auditory Impaired
- \_\_\_\_\_ Teacher of the Visually Impaired
- \_\_\_\_\_ LPAC Representative
- \_\_\_\_\_ Related Services Personnel
- \_\_\_\_\_ PT                                      \_\_\_\_\_ Nurse                                      \_\_\_\_\_ SPED Counselor
- \_\_\_\_\_ OT                                      \_\_\_\_\_ PE Teacher                                      \_\_\_\_\_ LSSP

**Other Members/District Staff**

- \_\_\_\_\_ Interpreter (When needed)
- \_\_\_\_\_ Counselor
- \_\_\_\_\_ Advocate
- \_\_\_\_\_ Behavior Specialist
- \_\_\_\_\_ Other \_\_\_\_\_

**This form is to be completed by the case manager prior to the scheduling of ARDC meetings. A copy of this form will be given to Special Education Secretary.**



## **AGENDA -ADMISSION, REVIEW, AND DISMISSAL (ARD) Meeting**

**Administration:** Introductions -Required Members are Present: (Parent, Administration, or administrative designee, special education teacher, regular education teacher, counselor, LPAC, Interpreter, AI/VI, CTC (if student is in tested grade level.)

**ARD Etiquette Reminder:** Be respectful, turn off cell phones, One person speaks at a time. No side conversations, Focus on student progress and how the ARD team can best service the student.

**Case Manager/Diagnostician**-Inform the parent of their rights through providing the following documents- Procedural Safeguards and Guide to ARD Process

- Statement of Purpose of ARD: (Provide parents a copy of the ARD papers in draft form to follow along and/or project on wall.)
- Procedural Safeguards and Guide to ARD Process (initial ARD) (English/Spanish) and signatures (proof of receiving these documents)
- ARD notice signature

**Parent Concerns:** Parents should be given time to bring concerns to the committee early in the ARD (Address these concerns throughout ARD meeting)

**Review of Evaluation Data:** **Diagnostician/or staff** presents evaluation data

- Formal/Informal data
- Include Parent / Adult Student input in this and each section
- Include review of progress on previous year's completed goals and objectives
- Planning of any additional evaluations needed

**Special Ed/General Ed Teachers** -Determine Present Level of Academic Achievement and Functional Performance (PLAAFPS)

- Physical
- Behavioral/Functional
- Prevocational
- Academic/Developmental

**ARD Committee–Led by Administration/Diagnostician:** Determination of the Student's Eligibility as a Student with a Disability

- Assistive/Augmentative Technology
- Modifications Developed (Life Skills/PPCD/Functional Living Units)
- Accommodations- Testing, classroom, other settings
- Discuss New Proposed Draft Goals/Objectives (after review of progress on previous goals and objectives)

- ❑ State and / or District-wide Testing: STAAR, STAAR-ALT, TELPAS, TELPAS ALT . Make sure this page in the IEP paperwork is easy to understand. What type of test? paper/online, What accommodations? List any accessibility features- small group, reminders to stay on task, etc.
- ❑ Accelerated Learning Plan is developed if the student does not pass the STAAR.
- ❑ Any supplements- Personal Care, Autism, AI, Transportation, etc.
- ❑ Medical Consent forms (communication between school and medical professionals)

### **Placement in the Least Restrictive Environment (LRE)**

- Participation in Extracurricular Activities
- Least Restrictive Environment (Schedule of Services)
- Related Services
- Graduation Plan/Transition/College or Career planning.

Review deliberations- make sure notes are clear and concise, reread and correct any confusing statements. Ensure parent concerns are noted, discussed, and resolved.

### **Assurances** read by administrator

- The ARD committee assures that removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- The ARD committee ensures that each student with a disability participates in nonacademic and extracurricular services and activities, including meals, and recess periods, with nondisabled students to the maximum extent appropriate to the needs of the student.
- The ARD committee assures 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.

Signatures on Additional forms if required

Parent receives copy of ARD document.

This document should be given to the Special Education Teacher/Case Manager to keep in the student's IEP file.

