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FAPE

ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING

SANTA FE ISD

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ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING

What is Required

The district will establish an Admission, Review, and Dismissal (ARD) Committee for each eligible student with a disability and for each student for whom an evaluation is conducted. See [FAPE-ARD COMMITTEE MEMBERSHIP] and [EVALUATION]. The ARD Committee is the group of qualified professionals and the parent of the student that determines whether the student is a student with a disability and the educational needs of the student. The ARD Committee is the team that develops the Individualized Education Program (IEP) for the eligible student with a disability and determines the educational placement of the student.

Individualized Education Program (IEP)

The IEP is the written statement for each student with a disability that is developed, reviewed, and revised by the ARD Committee. The IEP must include:

- A statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or for preschool students, as appropriate, how the disability affects the student's participation in appropriate activities;
- A statement of measurable annual goals, including academic and functional goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum; include timeframe, condition, behavior, and criterion; and meet each of the student's other educational needs that result from the student's disability, and, for students with disabilities who take alternate assessments aligned to alternate academic achievement standards, a description of benchmarks or short-term objectives. See [FAPE COMPOSITE];
- A description of how the student's progress toward meeting the annual goals described above will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be

provided to enable the student to advance appropriately toward attaining the annual goals; to be involved in and make progress in the general education curriculum, and to participate in extracurricular and other nonacademic activities; and to be educated and participate with other students with disabilities and nondisabled students;

- An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education class;
- A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on State and districtwide assessments;
- A completed TEA STAAR Alternate 2 Participation Requirements form, if the ARD Committee determines that the student must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement;
- A statement regarding which of the goals and objectives should be addressed during ESY if the ARD Committee determines that the student requires participation in Extended School Year ("ESY") services. See [FAPE COMPOSITE]; and
- The projected date for the beginning of the services and modifications described above, and the anticipated frequency, location, and duration of those services and modifications.

The ARD Committee may use the TEA's model IEP form. In addition, the ARD Committee need not include information under one component of the student's IEP that is already contained elsewhere in the IEP.

The district must have an IEP in effect at the beginning of each school year for each student with a disability ages 3 through 21 enrolled in the district. For a student with a disability who transfers into the district within the same year or during the summer, from another district within Texas or a district outside of Texas, the District will comply with the transfer rules and procedures regarding evaluations and the provisions of an IEP. See [CHILD FIND - CHILDREN WHO TRANSFER OR RECENTLY REGISTERED]. In addition, FAPE must be available for students with visual impairments, who are deaf or hard of hearing, or who are deaf-blind from birth as set out in an Individualized Family Service Plan (IFSP) for those students from birth through 2 years of age and an IEP for those students aged 3 or older. See [CHILD FIND – AGES 0-5] and [DISABILITIES – Visual Impairment, Deaf or Hard of Hearing, and Deaf-Blindness].

The IEP is developed and agreed upon at an initial ARD Committee meeting and revised as needed, but no less than once annually.

Campus Special Education Personnel must provide the parent with written notice prior to any ARD Committee meeting to allow the parent the opportunity to meaningfully participate in the meeting and provide Prior Written Notice of any proposed change to the student's IEP following the ARD Committee meeting before any changes may be implemented. See [PARENT PARTICIPATION] and [PRIOR WRITTEN NOTICE]. In addition, an ARD Committee must include certain individuals and members, including the parent. For a full discussion regarding who must attend an ARD Committee meeting and legal excusal of required members and having an ARD meeting without a parent, see [FAPE-ARD COMMITTEE MEMBERSHIP].

Initial ARD Committee Meeting

At the initial ARD Committee meeting, the ARD Committee must determine if the student is eligible for special education services based on the initial FIE and, where appropriate, placement in special education and the development of an IEP, within 30 calendar days from the date of the completion of the written initial FIE report.

The ARD Committee may wait to finalize decisions until the first day of classes in the fall if the 30th day falls during the summer when school is not in session, unless the initial evaluation indicates that the student will require Extended School Year services during that summer. See [EXTENDED SCHOOL YEAR SERVICES]. If the District received written consent for the evaluation from the parent at least 35 but fewer than 45 school days before the last instructional day of the school year and the student was not absent from school three or more days between the time the District received written consent and the last instructional day of the school year, the ARD Committee must meet not later than the 15th school day of the following school year to finalize decisions concerning initial eligibility, and if appropriate, IEP and placement. However, if the initial evaluation indicates that the student will require Extended School Year services during that summer, the ARD Committee must convene as early as possible following completion of the FIIE report. A school day does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent school term.

