

## Special Education Toolkit

### ***PARENTAL PARTICIPATION IN ARD MEETINGS:***

- Parents should be given a 5-school-day written notice for ARD meetings.
- Meeting should be held at a mutually agreeable time and place.
- The notice should include the purpose of the meeting and who will be participating.
- An interpreter should be used as appropriate.
- If a parent is not in attendance, the school should –
  1. Keep detailed records of attempts to make contact;
  2. Keep copies of any correspondence with the parent; and
  3. Keep records of home visits and the results of visits.

### ***REQUIRED ARD COMMITTEE MEMBERS:***

- Parent/Legal Guardian
- Administrator
- General Education Teacher
- Special Education Teacher
- The child with a disability, whenever appropriate, when the purpose of the meeting will be the consideration of TRANSITION SERVICES, and in compliance with the ADULT STUDENT framework
- CTE teacher if student is CTE
- LPAC representative if student is LEP
  - The ARD Committee in conjunction with the LPAC Committee can determine entry and exit criteria for students identified as LEP who require special education services. Key members of both committees meet to discuss second language acquisition in the context of the student's disability and current functioning. In light of the information reviewed, a decision is made regarding LEP entry or exit criteria and should be documented by both committees.
- VI teacher, if student is Visually Impaired
- AI teacher, if student is Auditory Impaired

**ELIGIBILITY:**

For a student to be eligible for special education and related services, there must be an identified disability condition and educational need.

Disabilities Include:

- Orthopedic Impairment- OI
- Other Health Impairment-OHI
- Auditory Impairment-AI
- Visual Impairment-VI
- Deaf Blind
- Mental Retardation-MR
- Emotionally Disturbed-ED
- Learning Disabled-LD
  - *Basic Reading*
  - *Reading Fluency*
  - *Reading Comprehension*
  - *Math Calculation*
  - *Math Reasoning*
  - *Writing*
  - *Listening Comprehension*
  - *Oral Expression*
- Speech Impairment-SI
- Autistic -AU
- Traumatic Brain Injury-TBI
- Non-Categorical Early Childhood-NCEC

**RELATED SERVICES:**

Related services are supportive services required to assist a child with a disability to benefit from special education. Some examples include:

- Counseling Services
- Music Therapy
- Occupational Therapy (OT)

- Orientation & Mobility (O&M)
- Physical Therapy (PT)
- Psychological Services
- School Health Services
- Transportation—This is a related service, and students must be eligible for this service in order to receive it.

***LEAST RESTRICTIVE ENVIRONMENT:***

LRE means that students with disabilities must be educated with students without disabilities to the maximum extent appropriate. We are always charged with providing services to the student in the LRE.

***ADVOCATES/ATTORNEYS***

- Parents may bring other individuals who have knowledge or special expertise regarding the child to an ARD meeting. The person(s) may act as a support to the parent or as an advocate for the child. **The parent, not the advocate, is the consensus member of the ARD committee.**
- If a parent brings an attorney to an ARD meeting, before proceeding, take a 10 minute break, and then call the Area Coordinator and Director. The ARD must be rescheduled for when the District can have representation present.

***NON CONSENSUS ARD MEETING***

- If the ARD committee does not reach consensus, the committee will recess ***for not more than 10 school days***. A break is different from a recess. The deliberations must reflect this.
- **All disagreement ARDS must be brought to the attention of the Lead Diagnosticians, Area Coordinators, and Director.**
- The committee should determine a mutually agreeable date, time, and place for the next meeting.
- The purpose of the recess is to consider alternatives, gather additional data, prepare further documentation, and/or consult resource persons who may assist the committee in reaching consensus.
- Upon reconvening, the committee members should present any additional data they have gathered during the recess
- If consensus is not reached, the basis for the disagreement should be documented in the ARD minutes.
- Members may submit their own statements.
- The district will provide the parent a notice of refusal in at least 5 school days, unless the parents agree otherwise.
- The district will implement the IEP it has determined to be appropriate.
- The Director should be contacted for further direction.