**\*\*Note: Each professional is responsible for preparing and inputting their own segment in a timely manner into eSped. Archiving will occur after meeting.**

**General Education Teacher Documentation of  
Receipt of Special Education Student's IEP Information**  
(use 1 sheet per teacher)

**Campus:** \_\_\_\_\_

**Teacher Name:** \_\_\_\_\_

**Grade Level/Subject:** \_\_\_\_\_

**List Students Below:**

	INITIAL	INITIAL	INITIAL	INITIAL	INITIAL	INITIAL
	DATE	DATE	DATE	DATE	DATE	DATE
1. _____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

**I have received the following sections of the above named student's current IEP:**

- \_\_\_ Goals and objectives
- \_\_\_ Accommodations
- \_\_\_ STAAR/TELPAS Page(s)
- \_\_\_ BIP (Behavior Intervention Plan) \_\_\_\_\_
- \_\_\_ Other: \_\_\_\_\_

Teacher's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Special Education Service Minutes Log

Name: \_\_\_\_\_

Teacher/Class: \_\_\_\_\_

Frequency & Duration: \_\_\_\_\_

Inclusion : \_\_\_\_\_ Six Weeks

Inclusion Support:	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Week 1</b> Time Owed: Time In: Time Out: Total Completed:					
<b>Week 2</b> Time Owed: Time In: Time Out: Total Completed:					
<b>Week 3</b> Time Owed: Time In: Time Out: Total Completed:					
<b>Week 4</b> Time Owed: Time In: Time Out: Total Completed:					
<b>Week 5</b> Time Owed: Time In: Time Out: Total Completed:					
<b>Week 6</b> Time Owed: Time In: Time Out: Total					

Completed:					
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**Special Education Failure Documentation Form**

**Student:** \_\_\_\_\_ **Subject:** \_\_\_\_\_

**Teacher:** \_\_\_\_\_ **Current Grade in Class:** \_\_\_\_\_

**Six Weeks (circle):**    1        2        3        4        5        6

**Date of Parental Contact:** \_\_\_\_\_

**Person Contacted:** \_\_\_\_\_

**Method of Contact:**

- \_\_\_\_\_ in person (conference)
- \_\_\_\_\_ telephone conversation
- \_\_\_\_\_ written (attach a copy of letter to this form)

**Reason for Failure:**

- \_\_\_\_\_ excessive absences
- \_\_\_\_\_ missing papers: \_\_\_\_\_
- \_\_\_\_\_ lack of effort on work
- \_\_\_\_\_ low test grades
- \_\_\_\_\_ change accommodations (ARD meeting will be scheduled)

Notes about how to promote success for this student:

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\_\_\_\_\_  
General Education Teacher's Signature

\_\_\_\_\_  
Special Education Teacher's Signature

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Parent's Signature

**Don't forget to attach documentation specified in the Special Ed Handbook.**



### **Ingram ISD Private Duty Nurse Procedures and Regulations**

School health services and school nurse services are services designed to enable a child with a disability to receive a free and appropriate public education (FAPE) as described in the child's Individualized Education Program. School nurse services are "services provided by qualified school nurse". School health services are "services that may be provided by either a qualified school nurse or other qualified person". 34 C.F.R. 300.34 (c)(13).

A child who needs school health services or school nurse services in order to receive FAPE must be provided such services, as indicated in the child's IEP. Ingram ISD need only provide the services if a non-physician can perform the services. See *Cedar Rapids Cmty. Sch. Dist. V. Garret F., 199 S. Ct. 992 (1999)*. A student's need for school health or school nurse services must be documented in the student's IEP.

Parents' requests to allow a child's licensed private duty nurse (PDN) to provide services to the child at school will be considered and determined on a case-by-case basis. Campus administration and special education staff are required to notify the Director of Special Education upon receipt of a parental request for PDN services.

The Ingram ISD has created two separate formal agreements one of which is to be signed by the PDN and/or his or her sponsoring agency and the other of which is to be signed by the parent. To the extent of any conflict with these procedures and regulations, the formal agreements with the PDN and the parent shall control.

#### Procedures and Regulations:

- The PDN's responsibility is **limited** to providing needed health services to the student with whom the PDN has been assigned to work directly.
- The PDN will **not** interfere with the delivery of the students IEP or other instruction.
- The PDN will comply with District and campus policies and procedures while he or she is serving the student.
- The PDN will submit to a criminal background check or otherwise provide evidence that one has been conducted.
- The PDN will provide proof of current licensure as a Registered Nurse.
- PDN's who are not Registered Nurses must be supervised by a Registered Nurse supervisor from the agency that employs them.
- The PDN or the agency providing the PDN has sole responsibility for the PDN, including training, evaluation, and liability insurance.

