Eanes Innovative School District

Special Education

Operating Procedures Handbook

A guide for staff and families to how the District delivers a free appropriate public education (FAPE) to students with disabilities

Effective: 2026–2027 school year

Contents

1. Guiding Principles and Scope
2. Child Find and Referral
3. Evaluation and Eligibility
4. The ARD Committee and the IEP
5. Least Restrictive Environment and Placement
6. Related Services, Assistive Technology, and ESY
7. Transition Services
8. Discipline of Students with Disabilities
9. Behavior Supports, Restraint, and Time-Out
10. Parental Rights and Dispute Resolution
11. Records, Confidentiality, and Folder Maintenance
12. Special Education Funding — Intensity-of-Service Model
13. Special Populations and Specialized Programs
14. Staff Qualifications, Training, and Program Oversight
15. Coordination with Section 504 and ADA
16. Medicaid (SHARS) Billing and Consent
17. Significant Disproportionality and CEIS
18. State Assessment Decisions
19. Graduation, Course of Study, and Diploma Requirements
20. Parentally-Placed Private and Home School Students
21. ARD Logistics: Facilitation, Communication Plans, Autism Supplement
22. Compensatory Services and FAPE-Denial Remediation
23. Forms Inventory and Timeline-Tracking System
24. Handbook Review, Adoption, & Contacts

How to Use This Handbook

This handbook explains how Eanes Innovative School District carries out its legal responsibilities to students with disabilities. It is written for two audiences at once — District staff who must follow these procedures, and parents and families who want to understand how decisions are made for their child.

A note on how each section is organized

Most sections follow the same pattern so you always know where to look:

- **The requirement** — what federal and Texas law require, stated in plain language.
- **How the District meets it** — the specific choices the District has made to satisfy that requirement (shown in a blue box).
- **For Families** — a short plain-language explanation of what this means for parents and students (shown in a green box).
- **Evidence of practice** and **Legal authority** — the records that show the procedure is followed, and the statutes and rules behind the requirement.

Important legal notice

This handbook describes the District's operating procedures. It is a guidance and implementation document; it is not a substitute for the law itself, for the District's locally adopted Board policy (the EHB and FB/FD/FO series of the District's policy manual), or for the advice of legal counsel. Where this handbook and the law or Board policy ever conflict, the law and Board policy control. Nothing in this handbook is intended to create rights beyond those provided by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, the Texas Education Code (TEC), and the rules of the Texas Education Agency (TEA).

Texas special education law changed substantially during the 89th Legislative Session (2025) through House Bill 2 and Senate Bill 568, and TEA continues to adopt implementing rules. This edition reflects the framework in effect as of October 2026, including the amendments to 19 TAC Chapter 89, Subchapter AA effective October 4, 2026. The District reviews and updates this handbook at least annually and whenever the law changes.

1. Guiding Principles and Scope

The District is committed to identifying, evaluating, and serving every eligible student with a disability so that each child receives a free appropriate public education (FAPE) in the least restrictive environment (LRE), designed to confer a meaningful educational benefit reasonably calculated to enable the student to make progress appropriate in light of the child's circumstances.

1.1 Who this handbook covers

These procedures apply to all students enrolled in the District who are, or may be, eligible for special education and related services under IDEA, ages 3 through 21 (and to eligible infants and toddlers served through referral to the Texas early childhood intervention system). Section 504 of the Rehabilitation Act is addressed separately in the District's Section 504 procedures, although this handbook notes where the two systems intersect.

1.2 Core commitments

- Students are served based on individual need, not on disability label, placement, or available resources.
- Parents are equal partners and meaningful participants in every decision about their child.
- Decisions are made by teams, documented contemporaneously, and based on data.
- Staff are trained, supported, and held accountable for compliant, high-quality practice.

> **How the District Meets This Requirement**
>
> The Director of Special Education (or designee) is the District official responsible for ensuring these procedures are implemented District-wide. Each campus has a designated special education contact — typically the campus administrator and the case manager assigned to each student — who is responsible for day-to-day compliance at the campus level. Questions about this handbook may be directed to the Special Education Department at (512) 732-9020.

Legal authority: 20 U.S.C. § 1400 et seq. (IDEA); 34 C.F.R. Part 300; TEC Ch. 29, Subch. A; 19 TAC Ch. 89, Subch. AA; Endrew F. v. Douglas County Sch. Dist., 137 S. Ct. 988 (2017).

2. Child Find and Referral

2.1 The requirement

The District must have policies and procedures in effect to identify, locate, and evaluate all children residing in the District who have or are suspected of having a disability and who may need special education and related services — regardless of the severity of the disability. This duty ("Child Find") extends to children who are homeless, in foster care, highly mobile, migrant, enrolled in private or home schools located in the District, and children who are advancing grade to grade.

When a parent requests an initial evaluation in writing, the District must, within 15 school days, either provide prior written notice of its refusal or provide the parent a written notice of consent to evaluate. Once consent is obtained, the District must complete the full individual and initial evaluation (FIIE) within the statutory timeline.

How the District Meets This Requirement

The District maintains an active Child Find program that includes annual public notice, staff training on warning signs, coordinated screening through the Multi-Tiered System of Supports (MTSS), and screening at registration for homeless, foster, and highly mobile students. A general-education intervention process (MTSS/RTI) is available to support struggling students, but the District does not require a student to complete a set period of intervention before it will evaluate. Knowledge or suspicion of a disability alone does not automatically trigger the need to refer a student for special education. The knowledge must be in addition to a reasonable suspicion that, because of the disability or suspected disability, the student may need specially designed instruction and related services.

Any staff member, parent, and/or party that is knowledgeable of the student's needs may make a referral by contacting the campus administrator, counselor, or the Special Education Department. Parents who express a verbal request are directed to complete the evaluation request form located on the District website. The District maintains the time and date of every written parent request for evaluation through the evaluation request form located on the District website.

For Families

You can ask for your child to be evaluated for special education at any time, and you do not have to wait for the school to suggest it. Put your request in writing (a dated note or email is fine) and give it to the principal, counselor, or the Special Education Department. The school must respond within 15 school days with a prior written notice that outlines its decision.

Legal authority: 34 C.F.R. §§ 300.111, 300.301; TEC §§ 29.004, 26.0081; 19 TAC §§ 89.1011, 89.1040.

3. Evaluation and Eligibility

3.1 Evaluation timelines

The District completes each initial evaluation within the precise timelines set by TEC § 29.004 and 19 TAC § 89.1011. A “school day” is any instructional day, including a shortened day, between the first and last day of instruction. The table states each trigger, the governing deadline, and how the District manages it.

Trigger	Exact deadline	How the District manages it
District receives a written parent request for an initial evaluation	Within 15 school days, the District must give the parent either (a) prior written notice and a consent-to-evaluate form plus the procedural safeguards and the TEA Overview of Special Education for Parents, or (b) prior written notice of refusal with safeguards (19 TAC § 89.1011(b))	Request is date-stamped upon completion of the parent request for evaluation form located on the District website
District receives signed written consent to evaluate	The FIIE report must be completed within 45 school days of receipt of consent (19 TAC § 89.1011(d)(1))	Evaluator logs the consent date and the calculated 45th-school-day due date at intake; progress is monitored weekly
Student accrues 3 or more unfunded absences during the evaluation window	The 45-school-day timeline is extended by the number of absent days beyond the accrual trigger (19 TAC § 89.1011(j))	Attendance is reconciled against the evaluation log before the due date is finalized
Consent received at least 35 but fewer than 45 school days before the last instructional day	The report must be provided to the parent by June 30, and the initial ARD must meet by the 15th school day of the following school year (TEC § 29.004(a-1); 19 TAC § 89.1011(e)(1))	End-of-year consents are flagged so the June 30 / 15th-day rule is applied, not the 45-day rule
Consent received fewer than 35 school days before the last instructional day	The standard 45-school-day timeline applies (carrying into the next school year) (19 TAC § 89.1011(e)(3))	Flagged at intake to apply the correct rule
FIIE report completed	A copy is provided to the parent as soon as possible, and no later than 5 school days before the initial ARD; the ARD meets within 30 calendar days of the report (or, if that falls in the summer, by the first school day of the next year unless ESY is implicated) (19 TAC §§ 89.1011(h), 89.1050)	The evaluator sends the FIIE after completion and the case manager schedules the ARD

Verbal requests. A verbal request does not start the 15-school-day clock, but it does trigger the District's Child Find duty. The District directs parents who express a verbal request to complete the evaluation request form located on the District website.

3.2 What a compliant evaluation includes

The District uses a variety of assessment tools and strategies, conducted by qualified personnel, in the child's native language or other mode of communication. Evaluations are not racially or culturally discriminatory, are validated for the purpose used, and assess the child in all areas of suspected disability. No single measure is used as the sole criterion. For a suspected specific learning disability, the District ensures the student is observed in the learning environment, including the regular classroom, consistent with 19 TAC § 89.1040. Evaluation reports must include information about any situation or circumstance that could affect the validity of the testing instruments given to the child. For intellectual disability, when an intelligence test is given or attempted and its results are deemed invalid, eligibility may be determined using a convergence of evidence (different, independent sources that all support one conclusion) (19 TAC § 89.1040, as amended effective October 4, 2026). A specific learning disability in basic reading skills or reading fluency may not be used to avoid dyslexia requirements, and the report documents the basis when dyslexia is not identified (19 TAC §§ 89.1040, 89.1055).

