



Special Education Operating Procedures

Overview: Local Education Agencies (LEAs) are required to develop and implement policies, procedures, and practices related to the provision of special education services to eligible students. Operating guidelines are developed locally and outline the implementation of the policies contained in the Legal Framework. Moreover, according to the requirements of the Individuals with Disabilities Act (IDEA) (34 CFR 300.646(b) (1)), the State Education Agency must provide for review and, if appropriate, revision of the policies, procedures, and practices related to serving students with disabilities. This process is monitored by the Texas Education Agency (TEA). YES Prep Public Schools (YES Prep or district) developed the following Operating Guidelines to assist in meeting the above requirement. Each section provides the legal requirements for the identified area and local guidelines to meet the federal and state requirements. The Operating Guidelines will be updated periodically to reflect changes to policies or to meet compliance requirements as outlined by the TEA.

Accommodations, Modifications, & Supplementary Aids & Services

Legal Requirements

Supplementary aids and services, special education, and related services must be based on peer-reviewed research to the extent practicable. The admission, review, and dismissal (ARD) committee must determine needed supplementary aids and services to be provided to the student, or on behalf of the student.

The term "supplementary aids and services " means aids, services, and other supports that are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable the student with a disability to be educated with nondisabled students to the maximum extent appropriate ([34 CFR 300.42](#) and [20 USC 1401\(33\)](#)).

The ARD committee must determine needed program modifications or supports for school personnel that will be provided to the student to enable the student to: advance appropriately toward attaining the annual goals; be involved in and make progress in the general education curriculum, and be afforded an equal opportunity to participate in extracurricular and other nonacademic activities, including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities; special interest groups or clubs sponsored by the local educational agency (LEA), referrals to other agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the LEA and assistance in making outside employment available ([34 CFR 300.117](#), [34 CFR 300.107](#), [20 USC 1414\(d\)\(1\)\(A\)\(i\)\(IV\)](#)).

The LEA is required to provide training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the IEP developed for the student receiving instruction from the educator ([TEC 21.451\(e\)](#) and [TEC 21.451\(d\)\(2\)](#)).

Guidelines

Accommodations and Modifications:

- Accommodations and modifications should be individualized and routinely used during classroom instruction and testing.
- Data regarding the use of accommodations and modifications, such as observational reports and/or assignment/test scores with/without the use of accommodations should be collected and analyzed on a regular basis to determine (a) if the accommodations are being implemented as specified by the student's ARD committee and (b) if the student is benefitting from the use of the accommodations and modifications.
- If the student is not benefitting from current accommodations or modifications, the ARD committee must convene to discuss additional accommodations, services, or

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supplementary aids that the student will need to successfully access the services outlined in the student's standards-based IEP.

Supplementary Aids and Services:

Supplementary aids and services are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

Frequency, Duration, and Location of Services:

The ARD committee is responsible for documenting in the student's IEP the projected date for the beginning of services and the anticipated frequency, location, and duration of those services. Requirements for documenting the provision of related services include:

- Frequency: Describes how often the student will receive the service(s), e.g., number of times per day or week. If the services are provided less than daily then the conditions for the provision of services must be clearly specified within the ARD documents using a weekly reference (e.g., 1 hour per week, 30 minutes every two weeks)
- Duration: Describes how long each "session" will last (number of minutes) and when the services will begin and end (starting and ending dates)
- Location: Describes where the services will be provided (in the general education classroom or another setting such as a special education resource room)

Note: Students with disabilities must have available an instructional day commensurate with that of students without disabilities. The ARD committee will determine the appropriate instructional setting and length of day for each student.

Consideration of Special Factors:

The IEP should document consideration of special factors including:

- The communication needs of the student,
- In the case of a student who is an English learner (EL), the language needs of the student as those needs relate to the student's IEP, and

In the case of a student whose behavior impedes his/her learning or that of others, consideration of positive behavioral interventions, strategies, and supports to address that behavior.

At YES Prep the service providers of each student must receive a copy of all relevant portions of the student's IEP and will receive support on how to implement accommodation and modifications for each student. The effectiveness of the modification and accommodations will be reviewed as part of the student's progress monitoring. The use of the modifications and accommodations will be documented by the student's service providers.

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Autism

Legal Requirements

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 IEP team's written report of evaluation shall include specific recommendations for behavioral interventions and strategies.

Texas regulations (TAC 89.1055) require ARD/IEP committees to consider eleven strategies for students with autism. Schools sometimes use the term "Autism Supplement" to refer to a form that they use at ARD/IEP meetings to address these strategies.

Guidelines

All eleven strategies must be considered, but TEA does not require that all be implemented. The ARD/IEP Committee determines which strategies should be included in a student's IEP. If it is decided that services are not needed in one or more area, the IEP must include a statement to that effect and the basis upon which the determination was made.

- Strategy 1 is extended educational programming (for example: extended day and/or extended school year services that consider the duration of programs/settings based on assessment of behavior, social skills, communication, academics, and self-help skills).
- Strategy 2 is daily schedules, reflecting minimal unstructured time and active engagement in learning activities (for example: lunch, snack, and recess periods that provide flexibility within routines; adapt to individual skill levels; and assist with schedule changes, such as changes involving substitute teachers and pep rallies).
- Strategy 3 is in-home and community-based training or viable alternatives that assist the student with acquisition of social/behavioral skills (for example: strategies that facilitate maintenance and generalization of such skills from home to school, school to home, home to community, and school to community).
- Strategy 4 is positive behavior support strategies based on relevant information (for example: (a) antecedent manipulation, replacement behaviors, reinforcement behaviors, reinforcement strategies, and data-based decisions; and (b) a behavior intervention plan developed from a functional behavioral assessment that uses current data related to target behaviors and addresses behavioral programming across home, school, and community-based settings).
- Strategy 5 addresses that beginning at any age, but at least by Age 14, futures planning for integrated living, work, community, and educational environments must begin that considers skills necessary to function in current and post-secondary environments.

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- Strategy 6 covers parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (ASD), that, for example: (a) provides a family with skills necessary for a student to succeed in the home/community setting; (b) includes information regarding resources.
- Strategy 7 is providing a suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the student's developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence (as determined by, for example: (a) adaptive behavior evaluation results; (b) behavioral accommodation needs across settings; and transitions within the school day).
- Strategy 8 addresses communication interventions, including language forms and functions that enhance effective communication across settings (for example: augmentative, incidental, and naturalistic teaching).
- Strategy 9 is about social skills supports and strategies based on social skills assessment/curriculum and provided across settings (for example; trained peer facilitators (e.g., circle of friends), video modeling, social stories, and role playing).
- Strategy 10 covers professional educator/staff support (for example: training provided to personnel who work with the student to assure the correct implementation of techniques and strategies described in the IEP).
- Strategy 11 is on teaching strategies based on peer-reviewed, research-based practices for students with autism (for example: those associated with discrete-trial training, visual supports, applied behavior analysis, structured learning, augmentative communication, or social skills training).

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Child Find

Legal Requirements

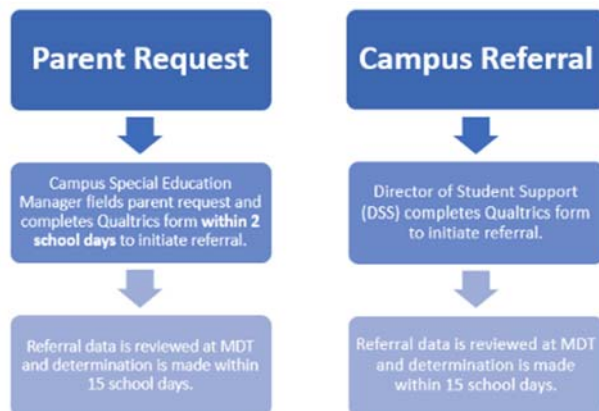
YES Prep is responsible for identifying, locating and evaluating all students who are potentially eligible for Special Education and related services. According to the Texas Education Agency, YES Prep's Child Find duty to seek parental consent to evaluate a child when it suspects or has reason to suspect that the child has a disability and needs Special Education services is an affirmative one: a parent is not required to request that the LEA identify and evaluate the child.

This means that it is the responsibility of the school system, YES Prep, to identify and evaluate students who may need Special Education services. A parent may request an initial evaluation at any time if the parent believes that his or her child is a child with a disability in need of Special Education and related services.

Guidelines

Families and campuses have the right to request Special Education testing anytime they suspect that a student has a disability. They can make this request either verbally or in writing. It is crucial that all campus staff know who to contact if they receive a request for Special Education testing. Campuses are NOT required to place students in the Case Management process or put in place response to intervention (RTI) supports prior to referring them to MDT, especially in situations where there is a suspicion of a disability.