- The parent of the student must consent in writing for the PDN to review the student's education records including those related to special education services.
- The PDN must maintain confidentiality with regard to all students including but not limited to the individual student served by the PDN.
- The PDN will sign an Ingram ISD Confidentiality Agreement. Form
- Medical concerns brought forward by the PDN must be discussed with the school nurse. Academic, instructional, or supervisory concerns brought forward by the PDN must be presented to the child's teacher or campus principal.
- The PDN cannot direct or delegate duties and responsibilities to Ingram ISD faculty and staff.
- A current physician's order for all services needed during the school day will be required.
- The PDN and/or his or her supplying agency will comply with physician's orders for medications and treatment and shall furnish such orders to the campus nurse.
- Absences for the PDN shall be handled in accordance with the district's agreement with the licensed PDN.
- PDN's must seek the aid of school personnel in the case of student discipline issues.
- PDN's may not conduct or promote any personal business for profit activities on the campus.
- Only a parent or legal guardian may seek approval for a PDN to perform services on a district campus. Approval shall not be granted before all necessary documentation is completed to the satisfaction of District administrative personnel.
- If one or more of the teaching staff based on their experience and expertise determine that the PDN is interfering in the educational process involving the subject student or any other student, this will be discussed privately with the PDN. The parent will be notified and if the situation persists, the campus administrator will be informed and he or she will meet with the PDN and parent. If the situation is not resolved, the campus principal will notify the Director of Special Education to discuss the situation with the agency/nursing supervisor.
- The Ingram ISD reserves the right to conduct an independent nursing evaluation at its discretion and may do so at any time.
- The Ingram ISD reserves the right to withdraw its approval of the PDN at any time if, in the sole determination of the District, the parents or the PDN fail to comply with their separate written agreements or the continuation of such services on District property is contrary to the best interests of the District.
- In accordance with the separate agreements referenced herein, the District's consent and approval to a PDN is valid for only one school year or partial school year at a time. No automatic extension of any agreement or arrangement shall occur beyond the last day of each school year.

Date of Report: \_\_\_\_\_

Reason for Evaluation: \_\_\_\_\_

Ingram Independent School District  
510 College Street  
Ingram, Texas 78025  
830-367-5517

**FULL AND INDIVIDUAL EVALUATION  
RELATED SERVICES**

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Local ID#: \_\_\_\_\_

Campus of Enrollment: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Medicaid #: \_\_\_\_\_

**PROFESSIONAL EVALUATORS:** \_\_\_\_\_

Reason for Referral: \_\_\_\_\_

*SOURCES OF DATA (formal and informal measures)	ASSESSMENT DATES
Current medical records	
Interview with nurse	
Observation in the classroom	
Physical assessment	
Interview with student's private duty nurse	
Phone interview with MOC	
Phone interview with MD	

\*Present levels of educational performance which identify the need for the related service. (Need not be addressed for transportation only.):

Evaluation Results

\_\_\_\_\_ Denotes required items



<sup>1</sup>Related services not listed in federal regulations or State Board of Education rules may be provided with the written approval of the Texas Education Agency

Date of Report: \_\_\_\_\_ Reason for Evaluation: \_\_\_\_\_

Ingram Independent School District  
510 College Street  
Ingram, Texas 78025  
830-367-5517

**FULL AND INDIVIDUAL EVALUATION  
RELATED SERVICES**

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Local ID#: \_\_\_\_\_

Campus of Enrollment: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Medicaid #: \_\_\_\_\_

**Classroom Observation of Student**

Observation of \_\_\_\_\_ while in the classroom setting, assessment of physical environment and physical assessment of Personal interview with \_\_\_\_\_ private duty nurse.