For those students identified as a student with an Intellectual Disability (ID) or a student with a Developmental Delay (DD), at the initial ARD Committee meeting, the District shall provide the parent or legal guardian of the student with information about services and public benefits provided by the local intellectual and developmental disability authority that serves the county in which the student resides, including services under state waiver programs. TEA, in collaboration with the Health and Human Services Commission, will develop informational materials which will be available for District use to satisfy this requirement

Developing the IEP

The district must provide all members of the ARD Committee the opportunity to collaboratively participate in developing the IEP. The ARD Committee must consider:

- The student's strengths;
- The parent's concerns regarding the student's education;
- The results of the initial evaluation or most recent evaluation of the student; and
- The academic, developmental, and functional needs of the student.

The ARD Committee must decide whether the student's IEP will last for the entire year or if the IEP will be for a shorter duration.

Service Providers and Campus Special Education Personnel will ensure that special education and related services are provided to the student in accordance with the student's IEP as soon as possible following the development of the IEP at the ARD Committee meeting, and in compliance with Prior Written Notice requirements. See [PRIOR WRITTEN NOTICE].

Periodic Review and Revision of the IEP

The ARD Committee must periodically review the student's IEP to assess the student's progress. At a minimum, the IEP should be reviewed annually to determine whether the student has achieved the annual goals. Where necessary, the ARD Committee must also meet more than annually to revise the IEP to address:

- Any lack of expected progress toward the annual goals and in the general education curriculum, if needed;
- The results of any reevaluation;
- Information about the student provided to, or by the parent, in a Review of Existing Evaluation Data, see [REVIEW OF EXISTING EVALUATION DATA];
- The student's anticipated needs; or
- Additional matters.

The ARD Committee must also convene to address transition goals for the student if a participating agency, other than the district, fails to provide transition services outlined in the student's IEP. See [TRANSITION SERVICES].

If the student has been reevaluated, the ARD Committee and District Special Education Personnel should encourage the consolidation of any meetings related to the evaluation with other ARD Committee meetings.

The entire ARD Committee must convene an ARD Committee meeting to make changes to an IEP unless the ARD Committee amends the IEP through the IEP amendment process. See [AMENDMENT WITHOUT A MEETING].

For students with a Behavior Intervention Plan ("BIP") included in the IEP, the BIP must be reviewed by the ARD Committee annually or more frequently as appropriate. The review must consider changes in circumstances that may impact the student's behavior, the safety of the student, and the safety of others. Examples of changes in circumstances that may impact the student's behavior to be considered include, but are not limited to:

- Changes of placement
- An increase or persistence in disciplinary actions taken for similar types of behavioral incidents
- A pattern of unexcused absences
- An unauthorized departure from an educational setting

This list is not exhaustive, and an ARD Committee meeting should be scheduled whenever there is a lack of progress on the student's BIP.

Recessing and Reconvening a Meeting

If possible, the ARD Committee must reach mutual agreement with the parent regarding a decision of the ARD Committee related to the required elements of the IEP. If mutual agreement is not reached, the District must offer the parent a single opportunity to recess and reconvene the ARD Committee meeting at a mutually agreed upon time and place within 10 school days of the ARD Committee meeting, unless the parties mutually agree otherwise to a different date. However, the ARD Committee is not required to offer a recess and reconvene if the student's presence on the campus presents a danger of physical harm to the student or others or if the student has committed an expellable offense or an offense that might lead to a placement in a disciplinary alternative education program.

During the recess period, members of the ARD Committee should consider alternatives, gather additional data, prepare additional documentation, and/or seek additional individuals to help the ARD Committee reach a mutual agreement.