If a student is not in the Case Management process, but a request for evaluation has been made, then a student can and should receive interventions while the evaluation is in process. In order to initiate a Special Education evaluation, the student is first referred to the Multi-Disciplinary Team. That team reviews the request and makes a determination according to the process outlined below.



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If a disability is suspected, initial Consent for Evaluation and Prior Written Notice is completed in EasyIEP by the SPED Assessment team member who will be completing the evaluation, and is sent home by the campus Compliance Specialist along with Procedural Safeguards and the Sociological Form for our proposal to conduct an evaluation. Once the campus receives signed consent for evaluation, this information should be updated within 2 school days to EasyIEP and the timeline will begin for the evaluation which must be completed in 45 school days.

If a disability is not suspected, the MDT response form (Prior Written Notice) is translated if necessary and sent home along with Procedural Safeguards of our refusal to conduct an evaluation. The MDT will include guidance as to how to increase the student's success in school.

If you receive a request for 504, please direct those to the Manager of District 504.

Contact:

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Development of the Individualized Education Program

Legal Requirement

It is the policy of YES Prep open-enrollment charter school to ensure that an IEP is developed, reviewed, and revised for each student with a disability who receives special education and related services in accordance with the IDEA. (34 CFR §§300.22 and 300.020-300.024)

Guidelines

At the beginning of each school year, YES Prep will have in effect an IEP for each student with a disability that qualifies for special education and related services.

Once an IEP is developed, the IEP must be implemented. Additionally, YES Prep will provide the parent with five days written notice prior to implementing a new IEP. However, the parent may waive the five days written notice and allow the IEP to be implemented immediately.

Responsibility of the ARD Committee:

- The ARD committee must determine needed special education services, meaning specially designed instruction that is provided at no cost to parents and meets the unique needs of the student with a disability.
- In determining a free appropriate public education for a student who receives special education, the ARD committee must determine needed related services.
- The ARD committee must consider the concerns of the parent in developing the IEP of a student with a disability.

Contents of an IEP:

Least Restrictive Environment

The ARD committee must determine the least restrictive environment for each student in accordance with the IDEA.

When creating the schedule of services for each student, it is the policy of YES Prep to be clear and specific and ensure that the student receives services in the least restrictive environment.

Related Services

Related services must be provided to a student who qualifies for special education, if those related services are needed to ensure the student receives a free, appropriate public education.

Related services include transportation and developmental, corrective, and other supportive services required to assist a student with a disability to benefit from special education. Other related services include speech-language pathology and audiology services, interpreting

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services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Each related service is defined in accordance with the IDEA.

Note: The designated staff member must ensure that each related service that requires an ARD supplement is completed and discussed at the ARD Committee meeting. Each service must be clearly outlined in the IEP and must contain frequency, location, and duration (FLD).

Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training. However, for students with surgically implanted devices, it does not include a medical device, the optimization of that device's functioning, maintenance of that device, or replacement.

Supplementary Aids and Services

The ARD committee must determine needed supplementary aids and services to be provided to the student, or on behalf of the student. This includes aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate.

Present Levels of Academic Achievement and Functional Performance

The ARD committee must provide a statement of the student's present levels of academic achievement and functional performance. The statement must include a summary of how the student's disability affects the student's involvement and progress in the general curriculum or, in the case of a pre-school student, participation in appropriate activities.

Note: The PLAAFP must be measurable and contain information gathered from a variety of sources, including the FIE. The PLAAFP must be updated at least once per year.

Goals

The ARD committee must include in the student's individualized education program (IEP) a statement of measurable annual academic and functional goals designed to:

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

State Assessment

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The ARD committee must select which state assessment a student with a disability will take. As part of that decision, the ARD committee will also select accommodations available to the student. The student's ARD committee will determine whether satisfactory performance on the required assessments is necessary for graduation.

For more about state assessments, see the *Testing-Student Assessment* policy.

Graduation

A high school student's IEP shall include information on the student's graduation plan.

Transition Planning

When a student with a disability turns 14-years-old, an ARD committee must begin transition planning. Transition services must be outlined in the student's IEP in accordance with IDEA and the Texas Education Code. See the *Transition Services* policy for a detailed explanation of transition services.

Extended School Year (ESY) Services

The need for ESY services must be determined on an individual basis by the ARD committee. ESY services are individualized instructional programs beyond the regular school year for eligible students with disabilities. YES Prep, an open-enrollment charter school, must ensure that ESY services are available as necessary to provide a student with a disability with a free, appropriate public education.

ESY services may not be limited to particular categories of disability or by the type, amount, or duration of ESY services.

ESY Eligibility

The ARD committee must identify the critical areas addressed in the current IEP objectives, if any, in which the child has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period.

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

- Placement in a more restrictive instructional arrangement.
- Significant loss of acquired skills necessary for the child to appropriately progress in the general curriculum.
- Significant loss of self-sufficiency in self-help skill areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services.

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- Loss of access to community-based independent living skills instruction or an independent living environment provided by non-educational sources as a result of regression in skills.
- Loss of access to on-the-job training or productive employment as a result of regression in skills.

"Severe or substantial regression" means that the child has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.

Accommodations and Modifications

The ARD committee will determine what accommodations and modifications are required to meet the student's needs in all subject areas. All agreed upon accommodations and modifications will be listed in the IEP and provided to the student's teachers.

Deliberations

Each IEP will include deliberations of the ARD committee meeting. Included in those notes will be the date of the meeting, as well as name of those in attendance, their title, each signature, and whether the parent and administrator agreed or disagreed. (TEC §29.005)

It is the policy of YES Prep open-enrollment charter school to include a brief summary of topics discussed, requests and decisions regarding services, and other notes to make clear what occurred during the ARD committee meeting. The deliberations page for each ARD committee meeting is not meant to be a transcript of the meeting.

Required Special Factors to Consider:

Behavior Impeding Learning

In the case of the student whose behavior impedes the student's learning or that of others, the admission, review, and dismissal (ARD) committee must consider:

- The use of positive behavioral interventions and supports; and
- Other strategies to address that behavior, including a behavior intervention plan.

In order to determine what strategies are best for each student, an ARD committee may consider a functional behavior assessment (FBA). If an ARD committee determines a change of placement is necessary due to the student's behavior, it must conduct an FBA and implement a BIP. If an FBA was already completed, the ARD committee must review and update the BIP.

If a BIP is required, as determined by the ARD committee, the BIP is part of the IEP and must be provided to all personnel who work with the student.

English Learners

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When a student qualifies as an EL, the ARD committee must consider the language need of the student as such needs relate to the student's IEP. The ARD committee must include a professional member of the language proficiency assessment committee (LPAC) to serve on the ARD committee of each student identified as an EL.

It is the policy of YES Prep open-enrollment charter school to provide both language services and special education services as need order to provide a free appropriate public education and meet the unique needs of the student. Eligibility for one service does not disqualify the student from other services.

For EL students that qualify for STAAR Alternate or TELPAS Alternate, the ARD committee may consider alternative reclassification criteria in accordance with state guidelines in collaboration with the LPAC committee. This must be done on a case by case basis. Students that receive an alternate curriculum are not exempted from receiving ESL services. Please see state LPAC reclassification guidelines.

Children Who Are Deaf or Hard of Hearing

In the case of the student who is deaf or hard of hearing, the ARD committee must consider:

- The student's opportunities for direct communications with peers and professional personnel in the child's language and communication mode;
- The student's language and communication needs;
- The student's academic level; and
- The student's full range of needs, including opportunities for direct instruction in the student's language and communication mode.

Students Who Are Blind or Visually Impaired

In the case of the student who is blind or visually impaired, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), the ARD committee must either:

- Provide for reading and writing instruction in Braille and the use of Braille; or
- Determine that instruction in Braille or the use of Braille is not appropriate.

Before placing a student with a visual impairment in a classroom setting, or within a reasonable period after placement, the ARD Committee must provide the training specified in Texas Education Code Subsection 30.002(c)(4).

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The IEP developed for a student who is visually impaired or functionally blind must comply with the provisions of Texas Education Code Subsections 32.002(c), (e) and (f), as applicable.

Students with Autism or Other Pervasive Developmental Disorder

It is the policy of the YES Prep open-enrollment charter school to comply with any applicable Commissioner rules that may require an open-enrollment charter school to include in the IEP of a student with autism or another pervasive developmental disorder any information or requirement determined necessary, including the **autism supplement**, to ensure the student receives a free appropriate public education (FAPE) as required under the Individuals with Disabilities Education Act (see Autism section).