Observation of student in classroom

Date: \_\_\_\_\_

Interview with Private Duty Nurse

Date: \_\_\_\_\_

Phone Interview with Parent:

Date: \_\_\_\_\_

Phone interview with Physician

Date: \_\_\_\_\_

Parent Permission given on \_\_\_\_\_ or

Parent Permission denied on \_\_\_\_\_

Denotes required items

\*Related services not listed in federal regulations or State Board of Education rules may be provided with the written approval of the Texas Education Agency.

Assessment Results:

Yes  No  \*Assessment data indicate that this student meets district eligibility requirements and needs the specified related service(s) to benefit from instruction.

Yes  No  Are assistive technology devices/equipment recommended for this student? If yes, describe

**FULL AND INDIVIDUAL EVALUATION  
RELATED SERVICES**

RELATED SERVICE(S)	TYPE DIRECT/CONSULT	FREQUENCY	DURATION

Yes  No  Recommended goals and objectives to be implemented by related services personnel are included.

\_\_\_\_\_  
\*Name

\_\_\_\_\_  
\*Position

\_\_\_\_\_  
\*SIGNATURE OF REGISTERED/LICENSED/CERTIFIED EVALUATOR

Denotes required items

<sup>1</sup>Related services not listed in federal regulations or State Board of Education rules may be provided with the written approval of the Texas Education Agency.

**INGRAM ISD CONFIDENTIALITY AGREEMENT**  
**ALL EMPLOYEES, VOLUNTEERS, STUDENT INTERNS, STUDENT TEACHERS,**  
**SUBSTITUTES, and EMPLOYEES OF INDEPENDENT CONTRACTORS**

Students in the Ingram School District have the right to expect that information about them will be kept confidential by ALL employees, volunteers, student interns, student teachers, substitutes, and employees of independent contractors. Additionally, the U.S. Congress has addressed the privacy-related concerns of educators, parents, and students by enacting the Family Educational Rights and Privacy Act (FERPA).

- Each student with whom you work has the right to expect that nothing that happens to him or her will be repeated to anyone other than authorized school district employees, as designated by the administrators at each school. Even when discussing a student with those who are directly involved in a student’s education, such as a teacher, principal, or guidance counselor, you may not share otherwise confidential information with them unless it is relevant to the student’s educational growth, safety, or well being.
- You may not share information regarding a student even with others who are genuinely interested in the student’s welfare, such as social workers, scout leaders, clergy, or healthcare professionals. You must refer all such questions to the school district employees so authorized to do so, typically the student’s teacher or building principal. The only exception is in the event of an urgent medical emergency, in which confidential information may be necessary for a student’s medical care.
- Parents, friends, or community members may in good faith ask you questions about a particular student. Again, you must refer all such questions to an authorized school district employee. You may not share information about a student even with members of your own family or the student’s family.
- Before you speak, always remember that violating a student’s confidentiality isn’t just disrespectful, it is against the law.

Confidentiality Agreement

I \_\_\_\_\_, as an employee, volunteer, student intern, student teacher, or substitute for the Ingram School District, agree to never disclose information about a student to anyone other than an authorized school district employee. I will refer all requests for information from those not directly involved in the student’s education to an authorized school district employee.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

## **Ingram ISD Remote Learning/Virtual Attendance**

### **Required Members of the ARD**

All ARDs scheduled during remote learning will be convened via video (Zoom) or teleconference.

### **Remote in ARD Meetings**

- Required ARD meetings will be scheduled between 8:00-4:00 Monday-Friday. We will make every effort to meet the scheduling needs of parents if it's outside of the normal business hours.
- All required members must be in attendance; therefore, staff should ensure they are available during scheduled times to participate remotely via video or phone conference.
- Required staff members include:
  - Campus Administrator
  - Special Education Evaluator (LSSP or SLP)
  - General Education Teacher
  - Special Education Teacher
  - Other members of the ARD meeting may be required to attend as needed based on the nature and intent of the ARD meeting.

### **Important NOTE**

Members attending remotely must ensure FERPA is applied so that confidentiality is maintained. Participation expectations when attending virtually include:

- Use headphones or find a private place for the ARD meeting.
- Do not email, use your device(s) for purposes unrelated to the ARD during the meeting, or tape the meeting unless specifically requested to do so by a supervisor.
- Members must be present and engaged for the entire ARD meeting.

