ARD Committee Membership

Required Members
Before a child is enrolled in a special education program of the CFISD, the district shall establish a committee that includes:

The Child

The child is the person whose identification, evaluations, and/or educational placement is being determined. The student should be invited:

- When deemed appropriate by the parent
- When the student is a legal adult
- Whenever transition services are being considered. (In CFISD, transition service needs are considered at every annual ARD Committee meeting beginning when the student reaches the age of 14.)

Students in grades 6-12 should be invited to attend their annual ARD Committee meetings (and other ARD Committee meetings as needed) to participate in decisions.

NOTE: Parents should always be informed through written notice whenever the school has invited the minor student to attend the ARD Committee meeting. Any student who has reached the age of 18 and whose parent(s) or legal guardian have not obtained guardianship or decision-making authority is considered a legal adult.

The Parent(s) of the Child

The term 'parent' means:

- A natural or adoptive parent of a child
- A foster parent (unless state law, regulations or contractual obligations with a state or local entity prohibit a foster parent from acting as a parent, i.e., the foster parent is a CFISD employee)
- A guardian (but not the state if the child is a ward of the state)
- An individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare
- A surrogate parent

NOTE: When more than one party is qualified to act as the parent, the natural or adoptive parents must be presumed to be the parent unless (a) the natural or adoptive parent does not have legal authority to make educational decisions for the child or (b) a person or persons has been designated by judicial decree to act as the parent of the child or to make educational decisions on behalf of the child.

One or both of the student's parents must be invited to all ARD Committee meetings if the student is under 18 or if the student is unable to represent himself/herself. CFISD must take steps to

ensure that one or both parents of a child with a disability are present at each IEP meeting or have the opportunity to participate, including the following:

- Scheduling the meeting at a mutually agreed on time and place
- Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend
- Providing an opportunity for parents to participate in ARD Committee meetings via conference calls or video conferencing

The school must make reasonable efforts to ensure that the parents understand and are able to participate in any group discussion relating to the educational placement of their child, which includes arranging for an interpreter for parents who are deaf or hard of hearing or whose native language is other than English. Interpreters are scheduled through the Special Education Services Department at the Dr. Mark Henry Administration Building (MHAB).

If the student's parent is unable to speak English, the school should follow these guidelines:

- Provide the parent with a written or audio-taped copy of the student's IEP translated into Spanish, if Spanish is the parent's native language
- If the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audio taped copy of the student's IEP translated into the parent's native language.

Surrogate Parents

An individual assigned to act as a surrogate parent for a student with a disability must complete a training program in which the individual is provided with an explanation of: (a) the provisions of federal and state law (b) rules and regulations related to identification of a student with a disability (c) the evaluation and reevaluation process (d) the ARD process (e) IEP development and determination of LRE (f) procedural safeguards and rights and (g) sources that the surrogate parent may contact to obtain assistance in understanding the provisions of federal and state laws, rules and regulations relating to students with disabilities.

The training program must be provided in the native language or other mode of communication used by the individual who is to serve as a surrogate parent and must be completed within 90 calendar days after the date the individual is assigned as a surrogate parent. School districts may provide ongoing or additional training to surrogate parent(s) but may not require additional training as a condition for serving as a surrogate parent.

Foster Parents

If possible, a foster parent acting as the parent of a child with a disability should complete the surrogate parent training program prior to his/her assignment to act as a parent but no later than 90 days after the assignment. School districts may provide ongoing or additional training to foster parent(s) but may not require additional training as a condition for serving as a parent.

Conflict of Interest

CFISD will conduct an analysis to determine whether a foster parent or potential surrogate has an interest that conflicts with the interest of the child with a disability. A foster parent shall not be

deemed to have a financial conflict of interest by virtue of serving as a foster parent in the home. These homes include basic, habilitative, primary, medical or therapeutic foster group homes. Issues concerning quality of care of the child do not constitute a conflict of interest.

If CFISD denies a foster parent the right to serve as the surrogate parent or parent, the district will provide the foster parent with written notice of such denial within seven calendar days after the date the decision is made. The written notice must specifically describe the interests of the foster parent that conflict with the interests of the child and must inform the foster parent of his/her right to file a complaint with the Texas Education Agency.