Assistive Technology:

The ARD committee must consider whether the student needs assistive technology devices (ATDs) as a part of the student's special education, related services, or supplementary aids and services. On a case-by-case basis, the use of school-purchased ATDs in the student's home or in other settings is required if the student's ARD committee determines that the student needs access to those devices in order to receive free appropriate public education.

Assistive technology means any device or equipment used to improve or maintain the function capabilities of a student with a disability. Assistive technology does not include a medical device that is surgically implanted.

Students who transfers with an IEP:

When a student transfers to YES Prep from another school within Texas, YES Prep will:

- Provide a free, appropriate public education to the student.
- Provide comparable services as those described in the IEP the student transferred with until YES Prep adopts the student's IEP from the previous school, or develops, adopts and implements a new IEP.
- If the student with a disability transfers from a school outside of Texas, YES Prep will provide the student with a FAPE, including comparable services, until YES Prep conducts an evaluation and develops, adopts, and implements a new IEP. If a new evaluation is not needed upon enrollment, the student will be re-evaluated within three years of their last evaluation date.
- A new IEP must be implemented within 30 school days from the date the student is verified as being a student eligible for special education services.
- If a student transfers from YES Prep open-enrollment charter school, YES Prep will furnish the student's special education records to the student's new school not later than 30 calendar days after school student was enrolled.

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Access to the IEP:

All educators and personnel working with a student with a disability will have access to the student's IEP, including all relevant sections.

Each staff member who implements a part of the IEP will be trained and responsible for implementing the accommodations and modifications of each student. Compliance with this requirement will be monitored periodically

Contact:

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Discipline

Legal Requirements

It is the policy of YES Prep open-enrollment charter school to ensure that children with disabilities (including a child not yet eligible if the school had knowledge prior to the disciplinary conduct that the child was a child with a disability under the IDEA and meets the standards for receiving protection under the IDEA) are disciplined for a violation of the student code of conduct in accordance with the IDEA, including with respect to any disciplinary removal from the current educational placement to an appropriate interim alternative educational setting, another setting, suspension, or expulsion.

Guidelines

The placement of a student with a disability who receives special education services may only be by an ARD committee. Any disciplinary action that would result in a change of placement can only be enforced after the student's ARD committee conducts a manifestation determination review (MDR). Any removals must be in accordance with the IDEA and its regulations requiring:

- 1) functional behavior assessments;
- 2) positive behavior interventions, strategies, and supports;
- 3) behavior intervention plans; and
- 4) manifestation determination review.

A student with a disability who receives special education services may not be removed or placed in an alternative setting solely for education purposes.

Removal for Fewer than 10 days

School personnel may remove the student with a disability who violates the code of conduct from his or her current placement to an appropriate interim alternative educational setting (IAES), another setting, or suspension, for not more than 10 consecutive school days to the extent those alternatives are applied to students without disabilities.

Removal for More than 10 days

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

- In the MDR, the behavior that gave rise to the violation of the code of conduct is determined not to be a manifestation of the student's disability;

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- Services during periods of removal are provided to the student; and
- Notification of a change of placement is given to the student's parents.

School personnel must provide the parents of the student removed to a disciplinary alternative education program with written notice of the school's obligation to provide the student with an opportunity to complete coursework required for graduation that:

- Includes information regarding all methods available for completing the coursework; and
- States that the methods available for completing the coursework are available at no cost to the student.

Change in placement for removal

When a student with a disability is removed from the current education placement, it is considered a change in placement if:

- 1) The removal is more than 10 consecutive school days; or
- 2) The child has been subjected to a series of removals that constitute a pattern:
 - Because the series of removals total more than 10 school days in a school year;
 - Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

YES Prep will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement.

Manifestation Determination Review (MDR)

If a student with a disability is removed and the removal results in a change of placement, within 10 school days of any decision to change the placement of a student with a disability because of a violation of the student code of conduct, YES Prep open-enrollment charter school must hold an ARD committee meeting to review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine—

- 1) If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or

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- 2) If the conduct in question was the direct result of the LEA's failure to implement the IEP.

The conduct must be determined to be a manifestation of the student's disability if the ARD Committee determines that either condition (1) or (2) is met.

If the ARD committee determines that the behavior was a manifestation of the student's disability, the ARD committee must:

- 1) Conduct a functional behavioral assessment, unless the ARD committee had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implemented a behavioral intervention plan for the student; or
- 2) If a behavioral intervention plan was already developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and

The student must then be returned to the last agreed upon placement, unless the ARD committee agrees on a change of placement as part of a modification to the IEP or behavior intervention plan. (34 CFR §300.350(f))

If the ARD committee determines that condition (2) is met and the IEP was not implemented, YES Prep must take immediate steps to remedy those deficiencies. (34 CFR §300.530(e))

YES Prep campuses implement school-wide classroom culture systems to promote positive choices in accordance with our campus culture policy.

Contact:

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Discontinuation of Services

Legal Requirements

The ARD/IEP committee determines whether a child has a disability and by reasons of the disability, needs special education and related services (see Region 18 ESC Framework). Some of the things that must be considered when making the determination include the following:

- The FIE that determines if the student has a disability condition recognized under IDEA.
- The age ranges that are served through special education are 3-21 years (19 TAC 89.1035).
- Parental consent for services.

Guidelines

Special education services shall be discontinued when one of the following occurs:

No Longer Eligible for Services

- If the ARD/IEP Committee determines a student does not have a disability condition under IDEA based upon an evaluation, or if the committee finds that the student does not need specially designed instruction provided through special education as a result of the disability, the committee will determine that the student is not eligible for special education services.
- Before discontinuing services, however, the school must give the parent(s) and/or adult student prior written notice.
- The prior written notice must be in the parent's home language.

Services Through Age 21

- Special education services are available to all eligible students Ages 3-21.
- A student receiving special education services who is 21 years of age on September 1 of a school year shall be eligible for services through the end of that school year or until graduation with a regular high school diploma, whichever comes first.
- Graduation with a regular high school diploma terminates a student's eligibility to receive special education services through IDEA. Students are eligible to receive certain accommodations through Section 504 in the post-secondary setting.

Revocation of Consent for All Special Education Services

- If, at any time after the school begins providing special education and related services to the student, the parent(s) and/or adult student choose to revoke consent for services,

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the school must discontinue providing special education and related services to the student.

- Before discontinuing services, however, the school must give the parent(s) and/or adult student prior written notice.
- A campus representative will meet with the parent to obtain a signed Prior Written Notice.
- A Prior Written Notice must be given to the parent in their home language.

Note: Please contact Manager of Special Education Compliance to inform her of a possible revocation

Contact:

Monica Glenn, Manager of Special Education Compliance

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Evaluation
Child Find Legal Requirements
<p>Per federal law, schools must have in effect policies and procedures to ensure that all children with disabilities who need special education and related services, are identified, located, and evaluated; and a practical method is developed and implemented to determine which children are currently receiving needed special education and related services. Child Find also must include children who are suspected of being a child with a disability under <u>§300.8</u> and in need of special education, even though they are advancing from grade to grade; and highly mobile children, including migrant children.</p>
Child Find Guidelines
<p>YES Prep is responsible for identifying, locating and evaluating all students who are potentially eligible for special education and related services. According to the TEA, YES Prep's Child Find duty to seek parental consent to evaluate a child when it suspects or has reason to suspect that the child has a disability and needs special education services is an affirmative one: A parent is not required to request that the LEA identify and evaluate the child. This means that it is the responsibility of the school system, YES Prep, to identify and evaluate students who may need special education services. A parent may request an initial evaluation at any time if the parent believes that his or her child is a child with a disability in need of special education and related services.</p>
Eligibility Determination
<p>In order to demonstrate eligibility for special education services, there are two factors that need to be considered:</p> <ol style="list-style-type: none"><li data-bbox="256 1192 808 1234">1) The student must have a disability, and<li data-bbox="256 1262 1421 1331">2) As a result of the disability, the student must require special education services to demonstrate meaningful academic progress. <p>If the evaluation shows that the student does have a disability, the ARD committee must determine whether the student requires special education services. If the student does not demonstrate an educational need for such services, he/she is not eligible for special education.</p>
Eligibility Definitions
<p>Per Texas Education Code and Federal Law, the following disabilities are listed to identify the specific criteria to be used for each area of special education eligibility:</p> <ol style="list-style-type: none"><li data-bbox="256 1675 1421 1808">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.