Artificial intelligence tools may be used to assist with the drafting, organization, formatting, or administrative preparation of evaluation and IEP documentation. All decisions related to evaluation, eligibility, present levels of performance, goals, accommodations, services, supports, placement, progress monitoring, and other components of the IEP reflect the independent professional judgment and responsibility of the qualified members of the student's educational team. For a student suspected of having dyslexia or a related disorder, the multidisciplinary evaluation team includes the member required by TEC § 29.0031(b) (see Section 4.1).

3.3 Reevaluation and consent for reevaluation

The District conducts a reevaluation when warranted by the student's needs or on parent or teacher request, but at least once every three years unless the parent and District agree in writing it is unnecessary, and not more than once a year unless the parent and District agree otherwise (34 C.F.R. § 300.303). The ARD committee first reviews existing evaluation data to decide what, if any, additional assessment is needed.

Consent for reevaluation. The District obtains informed parental consent before conducting any reevaluation that includes new assessment, unless the District can demonstrate it took reasonable measures to obtain consent and the parent failed to respond. If the parent refuses consent for a reevaluation, the District may — but is not required to — pursue the reevaluation using mediation or a due process hearing. If the reevaluation relies only on a review of existing data and no new test or assessment is administered, parental consent is not required, though the parent is notified of the review and of the right to request assessment.

3.4 Revocation of consent for services

A parent who previously consented to the initial provision of special education services may revoke that consent at any time, in writing. The District does not treat revocation as retroactive. Upon receiving a

written revocation, the District: (1) provides prior written notice before ceasing services, within a reasonable time; (2) discontinues all special education and related services after that notice period — the District may not use mediation or due process to override the revocation or continue services; (3) does not treat the student as a student with a disability for discipline purposes going forward; and (4) is not required to amend the student's records to remove references to prior receipt of services. A parent who later wants services again must request an initial evaluation, unless the FIIE is still current.

How the District Meets This Requirement

The District accepts revocation of consent only in writing, date-stamps it, and routes it to the Special Education Office the same day. Before services stop, the District issues prior written notice (Section 10) explaining the change, the effective date, and the consequences, and informs the parent that the student will be treated as general education thereafter. The District documents the cessation date and retains the student's prior records. It does not pressure the parent to withdraw a revocation, and it explains that re-entry requires a new initial evaluation.

Evidence of practice: *Written, date-stamped revocation; prior written notice of cessation; documented services-end date; record retention; re-entry-via-initial-evaluation explanation to parent.*

3.5 Independent Educational Evaluation (IEE)

If a parent disagrees with the District's evaluation, the parent has the right to request an IEE at public expense. On request, the District, without unnecessary delay, either files for a due process hearing to defend its evaluation or ensures the IEE is provided at public expense. The District gives the parent its IEE criteria (qualifications, location, and cost parameters) on request and may not impose conditions beyond those criteria. The ARD committee considers the results of any parent-obtained evaluation.

How the District Meets This Requirement

The District assigns a School Psychologist or other qualified evaluator to each evaluation and uses an evaluation planning form to document, before testing begins, the areas of suspected disability and the assessments selected. Every evaluation timeline is tracked in the centralized system, with an assigned owner and deadline alerts. The District maintains a written IEE procedure and IEE criteria and applies the consent, reevaluation, and report-delivery deadlines above without exception.

Evidence of practice: *Evaluation planning form; consent form with date-stamp; FIIE report template; the timeline-tracking report (Section 23.2); written IEE procedure and criteria; Board Policy EHBAA/EHBAB (LEGAL/LOCAL).*

For Families

An evaluation looks at your child across every area where a disability might affect learning — not just academics, but also attention, behavior, communication, motor skills, and social-emotional health. After you sign consent, the school generally has 45 school days to finish the evaluation, with a few end-of-year exceptions. If you disagree with the school's evaluation, you can ask for an Independent Educational Evaluation (an outside evaluation) at public expense, subject to the District's criteria. Ask the Special Education Department for the IEE form.

Legal authority: 34 C.F.R. §§ 300.301–300.311, 300.303, 300.502; TEC § 29.004 (incl. (a-1)); 19 TAC §§ 89.1011(b),(d),(e),(h),(j), 89.1040; TEC § 48.103 (FIIE allotment).

4. The ARD Committee and the IEP

4.1 The Admission, Review, and Dismissal (ARD) committee

In Texas, the team that makes eligibility, IEP, and placement decisions is the Admission, Review, and Dismissal (ARD) committee. The District ensures every ARD committee invites the parent, at least one general education teacher, at least one special education teacher or provider, a representative of the District qualified to commit resources (LEA representative), an individual who can interpret evaluation results, and, when appropriate, the student and others with knowledge or expertise about the child.

The District operates on the principle of mutual consensus. When the committee cannot reach consensus, the District offers the parent the opportunity to recess for up to 10 school days to allow additional time to reach agreement, except where a delay would harm the student.

Committee membership (effective October 4, 2026). When career and technical education (CTE) placement is considered, the committee includes either a knowledgeable CTE representative, who may also serve as the District representative, or a CTE teacher, who may also serve as the general education teacher. A dually certified prekindergarten teacher may fill both the general and special education teacher roles when that teacher is the only general education teacher responsible for implementing the child's IEP. For a student with suspected or documented deaf-blindness, a teacher with deafblind certification may serve on the committee instead of both a teacher of students with visual impairments and a teacher of students who are deaf or hard of hearing (19 TAC § 89.1050).

Dyslexia member. When the committee determines initial or continued eligibility for a student suspected of or identified with dyslexia, it includes at least one member with specific knowledge of the reading process, dyslexia and related disorders, and dyslexia instruction. The member holds a licensed dyslexia therapist license or the most advanced dyslexia-related certification from an association recognized by the State Board of Education. If no such person is available, the member meets the training requirements in the Texas Dyslexia Handbook (TEC § 29.0031(b); 19 TAC §§ 74.28(h), 89.1050).

Change in location of services. The District notifies parents and convenes an ARD meeting when a change in the location of services is a change of educational placement. A parent may also request an ARD meeting if the parent believes a change in location is a change of placement.

Responding to a parent's written request for an ARD meeting. Through June 30, 2027, the District schedules and convenes the meeting upon receipt of the request or provides a written refusal within five school days.

> **Effective July 1, 2027**
>
> **Parent requests for an ARD meeting:** the District responds within 10 school days of a written request by providing scheduling options or a written refusal (19 TAC § 89.1050, as amended).

4.2 The Individualized Education Program (IEP)

For every eligible student, the ARD committee develops, reviews, and/or revises a written IEP no later than 365 days after the previous annual review (19 TAC § 89.1055). The IEP includes, but is not limited to, the following:

- the student's present levels of academic achievement and functional performance, including the student's strengths, unique disability characteristics, grade-level academic expectations compared to nondisabled peers, baseline data for both academic and functional areas, and critical needs
- measurable annual goals that address identified critical needs and curriculum barriers related to the student's disability and are not restatements of grade-level TEKS. Annual goals are required when a special education teacher or service provider is the teacher of record or is solely responsible for delivering academic, functional, or related services; they are not required solely because a student is served outside the general education setting when grade-level content is not modified. Beginning July 1, 2027, when short-term objectives or benchmarks are required, each annual goal will have at least two, each with a timeframe, condition, behavior, criterion, and distinct progress-monitoring measure
- how progress will be measured and reported
- special education and related services and supplementary aids to be provided
- the extent to which the student will not participate with nondisabled peers,
- accommodations for assessments
- the projected dates, frequency, location, and duration of services, including the location or classroom setting, time spent inside and outside the general education setting, and the procedure for documenting delivered and missed services (see Section 4.6)

How the District Meets This Requirement

Prior to the meeting, the District sends written notice of each ARD meeting in the parent's native language, at least five school days before the meeting unless the parent agrees to a shorter time (this changes on July 1, 2027, as shown below). The ARD meeting occurs at a mutually agreed upon time and place. Parents receive a copy of relevant draft documents before the meeting so they can participate meaningfully. The District provides the parent a copy of the finalized IEP at no cost. The District documents progress toward IEP goals and reports it to parents at least as often as report cards are issued for all students.

Each student is assigned a case manager who is responsible for monitoring implementation of the IEP, ensuring all staff who work with the student know their responsibilities, and serving as the family's point of contact. The District maintains a system to ensure every teacher and service provider has access to the relevant portions of the IEP for which they are responsible. Documentation of delivered and missed services is described in Section 4.6.

Evidence of practice: *ARD notice of meeting; signed/dated IEP with parent copy receipt; progress reports; IEP documents present in Skyward.*

Effective July 1, 2027

ARD notice and prior written notice: timelines change from five school days to at least 10 calendar days. The five-school-day timelines remain in effect through June 30, 2027 (19 TAC §§ 89.1050, 89.1075).

Finalized IEP: the District provides the finalized IEP to the parent within 10 school days of the ARD meeting and documents the date and method of delivery (19 TAC § 89.1055).