Should the ARD Committee still fail to reach a mutual agreement after it reconvenes or if the parent waives the right to a 10-day recess, the District must implement the IEP that it has determined to be appropriate for the student after giving the parent Prior Written Notice and waiting the required five (5) school days. See [PRIOR WRITTEN NOTICE]. The ARD Committee may also recess an ARD Committee meeting for reasons other than the failure to reach mutual agreement.

Mutual Agreement

Where mutual agreement is reached, the IEP must include:

- The date of the meeting;
- The name, position, and signature of each ARD Committee member participating in the meeting; and
- An indication of whether the student's parents, the adult student (if applicable), and the Campus Administrator agreed or disagreed with the decisions of the ARD Committee.

If mutual agreement is not reached, the IEP must include a written statement explaining the reason for the disagreement. In addition, each member, including the parent, who disagrees with the IEP is entitled to include their own statement of disagreement in the IEP.

Parent Request for an ARD Committee Meeting

A parent may request an ARD Committee meeting at any time and for any reason. Upon receipt of a written request for an ARD Committee meeting from the parent, the Campus Special Education Personnel must schedule and convene the meeting or, within 5 school days, provide the parent with Prior Written Notice explaining why the district refuses to convene the meeting. See [PARENT PARTICIPATION] and [PRIOR WRITTEN NOTICE]

IEP Facilitation

IEP facilitation refers to a method of alternative dispute resolution that may be used to avoid a potential dispute between the district and a parent of a student with a disability. IEP facilitation involves the use of a qualified facilitator to assist an ARD Committee in developing an IEP for a student with a disability. The facilitator uses facilitation techniques to help the committee members communicate and collaborate effectively. While the District is not required to offer IEP facilitation as an alternative dispute resolution method, TEA encourages the use of IEP facilitation. See [IEP FACILITATION in Dispute Resolution Procedures]

The district is not prohibited from incorporating elements of IEP facilitation into ARD Committee meetings that are conducted without the assistance of a facilitator. For example, the district may provide training on communication skills, conflict management, or meeting effectiveness to individuals who participate in ARD Committee meetings to enhance collaboration and efficiency in those meetings.

Notice of Procedural Safeguards

The district must adopt and implement appropriate procedural safeguards regarding the identification, evaluation, or educational placement of students with disabilities or those who are suspected of having disabilities. District or Campus Special Education Administration or Personnel or District Assessment Personnel must provide the parents of a student with a disability a copy of the Notice of Procedural Safeguards at least one (1) time per school year and in the following circumstances:

- Upon initial referral or parent request for evaluation. See [REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES];
- Upon receipt of the first State complaint or due process complaint in a school year. See [TEA COMPLAINT PROCEDURES] and [DUE PROCESS COMPLAINTS];
- In accordance with discipline procedures set forth under the IDEA. See [DISCIPLINE SECTIONS]; and
- Upon request by a parent.

A parent may elect to receive the copy of the Notice of Procedural Safeguards via e-mail if the district makes that option available.

The *Notice of Procedural Safeguards* must be written in a language understandable to the general public and provided in the primary language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the primary language or other mode of communication of the parent is not a written language, the district must take steps to ensure that the notice is translated orally or by other means to the parent in the primary language or other mode of communication. The district must also ensure that the parent understands the content of the notice. See [NOTICE OF PROCEDURAL SAFEGUARDS]

Additional Procedures

Campus Special Education Personnel will be responsible for compiling and processing the student's ARD paperwork in accordance with the ARD forms utilized by the district. District Special Education Personnel may periodically review a random sampling of ARD documents within the district to ensure that all required components of the IEP are addressed by the ARD Committee for each student with a disability.

District Special Education Personnel will provide training regarding the role and duties of the ARD Committee and the components of the ARD document for all Campus Personnel.

Initial ARD Committee Meeting

District or Campus Assessment Personnel will notify Campus Special Education Personnel upon completion of the written initial FIE report. Campus Special Education Personnel will keep a schedule of completion dates to ensure that all initial ARD Committee meetings are held within 30 calendar days of the completion of the initial FIE (or by the 15th school day if the 30th calendar day lands during the summer). District or Campus Assessment Personnel will ensure that the parent has been provided a copy of the student's initial FIE as soon as possible after completion of the report, but not later than five school days prior to the initial ARD Committee meeting. If written consent for the FIIE is received at least 35 but not less than 45 school days before the last instructional day of the school year, the District or Campus Assessment Personnel will provide a copy of the written FIIE report to the parent not later than June 30, unless student absences during the evaluation extend the due date of the FIIE. District or Campus Assessment Personnel must provide the parent a written copy of the initial FIE as soon as possible after completion of the report, but no later than five school days prior to the initial ARD Committee meeting in which a determination of initial eligibility will be discussed.