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- 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 sub-average 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 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:
 - a. psychomotor skills;
 - b. self-care skills;
 - c. communication;
 - d. social and emotional development; or
 - e. 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:

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- 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 specific 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, mathematics 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 evidence-based intervention; and
 - a. does not make sufficient progress when provided a process based on the student's response to evidence-based intervention (as defined in 20 USC, §7801(21)), 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
 - b. 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 a 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:
 - a. to have no vision or to have a serious visual loss after correction;
or
 - b. 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:
 - a. 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
 - b. 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 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.

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- C. 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. 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. 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.

In order to demonstrate eligibility for special education services, there are two factors that need to be considered:

- 1) The student must have a disability and
- 2) As a result of the disability, the student must require special education services to demonstrate meaningful academic progress.

YES Prep follows state and federal guidelines and relies on state provided criteria to determine whether students qualify for special education. If the evaluation shows that the student does have a disability, the ARD committee must determine whether the student requires special education services. If the student does not demonstrate an educational need for such services, he/she is not eligible for special education.

Parent Request for Evaluation

A student's parent may make a request for an initial evaluation in any format to any school official at any time. 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.

All requests made verbally or in writing should be communicated or forwarded to SPEDAssessment@yesprep.org immediately after they are received. This triggers a data collection process, typically including a brief parent interview, followed by a review of the request at an MDT meeting, where the team will determine if testing is required based on data provided and whether a disability is suspected. A written response must be provided to the parent within 15 school days of when the request is made.

Campus Request for Evaluation

Consistent with federal law that emphasizes the district's child find obligation, campuses are encouraged to gather frequent and ongoing documentation regarding student progress. For students within the Response to Intervention (RtI) process, documentation that has consistency and fidelity, and clearly articulates the supports being provided to the student is extremely helpful when making a referral to MDT. Campuses are NOT required to place students in a response-to-intervention (RtI) program prior to referring them to MDT, especially in situations where there is a suspicion of a disability.

The following are situations in which a student should be automatically submitted to MDT with the appropriate documentation:

- Student has been retained two or more times.
- Student is identified as EL and has not demonstrated reasonable growth (based on TELPAS scores) within the past two years.
- Student demonstrates minimal growth based on reading intervention data (no growth or negative growth).
- Student is identified as being at-risk on the dyslexia screener administered by campus literacy specialist.

Incoming Students

FIEs for all incoming special education students are reviewed by the members of the assessment team. Criteria for an FIE to be accepted includes evaluation of all Gs, evaluation of all academic areas, and any supporting assessments based on overall GIA. Acceptance of the report by the district is documented using the FIE summary form, which is provided by the assessment team member to the campus compliance specialist. This form also serves as the evaluator's participation in writing at the student's placement ARD.

Transfers within the state of Texas

When a student transfers within the state and the parents verify that the student was receiving special education services in the previous school district or the previous school district verifies in writing or by telephone that the student was receiving special education services, the school district must meet the requirements of 34 CFR, §300.323(a) and (e), regarding the provision of special education services. The timeline for completing the requirements outlined in 34 CFR, §300.323(e)(1) or (2), shall be 30 school days from the date the student is verified as being a student eligible for special education services.

Transfers from out of state

When a student transfers from another state and the parents verify that the student was receiving special education services in the previous school district or the previous school district verifies in writing or by telephone that the student was receiving special education services, the school district must meet the requirements of 34 CFR, §300.323(a) and (f), regarding the provision of special education services. The timeline for completing the requirements outlined

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in 34 CFR, §300.323(f)(1) and (2), shall be 30 school days from the date the student is verified as being a student eligible for special education services.

Parental consent not needed to obtain records

No requirement for parental consent for educational records from previous school (4) In accordance with TEC, §25.002, and 34 CFR, §300.323(g), the school district in which the student was previously enrolled shall furnish the new school district with a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student was enrolled in the new school district. The Family Educational Rights and Privacy Act (FERPA), 20 United States Code, §1232g, does not require the student's current and previous school districts to obtain parental consent before requesting or sending the student's special education records if the disclosure is conducted in accordance with 34 CFR, §99.31(a)(2) and §99.34.

Timelines regarding a new evaluation or placement

If YES Prep determines that a new evaluation is necessary, the evaluation must be completed by the student's placement ARD date, not to exceed 30 school days from when the student was identified as a student receiving special education services.

If the school district determines that an evaluation is not necessary, the timeline for completing the requirements outlined in 34 CFR, §300.323(f)(2), is 30 school days from the date the student is verified as being a student eligible for special education services.

Transfer students with open consent

If a student was in the process of being evaluated for special education eligibility by a school district and enrolls at YES Prep before the previous school district completed the full individual and initial evaluation, YES Prep must coordinate with the previous school district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with the initial timelines as referred to in 34 CFR, §300.301(d)(2) and (e) and §300.304(c)(5).

The timelines of this section do not apply in such a situation if:

- 1) The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and
- 2) The parent and the new school district agree to a specific time when the evaluation will be completed.

Initial Evaluations

By law, referral of students for a full individual and initial evaluation for possible special education services must be a part of the district's overall, general education referral or screening system (§ 89.1011). Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to scientific, research-based intervention; and other academic or behavior support services. If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student

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for a full individual and initial evaluation. This referral for a full individual and 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.

Timelines for Initial Evaluations

The initial evaluation must be conducted within 45 school days of receiving parental consent for the evaluation. The purpose of the evaluation is to determine if the child is a child with a disability 34 CFR 300.8(a)(1) under the IDEA and to determine the educational needs of the child 34 CFR 300.301(c)(2). An ARD will be held within 30 calendar days from the date of the FIE to review the results and determine whether the student is eligible for special education services. If a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent.

- If the district receives consent for evaluation between 35-45 days before the last instructional day of the school year, the FIE must be provided to the parent by June 30th, and the ARD must take place no later than the 15th day of school the following school year.
- If the district receives consent for evaluation less than 35 school days before the last instructional day, the timeline extends into the next school year, not to exceed 45 school days total, and the ARD must take place within 30 calendar days of the FIE date.

Re-evaluations

Re-evaluations must be conducted at least once every three years by the district but should not occur more frequently than once a year, unless the parent and the district agree otherwise.

Special Requests for Evaluations

From time to time, situations may arise where it is necessary to conduct an updated evaluation within the three-year window for which the student is eligible for services. These may include:

- Parent request for additional disability areas to be investigated
- Campus request based on lack of response to current interventions provided
- Physician request based on a newly provided diagnosis

When these situations occur, all concerns and requests should be addressed within an ARD committee meeting, and should include the appropriate evaluators as part of the committee and discussion.

Components of an FIE

All FIEs put forth by YES Prep must include investigation into the following areas:

Communication

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Language Dominance – The evaluation should determine the student’s dominant language, which is the language in which the student is most proficient. Assessment instruments must be administered in the student’s dominant language (native language). If the student’s primary language of the home is not English, the student’s dominant language may be determined as a result of recommendations made by the LPAC.

Language Proficiency – Per YES Prep policy, all students who are identified as being EL will undergo language proficiency testing either prior to or in conjunction with their evaluation. The purpose of this testing is to determine the student’s most preferred method of communication. This information should include the student’s skill in understanding and expressing information, such as oral and written language, reading comprehension and listening comprehension. Proficiency in both English and the other language(s) must be addressed for EL students.

Physical Factors – The evaluation should include an assessment of physical conditions that directly affect the student’s ability to profit from the educational process, including visual, hearing, and psychomotor abilities. The health information collected during the referral process shall be sufficient if a complete medical examination is not required by specific eligibility criteria, and if there are no indications of need for further physical assessment.

Emotional/Behavioral – The assessment of an individual’s emotional and behavioral factors should consist of formally or informally identifying the characteristics manifested in in-school or out-of-school behavior, or both, which may influence learning. The assessment should include behaviors relevant to the disability which may affect educational placement, programming, or discipline. Information collected from the parent(s), regarding the student’s functioning within the home should be gathered, as well as information collected from teachers to identify characteristics of the student’s behavior within school.

Sociological – The assessment of an individual’s sociological variables must consist of identifying the child’s family and community environmental situation influencing learning and behavioral patterns. Students shall not be eligible for special education if the only deficiencies identified are directly attributable to a different cultural lifestyle or to a lack of educational opportunity.

Intellectual – The assessment of an individual’s intellectual functioning may include an assessment of both verbal and nonverbal performance abilities. While adaptive behavior must be considered to some degree, formal measures of adaptive behavior are only required when a student is being assessed for consideration as a student with an intellectual disability.

Academic Performance – The assessment of an individual’s educational/performance levels must include:

- Administration of a norm-referenced measure of academic performance in the following areas, based on the student’s developmental level:
 - Basic Reading Skills
 - Reading Fluency
 - Reading Comprehension
 - Math Calculation
 - Math Reasoning
 - Written Expression

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- Listening Comprehension* (only for initial evaluations)
- Oral Expression* (only for initial evaluations)

If a student demonstrates weaknesses in listening comprehension and/or oral expression, a referral for a speech and language screener should be initiated.