4.3 Excusal of required ARD committee members

The parent or adult student, special education teacher or provider, general education teacher, and LEA representative are required members at all ARD meetings. Other ARD members may be excused from all or part of a meeting only under the federal excusal rules. If the meeting does not involve a modification to or discussion of the member's area of focus or related services, the member may be excused only if the parent (or adult student) and the District agree in writing. If the meeting does involve the member's area, the member may be excused only if (a) the parent and the District consent in writing and (b) the member submits written input into the development of the IEP to the parent and the committee before the meeting. The District never treats excusal as automatic and obtains the required written agreement in advance each time.

> **How the District Meets This Requirement**
>
> The District uses a written excusal-and-consent form for any member excusal, secures the parent's written agreement before the meeting, and, where the member's area will be discussed, attaches the member's written input. Excusals are documented in the ARD record. The District does not pressure parents to agree to excusals and proceeds with all required members present when agreement is not given.

Evidence of practice: *Member excusal-and-consent form signed before the meeting; written input from any excused member whose area is discussed; ARD deliberations noting the excusal.*

4.4 Implementation of the IEP after the ARD

An IEP must be in effect at the start of each school year and is implemented without undue delay after it is developed. The District puts each newly developed or revised IEP into effect as soon as possible following the ARD meeting. The District ensures that the IEP is accessible to the student's general education teacher(s), special education teacher(s), related-service provider(s), and other responsible parties, and informs each of their specific responsibilities and the accommodations, modifications, and supports to be provided. For ARDs that recess by mutual agreement, the District reconvenes within 10 school days unless the parties agree otherwise.

> **How the District Meets This Requirement**
>
> The District begins delivering the services in a new or amended IEP as soon as possible after the ARD based on parent waiver of the 5-school-day notice. Before implementation, the case manager confirms every serving staff member has the relevant portions of the updated IEP. When an ARD is recessed, the reconvene date is set within 10 school days (unless otherwise agreed upon) and tracked in the timeline system (Section 23.2).

Evidence of practice: *IEP "date services begin" field; recess/reconvene tracking.*

> **Effective July 1, 2027**
>
> The parent waiver of notice described above applies to the notice period in effect on the date of the meeting: five school days through June 30, 2027, and 10 calendar days beginning July 1, 2027.

4.5 Transfer students

When a student with a current IEP transfers into the District, the District provides FAPE — including services comparable to those in the prior IEP — in consultation with the parent, until it either adopts the prior IEP or develops and implements a new IEP. The procedure differs based on where the student transfers from:

Transfer type	District obligation	Timeline
From a Texas district, same school year	Provide comparable services in consultation with parents until the District adopts the previous IEP or develops and implements a new IEP	Comparable services begin on enrollment; the District acts without undue delay (19 TAC § 89.1050; 34 C.F.R. § 300.323(e))
From an out-of-state district, same school year	Provide comparable services in consultation with parents; conduct an FIIE if the District determines one is necessary, then make an eligibility determination and, if appropriate, develop a new IEP	Comparable services begin on enrollment; if the District decides no evaluation is needed, it develops, adopts, and implements a new IEP within 20 school days of verifying eligibility, extended by the number of school days the student is absent when the student is absent three or more school days (34 C.F.R. § 300.323(f); 19 TAC §§ 89.1050, 89.1055)
Mid-evaluation transfer	Coordinate with the prior district to complete the evaluation; the receiving District may adopt agreed timelines	The receiving District and parent may agree on a completion time (19 TAC § 89.1011(f))

How the District Meets This Requirement

On any transfer-in, the District promptly requests records from the prior district, provides comparable services starting the first day of attendance, and convenes an ARD to adopt the prior IEP or develop a new one according to the above timelines. For out-of-state transfers where no new evaluation is needed, the District implements a new IEP within 20 school days of verifying eligibility, extended by the number of school days the student is absent if the student is absent three or more school days. Comparable services include ESY when identified in the prior IEP or when the District has reason to believe the student would be eligible. Transfer events are entered in the timeline-tracking system (Section 23.2) on enrollment.

Evidence of practice: *Records-request documentation; comparable-services page in effect on enrollment; transfer ARD adopting or replacing the IEP; 20-school-day tracking for out-of-state transfers; Board Policy FDD/EHBAB.*

For Families

If your child already has an IEP and you move to this District, your child keeps getting comparable services right away — the school cannot make your child wait with no services. The team then meets to adopt the old IEP or write a new one. If you move from out of state, the school may do its own evaluation first; if it decides one isn't needed, it puts a new IEP in place within 20 school days of confirming your child is eligible.

Legal authority: 34 C.F.R. §§ 300.320–300.328; TEC §§ 29.005, 29.0051, 29.011; 19 TAC §§ 89.1050, 89.1055.

4.6 IEP Documentation: Service Delivery, Missed Services, Dysgraphia, and Cross-References

The IEP must show how and when services will be delivered and how delivered and missed services will be documented. The service delivery schedule, annual goals, present levels, short-term objectives, and finalized-IEP timeline are set out in Section 4.2. Dyslexia documentation is in Section 13.7, and SHARS documentation is in Section 16. This section covers the remaining pieces.

Service delivery and missed services (effective October 4, 2026). Each IEP documents the frequency, duration, and location or classroom setting of each service, the time spent inside and outside the general education setting, and the procedure for documenting delivered and missed services (19 TAC § 89.1055). The schedule in the IEP is the standard against which delivered services are measured.

Dysgraphia (effective July 1, 2027). The IEP documents the student's eligibility and the ARD committee's decisions regarding writing instruction (19 TAC § 89.1055).

Where related requirements are found

Topic	See
Present levels, annual goals, short-term objectives, service schedule, finalized IEP timeline	Section 4.2
Dyslexia IEP documentation (October 2026 and July 2027) and Talking Book Program notice	Section 13.7
SHARS documentation and Medicaid consent	Section 16
Annual review within 365 days and timeline tracking	Sections 4.2 and 23.2
Compensatory services after a missed service	Section 22

How the District Meets This Requirement

Case managers enter the service delivery schedule in the IEP so that frequency, duration, location, and inside/outside general education time match what the ARD committee agreed to. Service providers log each session delivered and each session missed, with the reason and any make-up date.

The case manager reviews the missed-services record each grading period, or sooner if needed. When a missed service is logged, the case manager convenes the ARD committee to discuss the need for compensatory services, with timing based on student need (Section 22). Gaps caused by staffing shortages, absences, or scheduling are reported to the Special Education Office. Beginning July 1, 2027, the IEP also includes the dysgraphia documentation described above, and the District adds the required fields to its IEP template.

Evidence of practice: *Service delivery schedule in each IEP; provider session logs showing delivered and missed services; grading-period missed-services review records; ARD documentation of compensatory-services discussions; (from July 2027) dysgraphia eligibility and writing-instruction decisions in the IEP.*

For Families

Your child's IEP will say how often, for how long, and where each service is provided, and how much time your child spends in and out of the general education classroom. The school keeps a record of services delivered and services missed. If a service is missed, the team will meet to decide whether your child needs make-up (compensatory) services. If your child has dysgraphia, beginning July 1, 2027, the IEP will also explain the decisions the team made about writing instruction.

Legal authority: *19 TAC § 89.1055 (as amended eff. Oct. 4, 2026; dysgraphia provisions eff. July 1, 2027); 34 C.F.R. §§ 300.101, 300.320, 300.323.*

5. Least Restrictive Environment and Placement

5.1 The requirement

To the maximum extent appropriate, students with disabilities must be educated with students who are not disabled. Removal from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes with supplementary aids and services cannot be achieved satisfactorily. The District must make available a full continuum of alternative placements.

5.2 Educational environment data (new for the 2026–2027 school year)

Beginning in the 2026–2027 school year, Texas collects a new "educational environment" data element. Effective September 1, 2026, ARD placement decisions are reported as a specific educational environment (19 TAC § 89.1005(b)). An instructional arrangement reported for 2025–2026 continues to be reported until the student's ARD committee develops a new or updated IEP that affects placement, and instructional arrangement codes continue to be reported through 2026–2027 (Section 12). Only the ARD committee may modify a student's instructional day, and only when it determines that is necessary for the child. This data describes where the student is educated and is distinct from the funding determinations described in Section 12. When a change in the location of services would constitute a change in educational placement, the District notifies the parent and holds an ARD meeting. A parent who believes a change in the location of services is a change in placement may request an ARD meeting.

5.3 Homebound

Homebound instruction is an educational service for students who are unable to attend school and participate in classroom instruction due to medical needs. Eligibility and the need for homebound services are determined by the ARD committee for students receiving special education services or the Section 504 committee for students served under Section 504, based on current medical documentation and physician recommendations. Homebound services may not extend beyond the period of confinement specified by the physician. The ARD or Section 504 committee may discontinue services in collaboration with the parent or guardian and physician, as appropriate, based on the student's medical status and educational needs. Homebound instruction is generally provided by District teachers outside the regular school day. Requests for instruction at other times must be supported by appropriate medical documentation. A parent, guardian, or other responsible adult age 21 or older must be present in the home during homebound instruction. Homebound teachers must maintain a weekly homebound instruction log and submit it to Central Administration and the campus attendance clerk. Sessions missed due to the homebound teacher's absence will be rescheduled. Sessions missed because the student is unavailable or unable to participate in instruction will not be rescheduled. Attendance for homebound instruction is documented in accordance with the current *Student Attendance Accounting Handbook* and applicable state requirements.Families seeking homebound services should contact the appropriate campus representative: **Students receiving special education services:** Campus special education coordinator, School Psychologist, or case manager. **Students receiving general education services:** Campus Section 504 coordinator. The appropriate committee will review the student's circumstances and supporting documentation to determine eligibility, services, and the duration of homebound instruction.