Campus Special Education Personnel will invite the parent to the initial ARD Committeemeeting and provide written notice to the parent at least 5 school days before the meeting—unless the parent has agreed to a shorter time frame. If a parent is non-responsive to communication, after several attempts at communicating with the parent, Campus Special Education Personnel will send the parent notice of the scheduled ARD meeting, and the ARD Committee will convene without the parent within the required timeframe. See [PARENT PARTICIPATION]. Campus Special Education Personnel will document all attempts to contact the parent.

For evaluations completed during the summer when school is not in session, if the FIIE determines that the student would need ESY services during that summer, the ARD Committee must convene as soon as possible following completion of the FIIE and before ESY begins to develop the student's initial IEP. If the FIIE does not indicate a need for ESY, Campus Special Education Personnel will communicate with the parent during the summer to schedule the initial ARD Committee meeting not later than the 15th school day of the following school year.

After the initial ARD Committee meeting is complete, Campus Special Education Personnel must provide the parent Prior Written Notice and, if the ARD Committee determined the student eligible for special education services, obtain informed consent for the provision of special education and related services from the parent. See [CONSENT FOR SERVICES] and [PRIOR WRITTEN NOTICE]. Following receipt of consent, Campus Special Education Personnel must wait five (5) school days before special education and related services may be provided to the student, unless the 5-day notice is waived by the parent. See [PRIOR WRITTEN NOTICE].

Developing the IEP

The Campus Special Education Personnel will follow and share the ARD Committee Agenda during the ARD Committee meeting. The ARD Committee Agenda provides a specific order in which information is presented and discussed during the ARD Committee meeting. This order should be followed by the ARD Committee to ensure that assessment leads to the development of accommodations, goals, and objectives, and that accommodations, goals, and objectives lead to a determination of services to be provided, and services lead to placement. Following the ARD Agenda ensures that a student's placement and services are determined by the student's needs. The ARD Agenda should include the following topics, if applicable, in this order:

(1)Introductions
(2)Purpose of ARD Committee meeting
(3)Statement of Confidentiality and Norms for the Meeting
(4)Review of Evaluation Data and Other Information
(5)Determination of Eligibility
(6)Consideration of Special Factors
(7)Present Levels of Academic Achievement and Functional Performance
(8)Accommodations
(9)Goals and Objectives
(10)Assistive Technology
(11)Graduation Plan (if applicable for student's age)
(12)Transition (if applicable for student's age or AU eligible)
(13)Determination of Participation in State and District Assessments (including TEA's STAAR Alternate 2 Participation Requirements, if applicable)
(14)Behavior Intervention Plan (if applicable)
(15)Determination of Special Education and Related Services

a. Instructional Services
b. Related Services
c. Supplementary Aids & Services
d. Accelerated Instruction/Intensive Program of Instruction
e. Compensatory Services
f. Least Restrictive Environment Considerations

(16) Extended School Year Services
(17) Placement Determination
(18) Review of Deliberations/Minutes
(19) Assurances
(20) Signatures of Committee Members

All members of the ARD Committee must work together in a collaborative manner to develop the IEP. At the beginning of the ARD Committee meeting, the Special Education Administrator will ensure that all required members are in attendance and set ground rules for participation and collaboration, including setting reasonable time limitations, if necessary. The following statement may be read: *"In order to facilitate a collaborative environment, participants will conduct themselves in a courteous manner. This expectation must be followed in order to work together to develop an appropriate educational plan for the student. All participants will conduct themselves professionally at all times during this ARD Committee meeting. Unnecessary outbursts, rude or unprofessional behavior will result in the administrator requesting the removal of the party from the committee meeting. This action could result in a recess of the meeting and rescheduling for another date and time."*

District Special Education Personnel will provide opportunities for training on communication skills, conflict management, or meeting effectiveness to individuals who participate in ARD Committee meetings to enhance collaboration and efficiency in those meetings.