Assistive Technology – Assistive technology devices and services shall be considered when the student requires additional access to supports in order to make progress relative to IEP goals, beyond what is provided within the general education setting.

All FIEs put forth by YES Prep must include investigation into the aforementioned areas. Additionally, the evaluator must conduct at least one classroom observation. All data should be reviewed, interpreted and compiled into an FIE.

Additionally, the evaluator must conduct at least one classroom observation. All data should be reviewed, interpreted and compiled into an FIE.

Multidisciplinary Team (MDT)

TEA specifies that each district should have a team of people, familiar with evaluation procedures and disability criteria set forth by state and federal guidelines, to review information and determine if a disability is suspected or confirmed. This is the purpose of the MDT. The team is comprised of diagnosticians, LSSPs, speech-language pathologists, and other relevant personnel depending on the cases being reviewed (e.g., district 504 coordinator, literacy coordinators).

The team convenes at least every other week during the school year to achieve the following:

- 1) obtain feedback and input from other team members with cases that may not be as clear cut to arrive at a clearer determination;
- 2) to review situations in which a current special education student's label may change;
- 3) to review outside evaluations received by the district;
- 4) to review parent and physician requests for information; and
- 5) to review cases referred by campuses when special education testing is being requested.

Manifest Determination Review (MDR)

Within 10 days of any decision to change the placement of a student with a disability as a result of disciplinary action, a meeting must be conducted, known as a manifestation determination review, to review any and all relevant information including the student's most recent ARD paperwork, teacher observations, and input provided by the parents.

The MDR process is required for special education students, and students who are suspected of having a disability, but who have not yet been identified, including students in the Rtl and evaluation processes.

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At a minimum, the MDR must include: parent, special education teacher, general education teacher, administrator, LSSP, and student, if appropriate. Minutes will be completed by the campus compliance specialist and the meeting will be run by the assigned LSSP.

The purpose of the MDR is to determine:

- 1) if the conduct was caused by, or had a direct and substantial relationship to the child's disability; or
- 2) if the conduct in question was a direct result of the district's failure to implement the student's current IEP. In this situation, immediate action must be taken to correct the error.

If the answer to both of these questions is NO, the student is eligible to proceed with further disciplinary action similar to that of his/her nondisabled peers at the discretion of the Principal and Hearing Officer.

If the answer to one of these questions is YES, the district must review the current supports in the student's IEP, determine what additional supports are needed, including consideration of whether conducting an FBA and implementing a BIP is warranted, or reviewing the existing BIP and revising it as necessary to address behavioral concerns.

Independent Educational Evaluation

A parent or legal guardian may seek an independent educational evaluation (IEE) if he or she disagrees with all or part of an evaluation completed by YES Prep. The school district may pay for such an IEE if the IEE meets the district's criteria. However, the school district may choose to initiate a due process hearing to show that its own evaluation, with which a parent or legal guardian disagrees, is appropriate. If the school district prevails in the due process hearing, a parent or legal guardian still has the right to an IEE, but not at the school's expense. Information obtained from the IEE that meets school criteria must be considered by the ARD committee with respect to the provision of FAPE regardless of whether the school pays for the IEE.

Only one (1) IEE may be reimbursed for each full and individual evaluation completed by YES Prep for which the parent disagrees.

If a parent or legal guardian requests an IEE verbally or in writing, the school district must without unnecessary delay 1) provide an IEE at public expense or 2) request a due process hearing to show that its evaluation of the child was appropriate.

Procedures for Responding to an IEE Request

All parent or legal guardian requests for an IEE should be made in writing and forwarded to the Director of Special Education Evaluation for consideration and a written response.

Contact:

Alexandra Treviño, Director of Special Education Evaluation
Alexandra.Trevino@yesprep.org

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Goals and Objectives

Legal Requirements

An IEP **must** contain: A statement of measurable annual goals, including academic and functional goals designed to — (A) Meet the child’s needs that result from the child’s disability to enable the child to be involved in and make progress in the general education curriculum; and (B) Meet each of the child’s other educational needs that result from the child’s disability; (ii) For children with disabilities who take alternate assessments aligned to alternate academic achievement standards, a description of benchmarks or short-term objectives.

Guidelines

(Proposed goals are to be determined and approved by the ARD/IEP committee and each student’s program should be designed to meet their individual needs):

- Goals and objectives should be based on the student’s PLAAFP. Therefore, the PLAAFP must be measurable and updated on an annual basis.
- There should be at least one standards-based goal addressing each of the student’s areas of need. Goals may be written in content areas where the student was not eligible but that are highly impacted by the student’s disability.
- According to federal law, students participating in the Alternate curriculum should also have at least one short-term objective for each goal (example: breaking the goal up into smaller pieces and assessing progress on a short-term basis)
- Students not participating in the Alternate curriculum do not require short term objectives according to federal law, unless the ARD committee determines that they are necessary for the student to make progress toward their IEP goals.
- Academic goals and objectives should be standards-based. This means they should be based on the TEKS. All staff members should be trained on how to select goals based on grade-level standards and the student’s PLAAFP. YES Prep’s curriculum is based on the standards and should be considered when writing individual goals.
- Students may require functional skills goals. This means that they may have goals that are not academic in nature, but that are necessary so that the student can participate in the YES Prep curriculum and programs (example: Behavior goals). These should also be based on the student’s PLAAFP.
- Students that participate in the Alternate curriculum may have academic goals based on entry level skills based on their PLAAFP. Consider what skills students need to work toward academic and functional standards.
- It is best practice to send proposed goals to the parent ahead of time to get their input on the student’s goals. Remember that the goals are “proposed” until the ARD/IEP committee approves and accepts them.

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Contact:

Brionne Roberts, Director of Special Education

Brionne.Roberts@yesprep.org

Graduation

Legal Requirements

Through the implementation of the YES Prep policies and procedures as outlined in the [Legal Framework](#) for the Child-Centered Special Education Process, YES Prep ensures that graduation of students with disabilities occurs in conformance with the IDEA and its accompanying federal and state regulations and statutes.

Guidelines

Students with disabilities will be provided the same opportunities as outlined by the state. Graduation requirements vary depending upon the year that the student entered ninth grade.

- The ninth-grade entry date must be considered when determining the student's graduation options.
- It should be noted that students receiving special education services are no longer permitted to be exempted from the state assessment program and must take the assessment instrument that the ARD/IEP committee has determined is appropriate. Information regarding the state assessment instrument and the alternate assessment instruments is available on the TEA Website and in the *Legal Framework*.
- A student who is dismissed from special education services must perform satisfactorily on the required state assessment, as only students receiving special education are eligible to participate in the alternate versions of the assessment instruments.

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

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

For more information regarding federal and state guidelines go to the [Region 20 FAQ Graduation Requirement for Students with Disabilities](#).

Contact:

Brionne Roberts, Director of Special Education
Brionne.Roberts@yesprep.org

Instructional Materials

Legal Requirements

Section 504 of The Rehabilitation Act ([504]1973), the Americans with Disabilities Act ([ADA]1990), and the 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) all require schools to provide all students with disabilities equitable access to all instructional materials required in the K-12 classroom. These include materials that may be required by the state (e.g., textbooks), district (e.g., additional required readings), or classroom teacher (e.g., syllabus). Understanding this requirement and how to provide these materials in specialized formats (Braille, large print, or digital) in a timely manner is the responsibility of all classroom teachers.

Guidelines

- Instructional/educational materials typically are provided for students in one of five formats: physical objects (manipulatives), print/text based (textbooks), audio (audio books), video, and digitized (software or web-based content). The method of providing Accessible Instructional Materials (AIM)/Accessible Educational Materials (AEM) will vary depending on the individual need of the learner to access the material and the type of material.
- Methods of providing AIM/AEM based on the individual needs of the learner and/or type of materials.
- For students not identified as a student with a disability under the Americans with Disabilities Act (ADA), Section 504, or the IDEA, schools can provide print/text based.
- For students with a disability identified under the ADA, Section 504, or the IDEA, schools provide AIM/AEM following one or more of the following processes depending on the type of material:
 - Physical objects (manipulatives): To identify strategies for providing students with disabilities AIM/AEM involving physical objects, schools submit a request for Occupational Therapy (OT) screening.
 - Print/text based (textbooks).
 - Students with visual impairments are provided assistive technology devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for students with visual impairment. These access needs are documented in the student's IEP.
 - Audio (video, audiobooks): Students with auditory impairments are supported with accommodations and/or assistive technology devices providing them access to instructional/educational materials specifically identified to meet their individual learning needs through the recommendations of a certified teacher for

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students with auditory impairment and/or audiologist. These access needs are documented in the student's IEP or 504 plan.