**MANIFESTATION DETERMINATION REVIEW:**

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the ARD committee must review all relevant information to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
2. If the conduct in question was the direct result of the school's failure to implement the IEP.

If the conduct was determined to be a manifestation, the ARD committee must either conduct an FBA and develop a BIP or review and modify an existing BIP as appropriate.

If the conduct was not determined to be a manifestation, regular disciplinary consequences can be applied, however, the student must continue to receive FAPE (Free Appropriate Public Education as defined by the student's ARD committee).

Schools can remove students to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation if the following circumstances occur at school, on school premises, or at a school function. If the student's behavior is determined not to be a manifestation, then the disciplinary removal could be for more than 45 days if that would be the consequence for a non-disabled student.

- Brings or possesses a weapon
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance.
- Inflicts serious bodily injury upon another person.

### ***THE HEART OF THE IEP- STANDARDS-BASED IEPs:***

A standards-based IEP is designed to ensure that all supports, services, and instruction are directly aligned with student evaluation/assessment, PLAAFPS, and the student's enrolled grade-level curriculum standards. A standards-based IEP should be written in an objective and measurable manner, allowing for effective and appropriate measurement of student progress. One component of a standards-based IEP is the development of annual goals and short-term benchmark/objectives. The following information should be considered when writing a standards-based IEP.

#### Standards-Based IEP Goals

- Are always written at the student's enrolled grade-level. They must be linked to TAKS/Pre-K Guidelines for a child's enrolled grade level.
- Describe what a child can reasonably be expected to accomplish within a 12-month period. Annual goals are skills and/or knowledge to be measured and mastered, they are not activities.
- Serve as the measurement tool to help determine whether the student is making progress, given implementation of all of the supports and services outlined in the IEP.
- They must consist of four components: time frame, conditions, behavior, and criterion.

#### Short-Term Benchmarks or Objectives

- Outline intervals at which the annual goal will be measured and the steps to be taken between the child's PLAAFP and attainment of the annual goal(s).
- Consist also of four components: time frame, conditions, behavior, and criterion.
- Required only for students who take alternate assessments aligned with alternate achievement standards, but may be included for other students at the ARD Committee's discretion.

### ***GRADUATION OPTIONS (Legal Frameworks):***

There are four ways in which a student receiving special education services may graduate from high school and receive a regular high school diploma.

1. Upon satisfactory completion of minimum credit and curriculum requirements applicable to students in general education and passing the exit-level assessment, the student can graduate and receive a high school diploma under the recommended or distinguished graduation programs.
2. Upon satisfactory completion of the minimum credit and curriculum requirements for students in general education and participation in required assessments. The student's ARD committee must determine whether satisfactory performance on a required assessment shall also be required for graduation. It should be noted that courses with modified content apply to the minimum high school program only and cannot be counted toward the recommended or distinguished programs.
3. Upon satisfactory completion of the minimum credit requirements for students in general education to the extent possible as determined by the ARD committee, the student's IEP, and one of the following conditions:
  - a. full-time employment and sufficient self-help skills to maintain employment without direct and ongoing support from the school district;
  - b. demonstration of specific employability and self-help skills that do not require direct ongoing support from the school district; or
  - c. access to services that are not within the legal responsibility of public education or access to employment or educational options for which the student has been prepared by the academic program.

4. Upon the ARD committee's determination that the student no longer meets age eligibility requirements and has completed the requirements specified in the IEP.

***PARENT REVOCATION OF CONSENT FOR SPECIAL EDUCATION:***

- A parent may refuse consent for initial placement into special education
- There are very specific steps that must be taken if the parent makes the request for revocation.
- They must provide a written request to revoke consent. If this request is made by a parent, contact the special education area coordinator, or lead diagnostician for district procedures for parental refusal.

***REFERENCES:***

- <http://ritter.tea.state.tx.us/special.ed>
- <http://framework.esc18.net>
- [www.texasprojectfirst.org](http://www.texasprojectfirst.org)
- [Ggconsulting.com](http://Ggconsulting.com)