How the District Meets This Requirement

Placement is determined by the ARD committee, individually, at least annually, and is based on the student's IEP. The District first considers all placement options in the child's zoned home campus before considering more restrictive options, and documents the supplementary aids and services considered before any removal from general education. The District maintains and can demonstrate a full continuum of placements ranging from general education with supplementary aids and services, through small group special education settings, and homebound. When the ARD committee determines it is necessary, residential or day-placement programs may be considered and arranged under the contracting procedures in Section 13.9.

Evidence of practice: *ARD deliberation documentation showing supports considered before removal; placement page of the IEP; the continuum of services list maintained by the Special Education Office; "educational environment" data submission.*

6. Related Services, Assistive Technology, and Extended School Year

6.1 Related services

The District provides related services that students need to access, participate in, and benefit from their special education programs. These services may include speech-language therapy, occupational therapy, physical therapy, counseling, school health services, orientation and mobility, interpreting services, and specialized transportation. The ARD committee determines each student's need for related services based on relevant evaluations and their individual educational needs.

6.2 Assistive technology

The District considers assistive technology (AT) devices and services for every student and provides them when the ARD committee determines they are needed for FAPE, including for use in the home when required. The District documents its AT consideration in the IEP for every student annually, even when the determination is that AT is not needed. The District follows procedures for the transfer of AT devices should a student move to another Texas district.

6.3 Extended School Year (ESY) services

The ARD committee considers the need for ESY services for every eligible student at least annually. ESY services are individualized special education and related services, provided beyond the general school year, at no cost to the parent, in accordance with the IEP. The determination is based on documented data — not on the category of disability, placement, or the availability of a District program. In Texas, the committee must consider the following factors in order to qualify a student for ESY:

- Data reflects that the student has exhibited or reasonably may be expected to exhibit severe or substantial regression in previously acquired critical skill(s) during breaks in instruction.
- Data reflects that this loss is severe or substantial.
- Data suggests that the student cannot regain those skills within a reasonable time period based on their individual needs, not to exceed 8 weeks.

If the committee determines ESY is needed, the IEP must identify which annual goals and objectives will be addressed during ESY. ESY services are not limited to a fixed number of hours, a single program model, a particular site, or a set list of disabilities. The District may not deny ESY solely because a service is not part of an existing summer program. The ARD committee may also consider other factors necessary to ensure FAPE.

How the District Meets This Requirement

The District documents its consideration of ESY in the IEP for every student, every year, including the data reviewed and the basis for the decision when ESY is not provided. The committee analyzes regression-recoupment data on identified critical skills (drawn from progress monitoring, prior ESY data, and parent input), and, when ESY is provided, the IEP specifies the goals/objectives, services, frequency, duration, and setting. The District individualizes ESY rather than offering a one-size program.

Evidence of practice: *ESY consideration and data-based determination in the IEP; regression/recoupment data on critical skills; ESY goals/objectives and service grid when provided.*

For Families

“Related services” are the extra supports that help your child benefit from their education — things like speech, occupational or physical therapy, counseling, or special transportation — and the team adds them to the IEP when appropriate based on evaluation and student need. Assistive technology (tools or devices that help your child learn or communicate) is considered every year, and can include use at home when needed. Extended School Year (ESY) is summer or break services the team considers each year; it is based on your child’s data — not their area of eligibility or placement — and is provided at no cost.

Legal authority: 34 C.F.R. §§ 300.34, 300.105, 300.106, 300.309; 19 TAC §§ 89.1065 (ESY), 89.1055(e), 89.1056.

7. Transition Services

Beginning not later than the first IEP to be in effect when the student turns 14 (and updated annually), the IEP must include appropriate measurable postsecondary goals based on age-appropriate transition assessments related to training, education, employment, and where appropriate independent living, along with the transition services needed to help the student reach those goals. Texas requires earlier transition planning than the federal floor.

How the District Meets This Requirement

The District designates a transition and employment designee, ensures the designee completes the required training within 90 calendar days of being designated (or of a commissioner update to the training) and annually thereafter, and maintains dated documentation of that training. The District begins transition planning in the IEP in effect when the student turns 14, invites the student to any ARD where transition is discussed, and — with prior parent (or adult-student) consent — invites representatives of any agency likely to provide or pay for transition services. The District develops the student's transition plan based on information provided by the student and family through a transition assessment that is completed annually.

The District provides written notice of the transfer of rights to the student and parent at least one year before the student turns 18 and again at the ARD when rights transfer, following its procedures on parental rights regarding adult students, and informs families of supported decision-making and guardianship alternatives.

Evidence of practice: *Designee appointment letter and training certificate; transition pages of the IEP (postsecondary goals, transition services, courses of study); agency-invitation consent; transfer-of-rights notices; Summary of Performance template; Board Policy EHBAB/FNG.*

For Families

Planning for life after high school — college, training, a job, independent living — starts early in Texas, by age 14. Your child should be invited to these meetings and encouraged to help lead them. When your child turns 18, most decision-making rights transfer to your child unless other arrangements (such as supported decision-making or guardianship) are made; the school will tell you about this ahead of time.

Legal authority: 34 C.F.R. §§ 300.43, 300.320(b)–(c); TEC §§ 29.011, 29.0111, 29.017; 19 TAC § 89.1049.

8. Discipline of Students with Disabilities

Students with disabilities are subject to the District's Student Code of Conduct, but federal law provides important protections. When a student is removed for disciplinary reasons for more than 10 school days in a school year, or when a series of removals constitutes a pattern amounting to a change of placement, additional procedures apply.

8.1 What counts as a removal, and the role of in-school suspension (ISS)

A "removal" is any disciplinary exclusion of the student from the current placement, including out-of-school suspension, certain bus suspensions, and — in some circumstances — in-school suspension and partial-day or informal removals (such as being asked to pick the student up early). Removals accumulate toward the 10-school-day threshold across the year.

In-school suspension is not counted toward the 10 days of removal, and does not by itself constitute a disciplinary change of placement, only when ALL THREE of the following conditions are met for the duration of the ISS (the OSEP three-factor test): (1) the student continues to have the opportunity to appropriately progress in the general curriculum; (2) the student continues to receive the services specified in the IEP; and (3) the student continues to participate with nondisabled peers to the extent the student would have in the current placement. If any one factor is not met — for example, the student sits without instruction or does not receive IEP services — the ISS day is a removal and counts toward the 10-day threshold.

> **How the District Meets This Requirement**
>
> When the District assigns ISS to a student with a disability, it structures the ISS so that all three OSEP factors are met: the student receives the IEP's special education and related services in ISS, has access to and can progress in the general curriculum, and participates with nondisabled peers to the same extent as in the current placement. Under these conditions the ISS days are not counted toward the 10-day limit. The District documents, for each ISS assignment, how each factor was satisfied (the services delivered, the instruction provided, and peer participation). If the District cannot satisfy all three factors for a given ISS placement, it counts those days as removal days and tracks them toward the 10-day threshold and any pattern analysis. The District never uses ISS, partial-day dismissals, or "informal" send-homes to avoid counting removals.

Evidence of practice: *ISS service-delivery log showing IEP services provided during ISS; documentation of general-curriculum access and peer participation; the cumulative removal-day tracker distinguishing counted vs. non-counted ISS days.*

8.2 Manifestation determination

Within 10 school days of any decision to change a student's placement for a disciplinary violation, the ARD committee, including the parent, must review whether the conduct was caused by, or had a direct and substantial relationship to, the disability, or was the direct result of the District's failure to implement the IEP. If either is true, the conduct is a manifestation of the disability and the student generally returns to placement unless an exception applies.

How the District Meets This Requirement

The District tracks days of removal for every student with a disability and notifies the Special Education Office before a removal would reach the 10-day threshold. From the 11th cumulative day of removal (and during any removal that is a change of placement), the District provides services so the student continues to participate in the general curriculum and make progress toward IEP goals, and conducts a functional behavioral assessment and implements or revises a behavior intervention plan as required. The District applies the special-circumstances rules (weapons, drugs, serious bodily injury), under which it may place the student in an interim alternative educational setting for up to 45 school days, and applies the pattern analysis under 34 C.F.R. § 300.536 on a case-by-case basis.

Evidence of practice: *Cumulative removal-day tracker; manifestation determination review documentation; FBA/BIP; IAES decision records; services-during-removal logs from day 11.*

For Families

Your child can be disciplined, but there are limits. If your child is removed for more than 10 school days in a year, the team must meet to decide whether the behavior was connected to the disability or to the school not following the IEP. In-school suspension does not count against those 10 days only if your child keeps getting their IEP services, keeps access to the regular curriculum, and stays with peers as usual during ISS — otherwise those days count. From day 11 on, your child must keep receiving services. You will be invited to these meetings.