- Students with physical disabilities limiting their ability to independently access school computers and web-based content are supported with accommodations and/or assistive technology devices providing them access to instructional/educational materials. These supports are specifically identified to meet their individual learning needs of the student through the ARD/IEP process.
- Assistive technology and other instructional materials can be purchased centrally by the Home Office

Contact:

Ashley Dalton, Manager Director of Special Populations

Ashley.Dalton@Yesprep.org

Least Restrictive Environment

Legal Requirements

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplementary aides and services cannot be achieved satisfactorily.

Guidelines

Placement Decisions:

YES Prep must ensure that a continuum of placements is available to meet the needs of children with disabilities. A continuum of placements may include, but **are not limited to** general education, resource/Learning Lab, Life Skills/Y-STEP, 18 Plus, homebound, and in case of a pandemic, online or in person instruction with a contingency plan in place as necessary

In determining the educational placement of a student with a disability, YES Prep must hold an ARD committee meeting to determine the appropriate instructional setting for the student and specify the instructional setting in the IEP. YES Prep must ensure that the student is in the least restrictive environment to the maximum extent appropriate.

Through an ARD committee meeting YES Prep shall determine the student's placement at least annually based on the student's IEP.

The parent of the student with a disability, or an adult student, must be included in placement decisions.

Contact:

Brionne Roberts, Director of Special Education
Brionne.Roberts@yesprep.org

Prior Written Notice

Legal Requirements

A Prior Written Notice (PWN) shall be given to the parent(s) of a child with a disability within a reasonable time before the LEA **proposes or refuses**: to initiate or change the identification, evaluation, or educational placement (including graduation with a standard or advanced diploma) of the child; or the provision of a free appropriate public education (FAPE) for the child.

Guidelines

Examples of When Prior Written Notice Is Required (not exhaustive):

Evaluation/reevaluation

- Consent for evaluation
- Student is found to be ineligible
- Refusal to evaluate
- Refusal to provide an independent educational evaluation (IEE)

Identification

- Initial identification
- Change in identification
- Termination of an identification category

Placement

- Initial placement determination
- Change in least restrictive environment along the continuum of services
- Refusal to change placement as requested by the parent
- Change in placement due to parental placement of a student with a disability in a residential facility for non-educational reasons
- Change in placement due to disciplinary reasons

*Changes in the provision of FAPE also triggers a prior written notice.

Required Sections of the PWN:

1. a description of the action proposed or refused by the LEA.
2. an explanation of why the LEA proposes or refuses to take action.
3. a description of any other options the IEP team considered and the reasons for the rejection of those options.
4. a description of each evaluation procedure, assessment, record or report the LEA used as a basis for the proposed or refused action.
5. a description of any other factors that are relevant to the LEA's proposal or refusal.
6. a statement that the parent(s) of a child with a disability have protection under the procedural safeguards
7. sources for the parent to contact in order to obtain assistance in understanding the provisions of the notice requirements.

If the parent's language is not English:

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A prior written notice must be provided in the parent's native language or other mode of communication, unless it is clearly not feasible to do so. If the native language or other mode of communication is not a written language, the school district must take steps to ensure that: (a) the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; (b) the parent understands the content of the notice; and (c) there is written evidence that the school district met these requirements.

Contact:

Monica Glenn, Manager of Special Education Compliance

Monica.Glenn@yesprep.org

State Assessments

Legal Requirements

Federal law requires that schools be held accountable for educational results so that each student can meet his/her academic potential. State assessments are to be given to determine whether schools have been successful in teaching students the knowledge and skills for their enrolled grade as defined by the state content standards (TEKS). In determining which assessment is appropriate the ARD committee should refer to the State and District wide Assessment Framework.

Guidelines

Participation in State/District Assessments

Decisions regarding assessments should be made by the ARD committee and should be based on the instruction the student is receiving and the accommodations/modifications the student requires in order to be successful. Assessment decisions should not be made solely on the disability category or placement.

The IEP must include a statement of any individual appropriate and allowable accommodations in the administration of state-wide assessment instruments or district-wide assessments of student achievement (if the district administers such optional assessments) that are necessary to measure academic achievement and functional performance of the child on the assessments.

YES Prep will propose accommodations that are appropriate to the needs of each student and that accurately reflect student achievement.

The ARD committee should also include in the IEP, if appropriate, documentation regarding a student's current interpersonal skills level and preferred functional communication system/modes (i.e., sign, oral language, picture exchange system, etc.) when considering alternate assessments and accommodations.

If the ARD committee determines that the student will not participate in a general state-wide assessment or district-wide assessment of student achievement (or part of an assessment), the IEP must include a statement of:

- Why the child cannot participate in the regular assessment, and
- Why the particular alternate assessment selected is appropriate for the child.

In making decisions regarding assessments, the ARD committee should annually:

- Review the student's current information to determine the student's present level of functioning.

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- Determine how the student receives TEKS instruction and the student's level of performance on the grade-level curriculum for his/her enrolled grade level.
- Determine the appropriate assessment for the student.
- Document the appropriate assessment and all allowable or approved accommodations that the student will need during testing.

Prior to selecting an assessment instrument, the student's ARD committee must be knowledgeable regarding all assessment options, including the characteristics of each assessment and the potential implications of each assessment choice.

STAAR (paper and online)

The student is accessing the grade-level TEKS curriculum with or without allowable accommodations. Information regarding currently allowable accommodations is available at: <http://tea.texas.gov/student.assessment/accommodations/>

STAAR Alternate 2

If STAAR Alternate 2 is being considered, the student's ARD committee must review the four criteria below and provide evidence that the student meets each criterion:

- The student's ARD committee has determined that, based on evaluation information performed by a qualified evaluation team, the student has a significant cognitive disability. The significant cognitive disability must affect the student's intellectual potential and be documented as such in the student's IEP. A student with a significant cognitive disability has limited potential to reach grade-level expectations whereas a student with a learning disability has the potential to reach grade-level expectations, but has difficulty doing so due to his or her disability.
- The student requires specialized supports to access the state-mandated grade-level curriculum and environment. The student needs specialized academic instruction as well as support throughout the day in areas such as expressing his or her needs, getting from place to place, eating lunch, negotiating social situations and/or taking care of personal needs.
- The student requires intensive, individualized instruction in a variety of instructional settings. The student needs specialized academic instruction and techniques over a period to ensure that he or she can learn, retain information and transfer skills to other settings.
- The student accesses and participates in the grade-level TEKS through prerequisite skills that are linked to the grade-level curriculum.

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If the student's ARD committee agrees that the student meets the criteria described above, each of the following assurances must be initialed by district personnel for the student to participate in STAAR Alternate 2.

- The decision to administer the STAAR Alternate 2 is based on multiple sources of measurable, objective evidence, including, but not limited to, current IEP PLAAFP statements, goals and/or objectives, report cards, progress reports, work samples, teacher observations, FIE results, standardized achievement test results and classroom, district and statewide assessment results. The decision is not based solely on the student's previous performance on a statewide assessment.
- The decision to administer the STAAR-Alternate 2 is made by the ARD committee, not administratively based on federal accountability requirements which limit the number of students taking alternate assessment who can be counted as proficient in Adequate Yearly Progress (AYP) performance calculations. Although STAAR Alternate 2 is intended for a small number of students, the proficiency cap does not limit the number of students receiving special education services who may take an alternative assessment.

The student's ARD committee must also provide one of the following assurances.

- For a student in elementary or middle school, the ARD committee understands that instructional and assessment decisions made now may impact a student's graduation options when he or she is in high school, or
- For a student taking end-of-course assessments, the student is enrolled in a course being considered for STAAR Alternate 2 that has a PEIMS course number indicating that the coursework is accessed through prerequisite skills.

If the ARD committee determines that the student will take STAAR Alternate 2, the IEP must provide a statement detailing why the student cannot participate in the general assessment (STAAR) with or without accommodations and why an alternate assessment is appropriate for the student, including that all of the eligibility criteria are met.

Note: High school students who meet the criteria above are required to participate in all STAAR Alternate 2 assessments at some time during high school. The ARD Committee can determine which courses and corresponding assessments will be taken in a given year.

No Authentic Academic Response Eligibility Requirements:

If the ARD committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a No Authentic Academic Response (NAAR) designation, the ARD committee must determine that the student meets at least one of the two eligibility criteria below.