Regular Education Teacher

At least one regular education teacher of the student shall be included if the student is, or may be, participating in the general education environment. The regular education teacher participating in a student's ARD Committee meeting should be the teacher who is, or may be, responsible for implementing the IEP so that the teacher can participate in discussions about how best to teach the student. Whenever practicable, the regular education teacher should be familiar with the child.

If the student has more than one regular education teacher, the school may designate which teacher or teachers will participate. It is always an option for additional teachers to attend.

Special Education Teacher or Service Provider

In deciding which special education teacher or service provider will participate in meetings, the district considers the following possibilities:

- Whenever practicable, the special education teacher or service provider should be familiar with the child and should be responsible for implementing all or part of the child's IEP.
- For a student with a disability, the special education teacher/service provider must be certified in the student's suspected areas of disability. When a specific certification is not required to serve certain disability categories, the special education teacher/service provider must be qualified to provide the educational services the student may need. In many cases, the student's case manager will serve as the special education teacher attending the ARD Committee meeting.
- If the student's disability is speech impairment, the special education teacher/service provider may be the speech-language pathologist.
- Prior to the meeting, the student's case manager seeks input from other special education and regular education teachers who will not be attending the meeting. In addition, the case manager ensures that the following documents are available at all initial and annual ARD Committee meetings:
    - A copy of the most recent confidential student reports (STAAR or STAAR-Alt 2.).
    - A copy of any curriculum-based assessments and/or competency testing showing current levels of academic, behavioral, and functional performance
    - A draft copy of annual goals, including supporting short-term objectives if the student is receiving modified instruction in the TEKS
    - Any additional documentation appropriate for planning for the educational needs of the student (e.g., disciplines reports, attendance record, work samples, etc.)
    - Documentation of progress on current IEP goals and objectives

Administrator/Local Education Agency (LEA) Representative

In the CFISD, the Director of Special Education in conjunction with campus principals determine which specific staff members may serve as the administrator/LEA representative at ARD Committee meetings. At the beginning of the school year, the campus principal designates the individuals who will have the authority to serve as the "administrator/LEA representative" in the ARD Committee process.

The selected representative must meet the following criteria;

- Familiar with providing or supervising the provision of specially designed instruction for student with disabilities
- Knowledgeable about the general education curriculum
- Knowledgeable of the continuum of available services and district resources
- Authorized to allocate the resources of the campus/district
- Authorized to provide, supervise and/or enforce the implementation of the IEP including related services, required modifications and supports

NOTE: The LEA representative should be able to ensure that services described in the IEP will actually be provided and that these services will not be overruled at a higher administrative level within the district. The person selected should have the authority to commit agency resources (i.e., to make decisions about the specific special education and related services that the CFISD will provide to a particular student).

Evaluation Personnel

When assessment planning or results will be discussed, an individual who can interpret the instructional implications of evaluation reports should be included on the committee. Such personnel include educational diagnosticians, licensed specialists in school psychology (LSSPs) and/or speech language pathologists.

Other Individuals with Special Education Expertise

Other individuals who have knowledge or special expertise regarding the student may be invited at the discretion of the parent or district personnel. The determination of the knowledge or special expertise of any individual must be made by the party who invited the individual. Should the parent bring an attorney to the ARD Committee meeting for the purpose of advocating for the student's special education needs, the school district will reschedule the ARD Committee meeting until such time that the school district's attorney can be in attendance. The Director of Special Education should be notified in such circumstances.

Other Required ARDC Members/Student Specific

LPAC Representative: Required when the student is limited English proficient (LEP).

Certified Teacher of the Visually Impaired: Required when the student has a suspected or confirmed visual impairment.

Certified Teacher of Students who are Deaf and Hard of Hearing: Required when the student has a suspected or confirmed auditory impairment. Representatives from the Northwest Harris County Cooperative for the Deaf and Hard of Hearing Shared Service Arrangement will be invited to participate when the student may be served by the RDSPD.

CTE Teacher/Representative: Should be included when considering initial or continued placement of a student in career and technology education.

Other Invited Members/Student Specific*

Licensed Specialist in School Psychology (LSSP) should be invited when the student's behavior impedes his/her learning or the learning of other students. The LSSP should be knowledgeable in the area of positive behavior support strategies.

Related Services Provider(s) should be invited when the student is receiving or may require related services, includes occupational therapists, physical therapists, and counselors.