Legal authority: 34 C.F.R. §§ 300.530–300.536 (esp. 300.530(b),(d) and 300.536); OSEP Analysis of Comments (71 Fed. Reg. 46715, Aug. 14, 2006) re: ISS; TEC Ch. 37; 19 TAC § 89.1052.

9. Behavior Supports, Restraint, and Time-Out

The District emphasizes positive behavioral interventions and supports. When a student's behavior impedes their learning or that of others, the ARD committee considers the use of positive behavioral interventions, supports, and other strategies. Texas law strictly regulates the use of restraint and time-out and prohibits certain practices such as aversive techniques. This section reflects 19 TAC § 89.1053 as amended effective October 4, 2026.

9.1 Restraint

- Restraint is a last resort. It is used only in an emergency involving imminent, serious physical harm or serious property destruction, with only the reasonable force necessary, while protecting the student's health, safety, and basic needs, and it stops when the emergency ends. Only staff trained in a state-recognized crisis-prevention and de-escalation program use restraint.
- Restraint is never used as a disciplinary or behavior management technique or as a method to gain student compliance.
- Each restraint is documented and reported separately each time a student is restrained and released, regardless of how long the restraint lasts.
- The District notifies the parent (verbally or in writing) on the day of the restraint, provides written documentation within one school day, and notifies the campus administrator. For a student in a residential placement, written notice is provided within 24 hours of any restraint, regardless of when it occurs.
- The District does not use seclusion or the aversive techniques prohibited by TEC § 37.0023.

9.2 Time-out

Time-out is used only as provided in the student's IEP or behavior intervention plan and never as a substitute for instruction or as a disciplinary catch-all. Time-out may occur inside or outside the classroom and with or without other students present. Each use is documented, including a description of the behavior that prompted it and any data collected on its use. At least annually, the student's ARD committee reviews the use, amount, and effectiveness of time-out and considers revisions to the behavior intervention plan or positive behavior supports to reduce it.

For District purposes, time-out means separating a student from other students for a limited period, in a setting that is not locked and whose exit is not blocked, so the student has an opportunity to regain self-control. Planned breaks and a calm-down corner count as time-out when they are used as an

intervention in the student's BIP. Staff document each instance of time-out on the campus Google Form for students whose BIP includes breaks or time-out as an intervention. The case manager makes sure the ARD committee reviews time-out at least annually and considers whether revisions to the IEP, BIP, or positive behavior supports are needed to reduce or eliminate the need for it. Before using time-out, staff consider alternatives such as functional communication training, visuals and first-then supports, in-seat breaks, reduced or delayed demands, individualized reinforcement systems, daily behavior report cards (elementary), study skills or PATH instruction (secondary), and social skills instruction.

9.3 Crisis intervention and prevention training

The District trains school employees, volunteers, and independent contractors in crisis intervention and prevention as TEC § 37.0021 and the rule require.

- **Program.** The District uses SAMA (Satori Alternatives to Managing Aggression) for crisis prevention and intervention. The District's SAMA supplement covers restraint as a last resort; the terms crisis, seclusion, and time-out; disability-related behaviors that do not require restraint; positive supports, rapport, and environment setup; de-escalation; follow-through; and repair and recovery.
- **Risk criterion.** The District's written criterion assigns personnel to a risk level by job role and incident history, as follows. In the District's training materials, a restraint is called a "containment."

Risk level	Personnel	Training
High risk	One administrator per campus; any staff who directly serve a student who was restrained during the last school year; Behavior Specialists	Annually
Medium risk	Additional campus administrators; Behavior Support teachers; Life Skills teachers; teaching assistants	When identified by administration, and at least every two years
Low risk	General education teachers; substitutes; parent and community volunteers; office, custodial, and cafeteria staff; police officers and Westlake High School security; related service providers	When identified by administration, and at least every two years

- **Frequency.** High-risk personnel are trained annually in non-violent crisis intervention techniques, verbal de-escalation strategies, and physical intervention procedures. Other campus-based personnel are trained every two years.
- **Content and standards.** Training follows standards from the State Board for Educator Certification's continuing education clearinghouse and includes instruction on disability-related behaviors, individualized and developmentally appropriate approaches, and positive behavior supports as alternatives to physical intervention and restraint.
- **Combined trainings.** Required training may be combined with other trainings if at least 51% of the content addresses the rule's requirements, including trauma-informed care and conflict resolution and positive student relationships.

How the District Meets This Requirement

The District maintains restraint and time-out records, trains designated staff and refreshes that training on the schedule set by its risk criterion, and reviews restraint and time-out data each grading period to reduce reliance over time. Campus administrators confirm that every restraint has a separate record and that parent notice was sent on time. The Special Education Office reviews the training roster against the risk criterion each semester.

Definitions. *Effective October 4, 2026, 19 TAC § 89.1053 defines the terms crisis, crisis prevention and intervention training, imminent, law enforcement duties, restraint, seclusion, and taser. District procedures, training, and documentation use the definitions in the rule. The rule also clarifies that time-out may occur inside or outside the classroom and with or without other students present (see Section 9.2)*

Evidence of practice: *Restraint documentation and parent-notification log (one record per restraint); written risk criterion; staff, volunteer, and contractor training rosters and certificate dates; behavior intervention plans authorizing time-out; time-out documentation and annual ARD review; the periodic restraint/time-out data review; Board Policy FOF (LEGAL/LOCAL).*

For Families

The District focuses on positive ways to support behavior. Physical restraint is used only in an emergency to keep your child or others safe, only by trained staff, and never to punish or to make a child comply. The school must tell you each time it happens and give you written documentation. “Time-out” can only be used if it’s in your child’s IEP or behavior plan, and never as a substitute for teaching; your child’s team reviews its use at least once a year. Certain harmful or painful (“aversive”) techniques are not allowed at all. If your child’s behavior is getting in the way of learning, ask the team about a behavior assessment and plan.

Legal authority: TEC §§ 37.0021, 37.0023; 34 C.F.R. § 300.324(a)(2)(i); 19 TAC § 89.1053 (as amended eff. Oct. 4, 2026).

9.4 Video and Audio Equipment in Special Education Settings

On written request, the District provides video and audio equipment to the requested campus, as TEC § 29.022 and 19 TAC § 103.1301 require. The campus places, operates, and maintains cameras in self-contained classrooms and other special education settings where most students in regular attendance receive special education and related services and are assigned to special education settings for at least 50 percent of the instructional day. This applies during the regular school year and extended school year services.

- **Who may request.** A parent (including a guardian, a person standing in parental relation, or an adult student), a Trustee, a principal or assistant principal, or a staff member, as defined by law, may request cameras in writing on the Special Education Camera Request Form posted on the District’s Cameras in Classrooms webpage. A parent’s or staff member’s request covers the classrooms where the child attends or the staff member works. The principal or designee sends a copy of each request to the District’s camera coordinator.
- **Timelines.** The District responds in writing within seven school business days, either authorizing the request or explaining a denial. Cameras are operating by the 45th school business day after authorization unless TEA grants an extension.

- **Notice.** Before a camera is activated, the campus gives written notice to all campus staff and to the parents of each student in the classroom or setting. At least five school days before a camera is discontinued during the year, the campus notifies those parents. By the 10th school day before the end of the year, the campus notifies them that cameras will not continue next year unless an eligible person makes a new request.
- **Operation.** Cameras cover and record audio from all areas of the setting, including any attached time-out room, and operate whenever students are present. Bathrooms and clothes-changing areas are not recorded, except for incidental coverage caused by the room's layout.
- **Recordings.** Recordings are confidential and are kept at least three months. If an eligible person asks to view a recording, it is kept until that person has viewed it and the District has decided whether it documents an alleged incident. Recordings are viewed or released only as TEC § 29.022 and the rule allow, and are used only to promote the safety of students receiving special education, never for teacher evaluation.
- **Incidents and appeals.** Incidents are reported on the Camera Incident Report Form posted on the same webpage. A requester may ask TEA for an expedited review of a denial, a District request for more time, or a decision not to release a recording.

> **How the District Meets This Requirement**
>
> The District's camera coordinator logs each request on receipt, tracks the seven- and 45-school-business-day deadlines in the timeline system (Section 23.2), sends the required notices, and keeps a log of who views each recording and when. Recordings are stored with access limited to the people the statute allows. [CONFIRM: storage system and who may grant access.] Camera use does not replace the restraint and time-out documentation required in Sections 9.1 and 9.2.

Evidence of practice: *Camera request log with dates; written responses; notices to staff and parents; activation and discontinuation dates; retention schedule; viewing log; Camera Incident Report Forms; TEA correspondence, if any.*

10. Parental Rights and Dispute Resolution

Parents of students with disabilities have an extensive set of procedural safeguards. The District provides a copy of the procedural safeguards notice once per school year, and also upon initial referral or parent request for evaluation, upon receipt of the first state complaint or due process complaint in a year, on the date a disciplinary change of placement is decided, and any time a parent requests a copy.

10.1 Key rights

- To participate in all meetings about identification, evaluation, placement, and FAPE.
- To examine all education records and obtain copies.
- To give or refuse consent for evaluation and for the initial provision of services, and to revoke consent for services at any time in writing.
- To request an Independent Educational Evaluation.
- To receive prior written notice before the District proposes or refuses to change identification, evaluation, placement, or FAPE.
- To resolve disputes through facilitation, mediation, a state complaint to TEA, or a due process hearing.

