Required ARD Committee Members

Role *(Legal Reference)*	Definition / Criteria	Dual Role
Parent §89.1050 (c)(1)(A) §300.30(a)(1)-(5)	Biological or adoptive, foster, guardian, individual acting in the place of biological or adoptive parent, individual legally responsible for child, appropriately appointed surrogate parent	None
Regular Education Teacher §89.1050 (c)(1)(B); §29.005(a) §89.1050 (c)(1)(E) §89.1050 (c)(1)(I)(ii) §89.1050 (c)(1)(J)	Not less than one general education teacher of the student (if the student is, or may be, participating in the general education environment) who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student's IEP	**Can** serve as the interpreter of evaluation results **Can** serve as the LPAC representative if on the LPAC committee **Can** serve as the CTE representative
Special Education Teacher §89.1050 (c)(1)(C) §89.1050 (c)(1)(E) §89.1050 (c)(1)(J) §89.1050(c)(2) §89.1050(c)(3)	Not less than one special education provider of the child Must be appropriately certified or licensed	**Can** serve as the interpreter of evaluation results **Can** serve as the LPAC representative if on the LPAC committee ***Pre-K only* Can** serve as gen ed, if dual certified and the only gen ed teacher that implements IEP
LEA Representative §89.1050 (c)(1)(D)(i-iii) §89.1050 (c)(1)(E) §89.1050 (c)(1)(I)(i)	**(i)** Qualified to provide or supervise specially designed instruction to meet the unique needs of students with disabilities **(ii)** Knowledgeable about the general education curriculum **(iii)** Knowledgeable of school district resource availability	**Can** serve as the interpreter of evaluation results **Can** serve as the CTE representative
Interpreter of Evaluation Results §89.1050 (c)(1)(E) §89.1050 (c)(1)(B-D),(F)	Must be able to interpret instructional implications of evaluation results. (i.e., diagnostician, speech and language pathologist, school psychologist,)	May be the general education teacher, special education teacher, LEA representative, or discretionary member Nov. 2026

Region 12 Education Service Center
SPECIAL EDUCATION

Required ARD Committee Members *under Special Circumstances*

Role *(Legal Reference)*	Definition / Criteria	Dual Role
Student §89.1050 (c)(1)(G) §300.321(b)(1-2)	• Whenever appropriate, the student (or adult student) with a disability • MUST be invited when considering post-secondary goals or transition services needed to reach the goals • If the student does not attend, LEA MUST take steps to ensure the child's preferences and interests are considered	None
Related Service Personnel §89.1050 (c)(1)(F)	• Related service personnel should be included when a related service will be discussed at the request of the student's parents, or the school • Service provider must be appropriately certified (i.e., OT, PT, counselor)	Can serve as interpreter of evaluation results
Dyslexia Member §89.1050(c)(4)(D) TEC 29.0031(a)(3)(b)	• MDT convened to determine eligibility must include a member with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction • meet requirements of 29.0031(a)(3)(b)(1), (2), or (3)	meets the requirements of TEC, §29.0031(b), and §74.28, including any handbook adopted in the rule Plus Other Role
CTE Representative §89.1050 (c)(1)(I) §75.1023(d)(1)	• (I) when considering initial or continued placement of a student in career and technical education (CTE): (i-ii) a representative from CTE who is knowledgeable about the availability of CTE programs offered in the district • Preferably the CTE teacher	Maybe the general education teacher (B) or LEA representative (D)
LPAC Member §89.1050 (c)(1)(J)	• A professional staff member who is on the LPAC who may be a member of the committee described in subparagraphs (B) and (C) of this paragraph • An educator from the LPAC who directly instructs the student and has detailed knowledge of the student's linguistic needs and strengths	MAY serve as the (B) regular education or (C) special education teacher
Agency Service Represetative §89.1050 (c)(1)(H)	• A representative of any participating agency that is likely to be responsible for providing or paying for transition services	None
Others §300.321(f) §89.1052 §89.1050(c)(4)(A-C) §89.1040(c)(12)(B)	• **ECI** • **JJAEP administrator or representative** • **Discretionary Member:** Other individuals who have knowledge or special expertise regarding the student • **Certified VI teacher** when a student is suspected of or has documented visual impairment, or deaf-blind • **O&M** must participate in the initial eligibility determination and any reevaluation • **Certified DHH teacher** when a student is suspected of or documented as deaf or hard of hearing or deaf-blind	A VI or DHH teacher may be the SpEd rep if the only sped service provider; a teacher with a DB certification may serve as the VI & DHH teacher and be sped rep Nov. 2026

Excusal of *Required* and *Invited* ARD Committee Members

The EXCUSAL process does not apply to...

- Parent
- Student with a disability
- Adult student following transfer of rights
- A discretionary member

Area of the curriculum or related services **IS NOT** being modified or discussed in the meeting

§89.1050(c)(5)
§300.321(e)(1)

→ Parent and the LEA **must agree in writing** that attendance is not necessary

→ An ARD committee member is not required to attend

Area of the curriculum or related service **IS** being modified or discussed, in part or in whole

§75.1023(d)(1)
§89.1050(c)(5)
§300.321(e)(1)

→ LEA obtains **informed consent in writing** from parent

§89.1050(c)(5)
§300.321(e)(2)(ii)

AND

Members **submit in writing**, to the parent and ARD committee input into the development of the IEP **prior to the meeting**

§89.1050(c)(5)
§300.321(e)(2)(ii)

→ An ARD committee member may be excused

NOTE: There are specific requirements for obtaining **INFORMED CONSENT** in writing from parents that must be followed prior to excusal of an ARD committee member.

Informed Consent

§300.9(a)
§300.9(b)
§300.9(c)(1-2)

- The parent has been fully informed of all information relevant to the excusal of the member from attending the ARD meeting in the parent's native language or other mode of communication;
- The parent understands and agrees in writing to the excusal of the ARD member from attending the ARD meeting in whole or in part;
- The consent describes the excusal of the member from attending the ARD meeting
- The consent lists the records, if any, that will be released and to whom
- The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time; and
- If the parent revokes consent, that revocation is not retroactive; therefore, it does not negate an action that has occurred after the consent was given and before the consent was revoked.

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