Periodic Review and Revision of the IEP

Campus Special Education Personnel will keep a schedule to ensure that all IEPs are reviewed, at a minimum, annually. Aside from annual ARD Committee meetings, an ARD Committee meeting may be called for a variety of reasons, including, but not limited to, the following:

- Upon request by a member of the ARD Committee to discuss concerns related to the student;
- The student has already mastered or is not likely to master the annual goals in the IEP before the end of the annual ARD Committee period;

- Additional academic or behavioral goals or objectives need to be added or modified;
- Lack of progress on the student's IEP/BIP;
- Failing grades;
- Issues with student placement;
- Accommodations or modifications need to be addressed prior to State Assessments;
- Attendance issues;
- Discipline issues;
- Behavior issues (including increased restraints);
- Possible dismissal from special education services;
- Receipt of new information, diagnoses, or evaluations;
- Hospitalization;
- Bullying/harassment; and/or
- At the request of a parent.

Recessing and Reconvening a Meeting

Campus Special Education Personnel will consult with the parent at the end of the disagreed or recessed ARD Committee meeting to determine the time and place for the reconvened ARD Committee meeting. If the parties mutually agree to hold the reconvene after 10 school days have passed, Campus Special Education Personnel will obtain a written statement from the parent agreeing to the delay.

In addition to considering alternatives, gathering data, preparing further documentation, and/or obtaining additional resources to assist in enabling the ARD Committee to reach mutual agreement, Campus Special Education Personnel should consult with the Campus Principal to determine if a staffing should be held prior to the reconvene ARD Committee meeting to discuss alternative options and proposals and review additional information collected by the Campus.

In particularly challenging ARD Committee meetings where it looks like mutual agreement may not be possible even following the recess, Campus Special Education Personnel will consult with the Campus Principal to determine whether it would be beneficial to request an IEP facilitator through the district or through TEA. If the Campus determines that an IEP facilitator would be helpful, Campus Special Education Personnel will contact the parent to seek consent for the request.

Mutual Agreement

The ARD Committee will make every effort to ensure that mutual agreement regarding the IEP can be reached with the parent. However, the ARD Committee will not reach decisions based upon a majority vote. If mutual agreement cannot be reached, the ARD Committee will offer the parent a single opportunity to recess for up to 10 school days or another mutually agreeable time. Additionally, the ARD Committee will document all recommendations by the ARD Committee in which the parent disagrees, as well as the parent's position of disagreement, in the meeting minutes.

The ARD Committee will provide the parent a copy of Notice of Procedural Safeguards and explain the process for resolving the disagreement if the ARD Committee is unable to reach mutual agreement after the recess. The ARD Committee will also notify the parent that the IEP will be implemented in 5 school days from receipt of the Prior Written Notice. The ARD Committee and all Campus Personnel will act professionally towards the student's parent should the parent exercise their right to disagree with the decisions of the ARD Committee.

Parent Request for an ARD Committee Meeting

Campus Special Education Personnel will provide the parent a copy of the Parent's Guide to the Admission, Review, and Dismissal Process, informing the parent of the right to request an ARD Committee meeting to discuss educational concerns about their student. See [PARENT PARTICIPATION] and [GUIDE TO THE ARD PROCESS].

All written requests from a parent for an ARD Committee meeting should immediately be provided to Campus Special Education Personnel. Upon receipt of a written request for an ARD Committee meeting from the parent, Campus Special Education Personnel will either contact the parent to schedule the ARD Committee meeting on a mutually agreeable date and time or provide the parent with a Prior Written Notice refusing the request for the meeting with the appropriate information and reasons for the refusal explained. If an ARD Committee meeting is to be scheduled, Campus Special Education Personnel will then notify the ARD Committee members of the scheduled ARD Committee meeting.

Campus Special Education Personnel will maintain all documentation related to written requests for an ARD Committee meeting from the parent and the district's efforts to schedule and convene the meeting within a reasonable time.