### **Scheduling an Interpreter**

- Interpreters should only be scheduled by the campus LSSP or speech pathologist for special education activities.
- Determine the date and time of the meeting, evaluation, interview, etc.
- Schedule a Zoom meeting and send a calendar invite to all participants..

- If there is an issue or concern immediately prior to or during the time of service, please call Jennifer Harris at 830-367-5517 so she can notify Holly Lambert, Director at hlambert@ingramisd.net of the concern.

## Procedures for Attending Virtually

- SpEd secretary may be on skeleton hours, so the LSSP/SLP will be required to send and follow through with all written notices as appropriate.
- Once the ARD has been scheduled and Notice of Meeting has been sent following district procedures, the LSSP/SLP should create a [Zoom](#) by inviting all required ARD members who will participate including the parent and interpreter.
- Members will choose to participate by video or teleconference through this system. A parent that does not have internet access may continue to participate by phone.
- All documents to be reviewed and discussed during the ARD should be provided electronically or picked up at packet pick-up times to the parent prior to the meeting.
- When it is time for the ARD to begin the LSSP/SLP will ensure a draft of the proposed IEP is prepared in the system, so that staff can view items as they are discussed.
- Once the ARD is complete, the LSSP/SLP will note agreement status of committee members on the hard copy (deliberations) of the ARD document.
- A copy of the final IEP along with a copy of the Prior Written Notice will be emailed to the parent and team within 48 hours of the completion of the meeting.
- If ARD ends in disagreement or parent requests time to review the final document before responding, follow district procedures from the SPED handbook and ask the parent to respond to email indicating their participation and reason for not accepting IEP at this time.

### Secretary/LSSP/SLP Checklist:

- Secretary or LSSP/SLP can send all notices of ARD making sure to let parents know that they are welcome to attend virtually or by phone. Include the following statement:
  - *While Ingram ISD will be operating remotely, ARD meetings will continue to occur. We are complying with the CDC's recommendation of social distancing and OCR's guidance that IEP teams are not required to meet in person while schools are closed; therefore, all ARD meetings will occur via video (Zoom) or phone conference.*
- The Secretary/LSSP/SLP will set up the meeting through [Zoom](#).

- Send a calendar invite with Zoom link to the ARD committee members (including any interpreters) at least 2 days before the ARD meeting.
- If at all possible, utilize two devices. Designate one person with a device to maintain ARD documents and another to share the screen with the draft IEP with the virtual participants so they can meaningfully participate.
- Open the virtual meeting 30 minutes before the scheduled ARD.
- Verify that sound, microphone, and video are working.
- 10 minutes prior to the start of the meeting, verify all virtual attendees have sound and microphone capabilities.
  - If any virtual attendees are unable to access their microphone, they will need to participate via the chat feature in the online meeting platform.
  - Be sure to notify parents and ARD committee members that some will participate via the chat feature if needed.
  - Appoint someone to read the chat comments/questions to ensure parents have access to all participants' input.
  - If parents are participating via telephone, make sure they are able to hear the virtual participants.
  - The best sound quality may be obtained by having participants mute their microphones unless they need to speak.
- Make sure to read/ask the following question:
  - *"Is anyone recording the meeting today?"*
- If anyone is audio or video recording the meeting, please be prepared to do the same per district procedure.
- At the end of the meeting, use the virtual Google Sign In form or another agreed upon form of collecting required signatures.
  - Make sure to make a copy of the obtained signatures to be archived with ARD meeting paperwork.
  - Optional: Create a Spreadsheet in the Responses section and name the document as follows: Student Name, ARD Date.
  - Print a copy of the spread sheet and include in the state file behind the signature sheet.
- At the end of the ARD meeting, exit the virtual meeting.
- LSSP/SLP should get documents to the secretary to archive in ESPED.
- ARD related documents such as returned notices or amendments, contact logs, virtual sign-ins, etc. that were obtained during the period of remote learning will eventually need to be included in the archived files in ESPED.

## **Remote Attendee Checklist:**

- When receiving the virtual link, make sure you have the appropriate app downloaded on your device.
- Make sure to sign into the meeting at least 30 minutes ahead of the meeting.
- Check the sound, video, and microphone on your device.
- If you are unable to access the microphone, notify the LSSP/SLP/Secretary that you will be participating via the chat feature in the online meeting platform.
- Headphones with microphones can be checked out by staff from the technology department.
- Make sure that you are in attendance during the entire meeting.