10.2 Prior written notice (PWN)

The District provides prior written notice to the parent a reasonable time before it proposes — or refuses — to initiate or change the identification, evaluation, educational placement, or provision of FAPE to the student. Every PWN includes: a description of the action proposed or refused; an explanation of why the District proposes or refuses to take the action; a description of each evaluation procedure, assessment, record, or report the District used as a basis; a statement that the parent has procedural safeguards and how to obtain a copy; sources the parent may contact for help understanding the safeguards; a description of other options the ARD committee considered and why they were rejected; and a description of other factors relevant to the proposal or refusal. PWN is provided in the parent's native language or other mode of communication, unless clearly not feasible.

Timing. Through June 30, 2027, PWN is provided at least five school days before the District proposes or refuses an action. The PWN timing provision is now in 19 TAC § 89.1075.

> **Effective July 1, 2027**
>
> PWN is provided at least 10 calendar days (instead of five school days) before the District proposes or refuses to initiate an action under 34 C.F.R. § 300.503 (19 TAC § 89.1075).

> **How the District Meets This Requirement**
>
> The District issues a PWN after each ARD that proposes or refuses an action, and any time outside an ARD that it proposes or refuses to change identification, evaluation, placement, or FAPE — including when ceasing services after a revocation of consent (Section 3.4) and when changing placement for discipline (Section 8). The PWN is a standalone, plain-language document (the ARD deliverables alone

are not a substitute), is provided in the parent's native language, and is retained in the eligibility folder. Staff use a standard PWN template that prompts every required element, including the options-considered-and-rejected explanation.

Evidence of practice: *PWN documents in the eligibility folder for each proposal/refusal; native-language versions; the standard PWN template; linkage of PWN dates to ARD and non-ARD decisions.*

10.3 Dispute resolution options

Option	What it is	How the District supports it
IEP facilitation	A neutral facilitator helps the ARD reach agreement	Available at no cost; District participates in good faith
Mediation	Voluntary, confidential process with a qualified, impartial TEA-assigned mediator, at no cost to the parties	The District is committed to mediation: it agrees to participate in good faith whenever a parent requests it, will not use willingness to mediate to delay or deny a due process hearing, and honors written mediation agreements, which are legally binding and enforceable
State complaint (TEA)	Written complaint that the District violated IDEA; TEA investigates and issues findings within 60 calendar days	District cooperates fully, provides records timely, and implements any corrective action
Due process hearing	Formal hearing before an impartial hearing officer	District follows resolution-session, disclosure, and timeline requirements; resolution session within 15 days unless waived or mediation chosen

How the District Meets This Requirement

The District provides the procedural safeguards notice in the parent's native language and offers to explain it. The District also informs parents of free or low-cost legal and advocacy resources and the contact information for TEA's special education dispute resolution processes. The District actively offers mediation and facilitation as early, less-adversarial options, resolves disagreements at the lowest possible level whenever it can, and treats parent complaints as opportunities to improve practice. An IEP developed only for Education Savings Account (ESA) eligibility is not appealable through these processes

Evidence of practice: *Dated safeguards-notice delivery log; mediation-offer documentation; signed mediation agreements; complaint and corrective-action files; resolution-session records.*

For Families

You have strong rights, and you do not have to navigate disagreements alone. If you and the school do not agree, you can ask for a facilitated meeting, request mediation, file a complaint with the Texas Education Agency, or request a due process hearing — these are free to start. Ask the Special

Education Department for a copy of your Procedural Safeguards (your rights), which the school must give you in writing.

Legal authority: 34 C.F.R. §§ 300.500–300.520; TEC § 29.0162; 19 TAC §§ 89.1050, 89.1151–89.1191.

11. Records, Confidentiality, and Folder Maintenance

Texas rule requires the District to maintain an eligibility folder for each student receiving special education and related services, in addition to the student's cumulative record. The folder must include copies of referral data, documentation of notices and consents, evaluation reports and supporting data, ARD committee reports, and the student's IEPs and supporting data.

How the District Meets This Requirement

The District maintains each eligibility folder in a secure system that meets the rule, controls access on a legitimate-educational-interest basis, and tracks who accesses confidential records. The District follows FERPA and IDEA confidentiality rules for disclosure, parent access (within the required timelines and before any ARD meeting), amendment of records, and destruction of records when no longer needed, after notifying parents. The District designates a records custodian within the Special Education Department.

For Families

You have the right to see and get copies of your child's education records, and to do so before any ARD meeting so you can prepare. If you believe something in the records is inaccurate or misleading, you can ask the school to change it. Your child's special education records are kept confidential and shared only with people who have a legitimate educational reason to see them. Ask the Special Education Department if you'd like to review your child's file.

Legal authority: 34 C.F.R. §§ 300.610–300.626; FERPA, 20 U.S.C. § 1232g; 19 TAC § 89.1075(a).

12. Special Education Funding — The New Intensity-of-Service Model

Beginning in the 2026–2027 school year, Texas funds special education through a new model created by HB 2 and SB 568 (89th Legislature, 2025). The state is moving from a system based on instructional arrangement/setting to a service-intensity model so that funding follows students' documented needs. Two new allotments apply, along with a dedicated allotment that supports evaluations.

Funding element	What it is	District responsibility
Tiers of Intensity Allotment	Funding based on assigned intensity tiers reflecting the level of specially designed instruction a student needs, with the tier score produced from ARD-documented supports in five domains (TEC § 48.102; see 12.1)	Assign and report each student's tier based on the IEP, not on setting
Service Group Allotment	Funding based on assigned service groups (TEC § 48.1021)	Assign and report service group accurately
FIIE Allotment	Per-evaluation funding for each full individual and initial evaluation the District conducts (TEC § 48.103)	Track and report each completed FIIE
Transition-year reporting (2026–2027)	Districts also continue reporting instructional arrangement/setting codes so the state can calibrate the new weights (TEC § 48.1022)	Report BOTH the new tier/service-group data AND legacy setting codes this year

12.1 How tiers and service groups are determined (19 TAC § 89.1121, amended effective October 4, 2026)

The tier score is based on the level of support the ARD committee documents in the student's IEP in five domains: curriculum and instruction supports, behavior supports, communication supports, independent functioning supports, and personal care/health supports. Each domain is rated on four factors: (A) type, frequency, and nature of required support; (B) required provider credentials; (C) required groupings or provider-to-student ratio; and (D) required equipment or technology. The ratings produce the tier score.

Service groups are add-on funding for students who need additional measurable resources to implement the IEP. Service groups 1–3 are based on the amount of related services time a student receives. Service groups 4–5 are based on the need for a 1:1 service provider or on the weekly time a student receives special education and related services at home, at a hospital or other medical facility, or at another facility not operated by the District, when District personnel provide the services. Tier funding supports core special education instruction and general program costs.

Because tiers and service groups come from IEP documentation, ARD committees record the supports in each domain and the specific provider, grouping, and equipment needs that support them.

How the District Meets This Requirement

Funding determinations are an administrative and reporting function and never drive ARD decisions about what a student needs. The District assigns each student's intensity tier and service group based on the specially designed instruction documented in the IEP, and trains evaluation and PEIMS staff on accurate, timely reporting. For the 2026–2027 school year only, the District maintains both the new tier and service-group reporting and the legacy instructional arrangement/setting codes, consistent with TEA's transition guidance, and submits required data in the PEIMS Attendance and Summer submissions. The District also collects the new "educational environment" data element as IEPs are developed or revised during the year, and reconciles funding data against the IEP and the eligibility folder (Section 11) to ensure documented, delivered, and reported services match.

Evidence of practice: *Tier/service-group assignment documented in the IEP; PEIMS Attendance and Summer submission records; FIIE allotment tracking; PEIMS-staff training log; TEA TAA-letter guidance file. 19 TAC § 89.1121 was amended effective October 4, 2026.*

Legal authority: TEC §§ 48.102, 48.1021, 48.1022, 48.103, as amended/added by HB 2 and SB 568, 89th Leg. (2025); 19 TAC §§ 89.1121, 89.1125; TEA "To the Administrator Addressed" guidance, April–May 2026; Student Attendance Accounting Handbook (19 TAC § 129.1025).

13. Special Populations and Specialized Programs

Certain student populations carry additional procedural requirements. For each population below, the District states the specific actions it takes; these supplement, and are documented within, the ARD/IEP process.

13.1 Students with visual impairments (VI)

For each student with a suspected or being evaluated for a visual impairment, the District: (1) ensures required VI evaluation components are completed, including a medical eye report, Functional Vision Evaluation (FVE), and Learning Media Assessment (LMA), and, as part of the FIIE, an Orientation and Mobility (O&M) evaluation by an appropriately certified O&M specialist; (2) ensures the ARD/IEP addresses the student's needs related to the Expanded Core Curriculum (ECC) and includes the required provisions for students with VI; (3) ensures the IEP includes instruction in and use of Braille unless the ARD committee determines and documents that Braille is not an appropriate literacy medium, based on evaluation of the student's literacy media, literacy skills, and current and future instructional needs; (4) ensures the IEP includes the arrangements required by TEC § 30.002(e), as applicable to the individual student, including arrangements related to O&M, Braille, large print, other compensatory instruction, access to specialized media and devices, and continuing services beyond regular school hours when needed; and (5) reports eligible students with visual impairments through the required TSBVI VI registration process and provides access to applicable supplemental services. The District maintains the written VI procedures required by TEC § 30.002.