Implementation and Documentation of IEP

Following the completion of the ARD Committee meeting and prior to the beginning date of implementation of the IEP, the student's Special Education Case Manager will provide a copy of the IEP to all Campus and District Personnel —including general education teachers, support staff, service providers, etc.— who work with the student. Campus and District Personnel shall receive an entire copy of the IEP, including but not limited to the Present Levels of Academic Achievement and Functional Performance, Accommodations, Annual Goals, Schedule of Services, Transition Plan (if applicable), Graduation Plan (if applicable), and Behavior Intervention Plan (if applicable). Campus and District Personnel shall also receive a copy of the minutes/deliberations from the ARD Committee meeting to ensure full understanding of the decisions made by the ARD Committee. The Special Education Case Manager will review the information in the IEP, including any changes from the previous IEP, and ensure the Campus and District Personnel understand the content of the IEP. The Special Education Case Manager will obtain a signature from each Campus and District Personnel, confirming receipt and understanding of the IEP, either on paper or through the district's electronic management system.

Following the ARD Committee meeting, District and Campus Special Education Administration will ensure the student's schedule aligns with the services described in the IEP by comparing the Schedule of Services section of the IEP with the student's schedule. This includes communicating with service providers regarding the provision of related services. Campus Special Education Administration shall adjust the student's schedule as needed to ensure the student's schedule aligns with the services described in the IEP.

Once an IEP is written and placement is determined, the district is obligated to provide the special education and related services listed in the IEP. Documentation is essential to demonstrate implementation of special education and related services set forth in the IEP. Campus and District Personnel, including but not limited to special education teachers, general education teachers, and service providers are responsible for documenting the delivery of special education and related services.

Implementation of the entire IEP must be documented, including: Accommodations, Special Education Minutes, Related Service Minutes, Participation with General Education Peers, Progress towards IEP Goals and Objectives, Interventions Used and Effectiveness of Same, Transition Services

(where applicable), Assistive Technology (where applicable), Behavior Intervention Plan (where applicable), Compensatory Services (where applicable), and Accelerated Instruction (where applicable). Methods and forms used for documenting special education and related services may vary. Examples of documentation of special education and related services include, but are not limited to, service logs, notes in a grade book or spreadsheet, checklists, tally marks, copy of assessments/teacher notes/study guides, formal assessments, point sheets, rubrics, skills trials, observations, classwork and assignments, report cards, District-wide documentation logs, etc. Documentation must be consistent and easy to understand. Campus and District Personnel working with students with disabilities will be regularly trained on methods for documenting special education and related services, as well as the legal and instructional importance of documentation.

The district will also maintain documentation requirements of compliance associated with Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and State Performance Plan (SPP). District staff will provide training, with follow up, to ensure the documentation required is in place and compliant.

Training

All Campus and District Personnel who work with students with disabilities will receive, at a minimum, annual training regarding the ARD/IEP process.

Notice of Procedural Safeguards

The district will provide parents the most current version of the Notice of Procedural Safeguards published by the Texas Education Agency's ("TEA") Department of Special Education. This version complies with the legal requirements under the IDEA regarding the content of the notice. The district must provide this version as written—including the wording and formatting—by the TEA, with the exception of adding local contact information in the designated space. In addition to providing the parent a printed copy, the district shall also place an electronic copy of the Notice of Procedural Safeguards on its website. See [NOTICE OF PROCEDURAL SAFEGUARDS]

The Campus Special Education Personnel shall document in writing that the parent has received and/or declined a copy of the Notice of Procedural Safeguards translated in the parent's primary language or other mode of communication. This will help demonstrate that the parent received the notice in a timely manner and was aware of the safeguards provided to them under the IDEA.

The district must maintain the documentation in the student's special education folder. Such documentation may be subject to compliance review through the State's monitoring system. Where appropriate, the district may document receipt in the ARD document itself. However, if the parent is not present in the ARD Committee meeting and/or does not sign the ARD document, the district shall document receipt in an additional location and maintain the documentation in the student's special education folder.

Virtual ARD Committee Meetings

If a District offers the option for parents and Campus Personnel to attend ARD Committee meetings remotely, the legal requirements for virtual ARD Committee meetings remain the same as the legal requirements for in-person ARD Committee meetings. See [ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEMBERSHIP]. This includes the requirement to provide prior notice of an ARD Committee meeting to a parent at least five (5) school days prior to the meeting, identifying the location as virtual/video-conference, the reason for convening virtually, and the issues to be discussed during the meeting.