## **Resources**

How to host a [Zoom Meeting](#)

Setting up [Google Hangouts](#) (all participants need to have a google account)- used for non-ARD meetings

## Directions for Sharing IEP Information with Teachers/Parents via Email

**First:** Choose the Report  
**Then** decide if you want to

- Automatically Archive
- Mail the document

**Then** click on a Print Type button

Select the Language:  Static Text Only:  Print a blank version of this report

Report List  Bundle List

- Revision ARD
- eStar Full ARD
- eStar Full ARD R20
- eStar Full ARD No Goals
- eStar ARD Goals
- eStar Full ARD R20 No Goals
- eStar Full ARD - Full ARD with Supplements, R20 Schedule of Services
- eStar Full ARD - Full ARD with Supplements
- eStar Full ARD A - Review of Evaluation
- eStar Full ARD B - Goal and Objectives
- eStar Full ARD C - Accommodations
- eStar Full ARD D - State/District Required Assessment
- eStar Full ARD E - R20 Schedule of Services
- eStar Full ARD E - Schedule of Services
- eStar Full ARD F - LRE Service Alternatives
- eStar Full ARD G - Placement Services/Committee Signatures
- eStar Health Care Needs Supplement
- eStar Individual Health Services Plan
- eStar State Assessment (STAAR)
- eStar Summary of Performance

**Note:** Use the Shift or Control keys to select multiple reports at one time.

1. From the Print/Archive page in ESPED. You can select the type of report or parts of the IEP you wish to share with teachers.
  - You can send just goals or accommodations without sending the entire IEP.
  - Use shift or control keys to select multiple reports at one time if you wish.
2. Then you would select “mail the document”. Then you will see....

Reports selected for printing will also be emailed.  
 Separate addresses in CC list with commas; do not enter spaces.  
 Please remember the password. It will be required by recipients to open the emailed reports.

Encrypt document:  Password:  (No Spaces)

To:

Cc:

3. Your email will appear in the To: box. You need to enter the teacher’s (parent’s) email you wish to send it to. Leave your email on it so you will receive a copy for your records.
4. Add a password to protect the confidential information being sent and let the teacher/parent know the password they will need to access the file via phone call or other means.

**Note:** You can use these same steps to send IEP information to parents. Be sure to add the password feature to protect the document and send yourself an email for your records.



## Instructions on How to Email Progress Reports

1. Go into Progress Reporting and select your student. Then click Print/Archive tab. When you do you will see this...

**First:** Choose the Report  
**Then** decide if you want to

Automatically Archive  
 Mail the document

**Then** click on a Print Type button

Select the Language: English Static Text Only:  Print a blank version of this report

**Close** **Print Draft Copy** **Print Final Copy**  Report List  Bundle List

Data Collection Report (Static)  
IEP Progress Goals - All Periods  
IEP Progress Goals  
IEP Progress Goals/Objective  
IEP Progress Goals/Objectives - All Periods  
Data Collection - Grouped  
Data Collection  
Data Collection Detailed

Reports selected for printing will also be emailed.  
Separate addresses in CC list with commas; do not enter spaces.  
Please remember the password. It will be required by recipients to open the emailed reports.

Encrypt document:  Password:  (No Spaces)

To: hlambert@ingramisd.net

Cc:

2. You will need to choose the report- IEP Progress Goals/Objective.
3. Click Automatically Archive and Mail the Document. Your email will automatically show up in the "To:" box.
4. You can enter the parent's email into the "CC:" box.
5. You can change the language to Spanish if the parent needs a translated copy.
6. You can encrypt the document by adding a password. If you do you must let the parent know the password in order to access the document. (Optional)
7. When you are finished, click print final copy. A copy will be emailed out then it will send you to the archive page.
8. Archive Page- Please select the correct folder to archive the report.
  - Progress Reports 2020-21

## **Handbook Receipt**

I have read and understand the requirements in the Ingram ISD Special Education Handbook 2020-21. I agree to follow the procedures as outlined in this handbook.

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**Printed Name**

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**Signature**

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**Date**

**Please send a signed copy of this page to the Special Education Office.**