13.2 Students who are deaf or hard of hearing (DHH)

For each student who is deaf or hard of hearing, the District develops and maintains the communication plan described in Section 21.2 and ensures that the plan is incorporated into and aligned with the student's ARD/IEP. The District ensures that the ARD committee considers the student's individual language and communication needs, including the student's preferred language and communication mode, opportunities for direct communication with peers and professional personnel, and opportunities for direct instruction in the student's language and communication mode. The District provides access to appropriately qualified personnel and communication, hearing, and assistive technology supports necessary for the student to access instruction and receive FAPE, as determined by the ARD committee. The District considers the full continuum of placement and service options, including the home campus, Regional Day School Program for the Deaf (RDSPD), Texas School for the Deaf, or other appropriate settings, based on the student's individual needs. When required, a Texas-certified teacher of students who are deaf or hard of hearing participates as a member of the ARD committee. For a student with suspected or documented deaf-blindness, a teacher with deafblind certification may serve on the ARD committee instead of both a teacher of students with visual impairments and a teacher of students who are deaf or hard of hearing (19 TAC § 89.1050). The communication plan is reviewed at least annually and updated whenever changes in the student's language, communication, educational, or service needs warrant revision.

13.3 Students in foster care and highly mobile students

For students in foster care, the District first determines who holds the right to make special education decisions. A foster parent may act as the "parent" under IDEA if the natural parent's authority to make educational decisions has been extinguished and the foster parent is willing to participate, has an

ongoing long-term relationship with the child, is available, and has no conflict of interest. When no parent (including a qualifying foster parent) can act, or the child is a ward of the state, the District appoints a surrogate parent (Section 13.8). The District identifies a foster-care liaison function, promotes school stability, transfers records promptly, and provides comparable services on enrollment pending adoption or revision of the IEP (Section 4.5). The District coordinates with the child's caseworker and the court-appointed education decision-maker where one exists under Texas law, and does not delay services while decision-making authority is being clarified.

13.4 Students placed by parents in private schools

The District follows the consultation, proportionate-share, and written-affirmation procedures detailed in Section 20, including the dated annual consultation calendar maintained by the Special Education Office. Section 20.2 covers individualized services plans, ESA-related IEPs, and dual enrollment.

13.5 Children ages 3–5 and transition from early childhood intervention

The District participates in transition planning with the local early childhood intervention (ECI) program, holds the transition conference, and ensures an IEP is developed and in effect by the eligible child's third birthday. For a child who turns three during the summer, the ARD committee determines the start of services. Through the end of the 2026–2027 school year, eligible children ages 3–4 may dual enroll in public school and private school under 19 TAC § 89.1096. When a family elects dual enrollment, the child's resident school district is responsible for providing special education and related services through an IEP designed to provide FAPE in the least restrictive environment. This provision expires at the conclusion of the 2026–2027 school year. Beginning in 2027–2028, the dual-enrollment provision will no longer be available under this rule.

13.6 Emergent bilingual (EB) students with disabilities

The District ensures the ARD committee and the Language Proficiency Assessment Committee (LPAC) meet jointly or coordinate so language and disability needs are addressed together; evaluation is conducted in the student's native language or other appropriate mode by qualified personnel; and the student continues to receive required bilingual/ESL services alongside special education. Reclassification and assessment decisions are made jointly.

13.7 Dyslexia and Dysgraphia

For each student suspected of having dyslexia or a related disorder, the District follows the requirements of TEC § 38.003, 19 TAC § 74.28, and the current Texas Dyslexia Handbook for identification, evaluation, and provision of appropriate dyslexia-related services. When data indicate that a student may have a disability that requires specially designed instruction beyond the supports available through general education or Section 504, the District considers a referral for a full individual and initial evaluation (FIIE) in accordance with IDEA and applicable Texas requirements. For a student who is determined eligible for special education, the ARD committee develops and implements an IEP that addresses the student's individual needs, including dyslexia-related needs, in accordance with 19 TAC § 89.1055(i). The District ensures that dyslexia services and special education services are considered and provided through the appropriate framework based on the student's individual needs and eligibility.

Dyslexia IEP documentation (effective October 4, 2026). For a student with a specific learning disability of dyslexia, the IEP documents the student's eligibility, the need for evidence-based dyslexia instruction

as a special education service, the participation of the required dyslexia member of the ARD committee (TEC § 29.0031(b)), and notice to the parent of the Talking Book Program and other available audiobook services (TEC § 29.0031(e)). A specific learning disability in basic reading or reading fluency is not used to avoid dyslexia requirements, and the ARD record documents the basis when dyslexia is not identified.

Provider of Dyslexia Instruction (PDI). The District provides evidence-based dyslexia instruction through a provider who meets TEC § 29.0032 and 19 TAC § 74.28. The PDI is fully trained in the District's adopted dyslexia instructional materials, delivers the program with fidelity, and meets any additional training requirements in the Texas Dyslexia Handbook. The PDI role is separate from the dyslexia member of the ARD committee required by TEC § 29.0031(b). The District keeps training records for each PDI. A student receiving dyslexia instruction receives a progress report at least once each grading period, whether services are provided under an IEP or a Section 504 plan.

> **Effective July 1, 2027**
>
> The IEP documents the dyslexia program name, instructional components, instructional delivery, implementation fidelity, qualified providers, and progress reporting. When the ARD committee determines that dyslexia instructional requirements do not apply to a student with dyslexia, the IEP documents that determination and the basis for it. The IEP also includes dysgraphia documentation (Section 4.6).

13.8 Surrogate parents

The District ensures the rights of a child are protected by appointing a surrogate parent when no parent can be identified or located after reasonable efforts, the child is a ward of the state (and no qualifying foster parent is available), or the child is an unaccompanied homeless youth. The District makes the appointment within a reasonable time and not more than 30 days after determining the child needs a surrogate. A surrogate must not be an employee of the District, TEA, or any agency involved in the education or care of the child; must be free of any conflict of interest; and must have the knowledge and skills to adequately represent the child. For an unaccompanied homeless youth, appropriate staff (such as shelter or street-outreach staff) may be appointed temporarily until a surrogate is assigned. The District trains surrogates on their role and the special education process and maintains its surrogate-parent appointment and training records.

13.9 Residential and day placement

When the ARD committee determines a residential or day placement is necessary for the student to receive FAPE, the District follows its contracting, approval, and oversight procedures under 19 TAC §§ 89.1092 and 89.1094, as amended to align with HB 2 and SB 568 and the related day-placement allotment, and retains responsibility for FAPE, progress monitoring, and ARD oversight throughout the placement. Under the rules effective October 4, 2026, TEA approves, reapproves, and monitors residential and day placement providers, and may approve day programs independently of a district contract. The rules distinguish ARD-placed residential placements from other residential settings and increase reporting on academic progress, behavior, IEP implementation, staffing qualifications, and fiscal transparency. Before placement, the District verifies that the provider holds current TEA approval, includes the reporting and monitoring requirements in its contract, makes the TEA notifications the rules

require, and informs eligible parents of the Noneducational Community-Based Supports (NECBS) grant. Cooperative day-placement funding may be available under TEC § 48.304.

How the District Meets This Requirement

For every specialized population above, the District documents the required actions within the IEP and the eligibility folder, assigns responsibility to a named staff role, and includes these determinations in its internal monitoring (Section 14). Specialized determinations are individualized and data-based, never tied to setting or category by default.

Evidence of practice: *VI functional vision/learning-media evaluations and VI registration; DHH communication plans; foster-care decision-maker documentation; EB ARD/LPAC joint-meeting records; dyslexia evaluation and § 74.28 documentation; surrogate appointment/training records; residential/day-placement contracts and oversight logs.*

For Families

Some students need extra, specialized support — for example, children who are blind or visually impaired, deaf or hard of hearing, in foster care, learning English, or who have dyslexia. For each of these, the team follows added steps so your child's specific needs are evaluated and met, and these are written into the IEP. If your child is in one of these groups, you can ask the team how its specialized procedures apply and who is responsible for that support.

Legal authority: TEC §§ 30.002, 29.001, 29.0031, 38.003; 34 C.F.R. §§ 300.122, 300.519; 19 TAC §§ 89.1040, 89.1047, 89.1049, 89.1050 (transfers), 89.1055(f),(i), 89.1080, 89.1085, 89.1092, 89.1094, 74.28, Subch. BB (LPAC).

14. Staff Qualifications, Training, & Program Oversight

For students with disabilities, the District ensures that personnel responsible for providing special education and related services are appropriately qualified, trained, and prepared to meet the individual needs of the students they serve. The District develops and maintains policies, procedures, and practices designed to implement applicable federal and state special education requirements and provides ongoing professional development and support to staff as appropriate. The District is subject to monitoring and oversight by the Texas Education Agency (TEA) and may be required to implement corrective actions or other interventions when areas of noncompliance are identified.