Compensatory Education Representative should be invited when a student is eligible for other special or compensatory programs such as migrant education, ESL or bilingual education.

Day/Residential School Representative must be invited when a student is being considered for or is placed by CFISD in a contracted day/residential school placement.

Private/Parochial School Representative must be invited when the student is enrolled in a private/parochial school and is receiving or is eligible to receive special education services through CFISD.

Intermediate Care Facility (ICF/MR) Facility Representative must be invited if the student is considered for or placed in an ICF/MR facility.

Transition Service Agency Representative should be included if the agency is likely to be responsible for providing services or funding.

ECI Representative, at the request of the parent, an invitation to the initial IEP meeting must be sent to the ECI service coordinator or other ECI representative to assist in the smooth transition of services.

JJAEP Representative, if a student is expelled to JJAEP a representative should be invited to the ARD meeting.

***NOTE:** These members must be invited but are not required to attend.

Responsibilities of ARD Committee Members

Administrator Responsibilities

- Be aware of district resources
- Ensure all required members are present
- Appoint a recorder to be responsible for completing additional deliberations
- Welcome the parent/guardian

- Introduce the members of the committee
- State the purpose of the meeting
- Follow the CFISD ARD agenda
- Ensure all required decisions/agenda items are addressed
- Provide all assurances to parent
- Adjourn the meeting

Appraisal Personnel Responsibilities

- Verify that the district's copy of the returned ARD Committee invitation has been signed by the parent and that the appropriate boxes are checked.
- Verify demographic information by double-checking that the address and telephone numbers in the special education records are current and correct.
- Give the parent/guardian/adult student the *Notice of Procedural Safeguards* and review, if necessary (annual provision requirements).
- During the ARD meeting, have the ARD Agenda available for committee members to access.
- Make recommendations for reevaluations and/or review any new evaluation reports, if applicable.
- Ensure all ARD paperwork is accurate and complete.
- For initial ARD Committee meetings, ensure that the parent has signed Consent for Initial Placement.
- Ensure a copy of updated IEP goals and objectives are attached to the ARD Committee meeting report
- Provide a final copy of the ARD paperwork to parents.
- If the parent did not attend the ARD Committee meeting, determine the parent's preferred mode of receiving copies of all documentation and ensure the documentation is provided within five working days of the ARD Committee meeting.
- Ensure campus personnel have access to necessary portions of the ARD/IEP document.

ARD Specialist Personnel Responsibilities

- Verify that the district's copy of the returned ARD Committee invitation has been signed by the parent and that the appropriate boxes are checked.
- Verify demographic information by double-checking that the address and telephone numbers in the special education records are current and correct.
- Give the parent/guardian/adult student the Notice of Procedural Safeguards and review, if necessary (annual provision requirements)
- During the ARD meeting, have the ARD Agenda available for committee members to access.
- Ensure all ARD paperwork is accurate and complete.

- Ensure a copy of updated IEP goals and objectives are attached to the ARD Committee meeting report.
- Provide a final copy of the ARD paperwork to parents.
- If the parent did not attend the ARD Committee meeting, determine the parent's preferred mode of receiving copies of all documentation and ensure the documentation is provided within five working days of the ARD Committee meeting.
- Ensure campus personnel have access to necessary portions of the ARD/IEP document.

Special Education Teacher/Case Manager Responsibilities

Prior to the ARD Committee meeting, the student's special education case manager gathers input from special education and regular education teachers that will not be attending the meeting.

In addition, the case manager will ensure that the following documents are available at **all initial and annual** ARD Committee meetings:

- A copy of the most recent confidential student reports (STAAR or STAAR-Alt 2) to be attached to be annual ARD report
- A copy of any curriculum-based assessments and/or competency testing showing current levels of academic, behavioral, and functional performance
- A draft copy of annual goals, including supporting short-term objectives if the student is being assessed using alternate achievement standards/receiving modified instruction in the TEKS
- Any additional documentation appropriate for planning for the educational needs of the student (e.g., discipline reports, attendance record, work samples, etc.)

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

- Provide a current copy of all accommodation/modification pages and behavior intervention plans, if applicable, to all current teachers with any explanation needed to ensure implementation
- Provide a copy of all IEP goals/objectives to each teacher providing services in the specified academic areas