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- Because of multiple impairments, the student is unable to receive information during instruction and assessment. For example, the student may have a combination of visual, auditory and/or tactile impairments, or
- The student is consistently unable to provide an authentic academic response during instruction. The student exhibits one or more of the following characteristics.
 - Is unable to demonstrate any observable reaction to a specific stimulus
 - Exhibits only startle responses
 - Tracks or fixates on objects at random and not for a purpose
 - Moves or responds only to internal stimuli
 - Vocalizes intermittently regardless of changes in the environment around him/her

If the student's ARD committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.

- The student is unable to receive information during instruction and assessment and/or the student is unable to provide an authentic academic response.
- The NAAR designation is based on educational records and describes the student in all settings.

The student's ARD committee must ensure that the NAAR designation is documented in his/her IEP.

Medical Exception Eligibility Requirements:

Students qualifying for a medical exception will not be required to participate in the administration of STAAR Alternate 2 for any course or subject for which they are enrolled in the current year. A score code of 'M' must be recorded for all tests the student would have taken. The ARD committee must ensure the medical exception is documented in the student's IEP.

If the ARD committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a medical exception designation, the ARD committee must determine that the student meets at least one of the four eligibility criteria below.

- The student is unable to respond to test questions due to a chronic illness.
- The student is receiving extensive short-term medical treatment due to a medical emergency or serious injury in an accident.

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- The student is unable to interact with peers or educators without risk of infection or contamination to himself/herself or others.
- The student is unable to receive sufficient or consistent homebound services due to medical issues.

If the student's ARD committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.

- The information used to make the medical exception determination reflects the student's situation just prior to and throughout the testing window.
- The medical incident or condition has been identified and verified in writing by a licensed physician.

Accelerated Instruction:

For students in Grades 5 and 8 who do not perform satisfactorily on STAAR, the ARD Committee will determine the manner in which the student will participate in an accelerated instruction program.

For students receiving special education services, the ARD committee determines the accelerated instruction plan. When determining the type of accelerated instruction needed, the ARD committee must compare a student's test results with his or her IEP to make sure areas of weakness identified on the test align with the goals and objectives in the IEP. A continuation of the student's current IEP goals and areas of need may be an appropriate type of accelerated instruction.

Note: The AIP must be put in place through the ARD process. An ARD committee meeting must be convened if the accelerated instruction plan involves a change in placement or decisions regarding retention.

Student Success Initiative (SSI) Grade Advancement Requirements:

The Student Success Initiative (SSI) consists of several components, including grade advancement requirements for reading and mathematics for students in Grades 5 and 8.

Students who are assessed using STAAR™ are subject to SSI grade advancement requirements. Students assessed through STAAR Alternate 2 are not subject to SSI grade advancement requirements because multiple testing opportunities are included in the STAAR Alternate 2 process. EL-exempt students are not subject to SSI requirements. However, non-exempt English Language Learners taking STAAR, in English or Spanish are subject to SSI requirements.

Under the SSI grade advancement requirements, a student who takes STAAR is allowed three testing opportunities to meet the passing standard. If the student does not meet the passing

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standard, a grade placement committee (GPC) is convened to develop an accelerated instruction plan (AIP) and make promotion decisions for the student.

The student's ARD Committee will serve as the Grade Placement Committee (GPC) for students in special education, grades 5 and 8 who are not successful on the first, second or third administration of the STAAR. The GPC is responsible for (a) determining appropriate accelerated instruction that must be provided to the student before the third test administration, (b) considering parent appeals and other relevant information and (c) developing a plan for the accelerated instruction the student shall receive during the next school year, regardless of whether the student is promoted or retained. Decisions regarding grade placement do not have to be unanimous but must follow the general rules governing ARD committee decision-making.

Intensive Program of Instruction:

YES Prep provides an intensive program of instruction to a student who does not perform satisfactorily on a statewide assessment instrument, including an end-of-course assessment and STAAR Alternate 2.

The student's ARD committee is responsible for designing a program that enables the student to attain a standard of growth based on his/her IEP and, if applicable, to meet the SSI requirements described below.

English Learners (ELs) Receiving Special Education Services:

When a student served through special education is an EL, the student's ARD and LPAC committees are required to collaborate to ensure that issues related to both the student's disability and language proficiency are carefully considered.

Depending on the amount of English they have acquired, some EL may take the Spanish version of STAAR, which is available from Grades 3-5. Other EL may qualify for an EL exemption from STAAR. Students who qualify for an English Learner exemption will participate in linguistically accommodated testing (STAAR L) in certain grades and subjects. ELs who are not eligible for an EL exemption should be assessed using STAAR or STAAR Alternate 2.

FITNESSGRAM

The FITNESSGRAM is a state required assessment that measures aerobic capacity, body composition, muscular strength, endurance and flexibility using criterion-referenced standards specific to a student's age and gender. All students in Grades 3-12 who are enrolled in a Physical Education course or an approved Physical Education substitution are required to participate in the FITNESSGRAM.

A student receiving special education services should not be restricted from participating in the physical fitness assessment based solely on the student's eligibility for special education services. Some students with disabilities will require accommodations or modifications to the assessment based on the individual student's disability. These accommodations or modifications should be addressed by the student's ARD committee.

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A student can be completely or partially exempted from the six test items required for assessment with the FITNESSGRAM assessment instrument based on the conditions of their disability.

Only students who meet the following requirements must be restricted from participation:

- Permanent Restriction: A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the impairment and the expectations for physical activity for the student.
- Temporary Restriction: A member of the healing arts licensed to practice in Texas must provide written documentation concerning the nature of the temporary impairment and the expected amount of time for recovery.

The healing arts includes any system, treatment, operation, diagnosis, prescription or practice to ascertain, cure, relieve, adjust or correct a human disease, injury or unhealthy or abnormal physical or mental condition. A person who uses his/her name on a written professional identification, including a sign, pamphlet, stationery or letterhead or a person who uses his/her signature as a professional identification shall designate the healing art the person is licensed to practice. These designations include a person who is licensed by one of the following entities:

- Texas State Board of Medical Examiners and holds a Doctor of Medicine or a Doctor of Osteopathy degree
- State Board of Dental Examiners
- Texas State Board of Chiropractic Examiners
- Texas Optometry Board
- Texas State Board of Podiatric Medicine

Statewide Assessment Accommodations:

In determining the most appropriate accommodations for statewide assessments, the student's ARD committee must determine which of the classroom accommodations currently provided for the student are allowable for use on statewide assessments. The Committee must then determine if the student meets eligibility requirements, if any, for the proposed accommodation. Information is available on the TEA website below.

Contact:

Brionne Roberts, Director of Special Education
Brionne.Roberts@yesprep.org

Transition Planning

Legal Requirements

The 2004 IDEA reauthorization raised expectations for students with disabilities through increased academic expectations and state and district accountability standards. Additionally, transition was re-defined and the role of transition planning in the development of IEPs was strengthened, including a new requirement for a summary of performance prior to graduation from high school for students receiving special education services.

IDEA 2004 requires that "all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living." (§300.1 Purposes)

Transition services are defined as a "coordinated set of activities for a child with a disability...within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities." (§300.43 Transition Services)

Guidelines

YES Prep must:

- Post the [Texas Transition and Employment Guide](#) on the district's website.
- Provide written information and, if necessary, assistance to the parent regarding how to access the electronic version of the guide at:
 - The ARD committee meeting at which transition is discussed, or
 - The first ARD committee meeting that occurs after the guide becomes available if the student's ARD committee has already met previously to discuss transition.

Federal Requirements:

Transition services and activities must be included in the development of the IEP no later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP Team, and must include appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.

State Requirements: (Note the main difference between Federal and state requirements is the age a full Transition Plan development is required)

Texas requirements for transition services are aligned to the federal requirements included in IDEA 2004. However, state law and guidance include additional requirements for the provision

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of transition services for students receiving special education services in Texas. A new state law passed in the summer of 2011 requires that "appropriate state transition planning must begin for a student not later than when the student reaches 14 years of age" (SB 1788, 06/17/2011). The Texas Administrative Code describes the following nine issues important to the development of the IEP for students receiving special education services.

- Appropriate student involvement in the student's transition to life outside the public school system.
- If the student is younger than 18 years of age, appropriate parental involvement in the student's transition.
- If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled.
- Any postsecondary education options.
- A functional vocational evaluation.
- Employment goals and objectives.
- If the student is at least 18 years of age, the availability of age-appropriate instructional environments.
- Independent living goals and objectives.
- Appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

The Transition Process:

Transition services means working as a team with the student, parent, school staff and outside agencies or community service to develop a coordinated set of activities for a student with a disability that is based on the individual student's needs, considering:

- the student's strengths,
 - preferences,
 - interests,
- and which includes
- instruction,
 - related services,
 - community experience,
 - the development of employment and other post school adult living objectives, and
 - if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

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All these activities will be considered for each student; however, specific activities will be determined by the needs of each student.