Campus Special Education Personnel shall document attempts to have the parent participate in a virtual ARD Committee meeting, including any efforts to provide access to parents. Campus and District members of the ARD Committee must have access to the proper technology to participate in the ARD Committee meeting and be trained on how to access the technology prior to the ARD Committee meeting. Additionally, all mandatory members of the ARD Committee are still required to sign the IEP at the end of the ARD Committee meeting to indicate agreement. Electronic signatures are considered valid and legal signatures.

Virtual ARD Committee meetings should be treated in the same manner as in-person ARD Committee meetings. As such, Campus and District members of the ARD Committee must maintain a professional and courteous tone during virtual ARD Committee meetings. Each virtual ARD Committee meeting shall have a clear agenda, and the ARD Committee shall remain focused on the agenda. Cameras should be turned on during virtual ARD Committee meetings to ensure all members are in attendance and participating. As with in-person ARD Committee meetings, the ARD Committee shall listen to and document the parent's concerns and include the district's response in the IEP.

Evidence of Implementation

- Receipt of Parent's Guide to the Admission, Review, and Dismissal Process
- Parent's Guide to the Admission, Review, and Dismissal Process
- Receipt of Notice of Procedural Safeguards
- Notice of Procedural Safeguards
- FIE (to document date completed)
- ESY Documentation
- Notice(s) of ARD Committee meeting
- Written Requests for ARD Committee Meetings
- Schedule of Deadlines for ARD Committee Meetings
- Attempts to Contact the Parent or Guardian to Ensure Parental Participation in ARD Committee Meeting
- Draft IEP
- ARD/IEP
- ARD Committee Attendees Sheet
- Signature Page of ARD/IEP
- Notice(s) of ARD Committee Meetings
- Prior Written Notice(s) of Decisions in ARD Committee Meetings
- Documentation of Recess Activities
- Statement(s) of Disagreement
- Parent Requests for ARD Committee Meeting and Response
- ARD Committee Training
- ARD/IEP Training
- Receipt of IEP By Service Providers
- Documentation of Implementation of IEP
- Related Services Service Logs
- Documentation for the State in TSDS, PEIMS, and SPP
- Notice of Procedural Safeguards
- Posting of Notice of Procedural Safeguards on District Website
- Provision of Notice of Procedural Safeguards in Parent's Primary Language or Other Mode of Communication
- Notice of Receipt of Procedural Safeguards

Resources

The Texas Legal Framework for the Child-Centered Special Education Process: Rule of Construction Framework – Region 18
IEP Model Form – Texas Education Agency
SPEDTEX - Frequently Asked Questions
The Texas Legal Framework for the Child Centered Special Education Process: Admission, Review, and Dismissal Committee Meeting Framework - Region 18
Parent's Guide to the Admission, Review, and Dismissal Process - Texas Education Agency
Guidance on Procedural Safeguards Production and Required Dissemination - Texas Education Agency
Notice of Procedural Safeguards – Texas Education Agency
Notice of Rights - Texas Project FIRST
Know Your Rights Video - SPEDTex (2019)
Parent's Guide to the ARD Process - SPEDTex
IDEA Part B Procedural Safeguards Q&A - U.S. Department of Education (June 30, 2020)
Letter to Clayton - U.S. Department of Education (Nov. 30, 2007)
Individualized Education Program Facilitation - Texas Education Agency
OSEP Letter to Richards (Jan. 7, 2010) - U.S. Department of Education
Connecting to Community Supports (LIDDA Information) – Texas Education Agency

CITATIONS

Board Policies EHB, EHBAA, EHBAB, EHBAE, FOF; 20 USC 1415; 34 CFR 300.503-300.504, 300.305(a)(2), 300.306(a)(1), 300.320(a), 300.320(d), 300.321(a), 300.323, 300.324, 300.530(h); 71 Fed. Reg. 46,692 (2006); Texas Education Code 29.004, 29.005, 29.0051, 29.019, 29.020; 19 TAC 89.1011, 89.1040, 89.1050, 89.1055, 89.1196, 89.1197