Transition is a results-oriented process that is focused on improving the academic and functional achievement of a child with disabilities to facilitate the movement from school to post-school activities.

These activities, through state guidelines, begin on or before the student turns 14 years old with postsecondary goals in education or training, employment and if appropriate, independent living skills based on age-appropriate transition assessments and, an examination of transition issues including the appropriate courses of study based on transition goals.

The IEP will include transition services which are needed to assist the student in reaching those post-secondary goals.

Campus Process:

Special Education Staff are responsible for providing, when appropriate, parent, teacher and student input forms for transition planning and/or as a portion of transition assessment.

- Although transition planning must be in place by age 14, it can be completed earlier, depending on the needs of the student. Earlier transition planning, when appropriate, can be considered for students with moderate to severe disabilities who may need additional services from outside agencies with long waiting lists.
- Appropriate student involvement in the student's transition to life outside the public school system includes student's participation in the ARD\IEP committee.
- Best practices would indicate that to the extent possible, the student should lead a portion of the ARD/IEP meeting taking into consideration his or her capabilities.
- The student will be invited to the ARD/IEP Committee meeting when transition services will be discussed.
- The ARD/IEP Committee will make decisions regarding transition goals and services based on age-appropriate transition assessments.
- The transition goals and services in the student's IEP will be updated annually.

An ARD/IEP committee will consider, and if appropriate, address the issue of a formal functional vocational evaluation.

- A formal functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes, and skills. Information is gathered through situational assessments in the setting where the job is performed and takes ARD committee input and parent permission.

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- The ARD/IEP committee identifies students who will benefit from services in a vocational program such as Community Based Instruction (CBI), Community Based Vocational Instruction (CBVI) or Work Based Learning (WBL).
- The informal or formal functional vocational evaluation can be a useful tool in assessing progress for these students. The informal functional vocational evaluation is an ongoing data collection process and is part of a student in special education services ongoing data collection process.

Age-appropriate instructional environments will be available for students who are 18 years of age and older.

- The ARD/IEP committee must determine the appropriate environment for each student in this age category on a case-by-case basis, but decisions should be made by taking into consideration what typical students in general education are doing at that age (e.g. college, technical school, employment, volunteer positions, etc.) and the comparable environments available.

Formal transition planning is completed during the ARD/IEP committee meeting and focuses on assisting students with disabilities to become independent within the community, to the greatest extent possible.

- Transition (or futures) planning for students with ASD, at any age, includes ARD/IEP Committee determination of need, and establishment of a plan, if appropriate, to support the student's successful transition from current to next environment(s).
- Such support might also include assisting students to transition from elementary to middle school level, from middle to high school, and/or across instructional settings.

Prior to the student's 17th birthday the Notice of Transfer of Parental Rights must be completed. Refer to current the IDEA for more detailed information regarding this subject.

By age 17, inform student/parent of transfer of rights to student when students reach age 18 and complete the transfer of rights statement in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services.

If a student's goal is to be employed after graduation from high school, the appropriate courses should be included in the IEP and addressed on the Graduation Options supplement; this begins documentation of the student's goals after graduation.

Adult service providers (agencies) should be included at the transition meeting prior to graduation, depending upon services needed by the individual student. If an agency commits to providing a service and that service is never provided, the ARD/IEP committee must reconvene to determine how that need will be met.

Summary of Performance:

For all graduating seniors or students exiting public school because of age eligibilities, a Summary of Performance will be provided to the student, which includes the student's:

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postsecondary goals, academic achievement, functional performance, recommendations on how to assist the student in achieving his or her postsecondary goals, written recommendations of the agencies, and views of the parents and students.

The SOP will be provided to the student for use with agency and post-secondary educational environments to facilitate the student's post-secondary transition success.

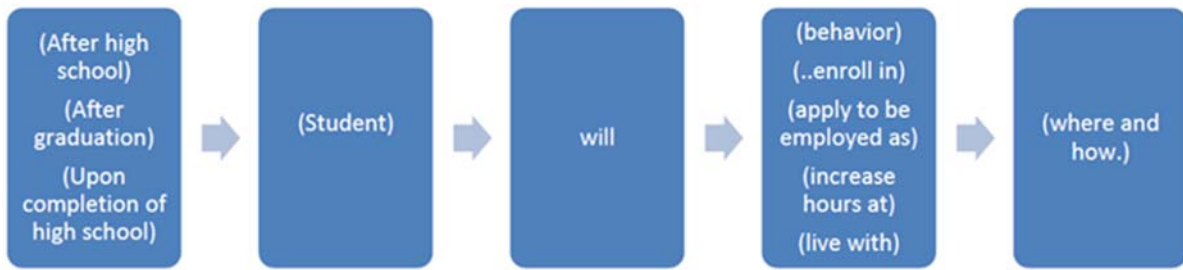
The Summary of Performance should include the following:

- **Demographics:** Enter campus, year of graduation, student's name, date of birth, primary and other disabilities, dominant language and date of most recent ARD/IEP committee meeting in the appropriate spaces.
- **Student's Interest:** Select the student's post-secondary interest. Both employment and education may apply. If the student is interested in employment, select part time or full time. Complete career interest section. "College" is not acceptable, because this section requires a career goal. If the student is identified as a student with an intellectual disability and will not be attending college or seeking employment complete this section with "day activities" and proceed accordingly.
- **Student's Strengths:** Review PLAAFPs, also ask the student in what course he/she does best. (i.e. What are your favorite courses?). Attendance can also be included. Prompt the student if he/she cannot answer the question. If the student will be seeking employment, relate his/her strengths to the post-secondary career goal. This is more specific than student strengths and can include extra-curricular/community activities and other student accomplishments.
- **Recommendations/modifications/accommodations to consider for meeting post-secondary education/training goals and/or employment goals:** Ask the student what supports have worked for him/her in the past? (i.e., extended time, assignment notebook, etc.) and relate to the student's goal. If the student will be working with a job coach, place in this section.
- **Agency Information:** Indicate how the student was linked to an agency, e.g., student is a client with (Texas Workforce Commission (TWS), The Harris Center), student has completed an application with, student has met with a counselor at, student/parent received information about TWS on, etc.

The school will ensure all graduating seniors have a graduation option identified and a Summary of Performance completed.

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Formula for Measurable Post-secondary Goals:



Examples of measurable post-secondary goals:

- After high school, Lissette will work on-campus part-time in the food court at the college with supports from vocational rehabilitation and the staff at the college.
- After high school, Lissette will participate in weekly instruction on independent living skills at the (area agency) in her community.
- After high school, Lissette will live semi-independently with a roommate in an assisted living apartment with supports provided through (area agency).

Transition Resources:

- [Transition & Employment Guide - English](#)
- [Transition & Employment Guide - Spanish](#)
- [Region IV ESC Transition Planning Resources](#)

Contact:

Kayla Pickney, Transition and Alternative Education Specialist

Kayla.Pickney@yesprep.org

District Special Education Contacts

Name	Title	Contact Information
Ashley Dalton	Managing Director of Special Populations	Ashley.Dalton@yesprep.org
Alexandra Treviño	Director of Special Education Evaluation	Alexandra.Trevino@yesprep.org
Carmen Meza	Director of Special Populations Compliance	Carmen.Meza@yesprep.org
Monica Glenn	Manager of Special Education Compliance	Monica.Glenn@yesprep.org
Kayla Pickney	Transition and Alternate Education Specialist	Kayla.Pickney@yesprep.org

Resources

Name	Description	Contact Information
The Legal Framework	Special Education Policies and Procedures	Region 18 ESC frameworkhelp@esc18.net (432)-561-IDEA
Region IV ESC – Special Education	Houston area educational service center.	(713)744-6365 contact@es4.net
Texas Project First Glossary of Terms	A comprehensive list of Special Education terms	
Texas Transition Employment Guide	Includes information on Self Advocacy, Transition Services, Employment and Supported Employment, Social Security Programs, Community and Long-Term Services and Supports, Postsecondary Educational Programs and Services, Information Sharing, and Guardianship and Alternative	
Texas Workforce Commission	Texas Workforce Solutions Vocational Rehabilitation Services serves youth and students with disabilities to help prepare for post-secondary education and employment opportunities. Services are eligibility- and need-based.	800-628-5115 customers@twc.state.tx.us