How the District Meets This Requirement

The District verifies that special education teachers and related-service providers hold the appropriate certifications, credentials, or licensure required for their assigned roles and provides ongoing professional development to support staff in meeting the needs of students with disabilities. This includes required training for the transition and employment designee, staff authorized to use restraint or time-out (Section 9.3), and personnel serving students under the autism supplement.

General education teachers and other personnel responsible for implementing a student's IEP have access to the relevant portions of the IEP and receive the information and support necessary to implement the student's accommodations, modifications, and services.

The District maintains an internal monitoring and self-assessment process aligned with TEA's special education monitoring requirements, reviews State Performance Plan/Annual Performance Report (SPP/APR) indicator data, and conducts file and program reviews on an established cycle. The District promptly addresses identified areas of noncompliance and implements corrective actions required by TEA. The Director of Special Education reports special education program data and areas of progress or concern to the Superintendent and Board at least annually.

Evidence of practice: *Certification/licensure verification records; PD calendar and attendance rosters; internal file-review schedule and results; SPP/APR indicator data; corrective-action tracking; annual Board report; Board Policy DBA/EHBA (LEGAL/LOCAL).*

Legal authority: 34 C.F.R. §§ 300.156, 300.207, 300.600–300.604; TEC §§ 29.001, 29.010; 19 TAC §§ 89.1075, 89.1076, 89.1131.

15. Coordination with Section 504 and ADA

Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act (ADA) prohibit discrimination on the basis of disability and require public school districts to provide a free appropriate public education (FAPE) to qualified students with disabilities covered by Section 504. Section 504 eligibility is based on whether a student has a physical or mental impairment that substantially limits one or more major life activities. Although Section 504 is administered through a process separate from IDEA, the two frameworks frequently intersect. The District maintains processes for appropriately identifying, evaluating, and serving students under each law and for coordinating between the systems when a student's needs or eligibility may involve both.

15.1 How the two systems relate

IDEA and Section 504 are separate federal laws with different eligibility criteria and procedural requirements. A student who is eligible for special education under IDEA is generally also protected from disability discrimination under Section 504, but not every student who is protected or eligible under Section 504 will meet IDEA eligibility requirements. A student who is evaluated for special education and is determined not to meet IDEA eligibility criteria may still need to be considered for Section 504 eligibility when the available information indicates that the student may meet the requirements of Section 504. The District maintains Child Find obligations under IDEA and separate identification and evaluation responsibilities under Section 504.

15.2 Intersection workflow

The District maintains a defined process for coordinating IDEA and Section 504 when a student's needs cross between the two systems. When an ARD committee determines that a student is not eligible for special education or is no longer eligible, the District considers whether the available information indicates that the student may be eligible for Section 504 protections and, when appropriate, facilitates referral to the campus Section 504 process. When a Section 504 committee has reason to suspect that a student may have a disability requiring specially designed instruction, the District considers a referral for a full individual and initial evaluation (FIIE) under IDEA. **Existing Section 504 supports remain in place while the District determines the appropriate next steps, consistent with applicable Section 504 requirements and the student's circumstances.** When a student transitions from Section 504 to IDEA eligibility, the District coordinates the transition so that the student's educational needs and legally required supports are addressed without an unnecessary gap in services. Dyslexia-related services are provided through the appropriate framework — general education, Section 504, or IDEA — based on the student's individual needs, evaluation results, and applicable eligibility requirements.

> **How the District Meets This Requirement**
>
> When an ARD committee determines that a student is not eligible for special education, the District considers whether the available information indicates that the student may be eligible for protections and services under Section 504 and, when appropriate, facilitates referral to the campus Section 504

committee. The District documents the referral and coordinates the transition between the IDEA and Section 504 processes as appropriate.

When a Section 504 committee has reason to suspect that a student may have a disability requiring specially designed instruction, the District refers the student for a full individual and initial evaluation (FIIE) under the procedures outlined in Section 2 of this handbook. Section 504 services are not used as a substitute for, or to avoid, an IDEA evaluation when there is reason to suspect that a student may require specially designed instruction.

The District designates a Section 504 Coordinator, maintains separate procedures governing Section 504, and provides training to campus staff regarding the distinction between accommodations that provide access under Section 504 and specially designed instruction provided through IDEA. Parents who disagree with a Section 504 eligibility, evaluation, placement, or service decision are provided notice of their Section 504 procedural safeguards, including access to an impartial hearing process that is separate from the IDEA due process system.

Evidence of practice: *Documented IDEA-to-504 referral records; the District's separate Section 504 procedures manual; 504 committee minutes and plans; staff training rosters; Board Policy FB/FFB (LEGAL/LOCAL).*

For Families

There are two different ways your child can receive support for a disability at school: an IEP (special education) and a Section 504 plan. If your child does not qualify for an IEP, the school will still look at whether a 504 plan can help with accommodations like extra time, seating, or health support. Ask your campus who the Section 504 Coordinator is if you have questions.

Legal authority: 29 U.S.C. § 794 (Section 504); 34 C.F.R. Part 104; 42 U.S.C. § 12131 et seq. (ADA Title II); 28 C.F.R. Part 35.

16. Medicaid (SHARS) Billing and Consent to Access Public Benefits

The District may seek reimbursement through the School Health and Related Services (SHARS) program for certain medically necessary, IEP-documented services provided to Medicaid-eligible students. Federal law places strict conditions on accessing a family's or child's public benefits or insurance to pay for required services.

16.1 The consent and notification requirement

Before the District accesses a child's or parent's public benefits or insurance for the first time, it must obtain a one-time written parental consent that meets federal requirements, and must provide a written annual notification of the parent's rights. The District may not require parents to enroll in or sign up for public benefits to receive FAPE, may not require parents to incur an out-of-pocket expense such as a deductible or co-pay, and may not use benefits if doing so would reduce available lifetime coverage, raise premiums, or risk loss of eligibility for home- and community-based waivers.

How the District Meets This Requirement

The District provides FAPE at no cost to families regardless of Medicaid status; SHARS billing never affects the services a student receives. The District obtains the required one-time written consent before the first billing, gives the written annual notification of rights in the parent's native language, and bills only for services that are documented in the IEP, actually delivered, and provided by appropriately credentialed staff with supporting records. The District maintains SHARS documentation, time-study participation, and audit records consistent with HHSC and TEA requirements, and a parent's refusal to consent does not relieve the District of its obligation to provide all required services.

Evidence of practice: *Signed one-time consent to access public benefits; dated annual written notifications; service logs tied to IEP services; provider credential records; SHARS time-study and audit file.*

Effective July 1, 2027

The IEP documents the services for which the District plans to seek Medicaid (SHARS) reimbursement (19 TAC § 89.1055).

For Families

If your child has Medicaid, the school may bill Medicaid for some services in the IEP. This is free to you — it will never cost you money, reduce your child's Medicaid benefits, or change the services your child gets. The school must ask your permission in writing one time before it starts, and you can say no without affecting your child's services.

Legal authority: 34 C.F.R. § 300.154; 19 TAC § 89.1040; Texas HHSC SHARS rules (1 TAC § 354.1340 et seq.); Medicaid (Title XIX).

17. Significant Disproportionality and Coordinated Early Intervening Services

Federal law requires the state to examine whether significant disproportionality based on race or ethnicity is occurring in the District with respect to identification, placement, and discipline of students with disabilities. If TEA identifies the District as significantly disproportionate, the District must reserve the maximum amount of its IDEA Part B funds (15%) for Comprehensive Coordinated Early Intervening Services (CCEIS), review and revise policies and practices, and report publicly.

17.1 Coordinated Early Intervening Services (CEIS)

CEIS are services for students in kindergarten through grade 12 (with an emphasis on K–3) who are not currently identified as needing special education but who need additional academic or behavioral support to succeed in general education. CCEIS are the mandatory version required when a district is identified as significantly disproportionate, and — unlike voluntary CEIS — must include students already receiving special education.

If the District is identified as significantly disproportionate, it follows a defined workflow: (1) convene a review team; (2) conduct a root-cause analysis of identification, placement, and discipline data; (3) review and revise the specific policies, practices, and procedures contributing to the disproportionality; (4) reserve 15% of the IDEA Part B (and, as applicable, Part B preschool) allotment for CCEIS; (5) design CCEIS that may serve children from age 3 through grade 12, including those already identified for special education; (6) track each child served and outcomes; and (7) report publicly and to TEA as required.

> **How the District Meets This Requirement**
>
> The District reviews its own identification, placement, and discipline data annually by race and ethnicity to monitor for disproportionality before TEA flags it, and uses its MTSS framework as a primary delivery system for early intervening services. The District documents how evaluators distinguish a genuine disability from factors such as limited English proficiency, lack of appropriate instruction in reading or math, or cultural difference, to guard against both over- and under-identification. If identified, the District executes the seven-step workflow above and integrates it with the internal monitoring process in Section 14.

Evidence of practice: *Annual disproportionality self-review data; root-cause analysis and revised-policy documentation; 15% CCEIS reserve budget; CCEIS service and outcome tracking; public reporting record.*

Legal authority: 34 C.F.R. §§ 300.646, 300.647, 300.226, 300.66; 20 U.S.C. §§ 1418(d), 1413(f); 19 TAC Ch. 89.

18. State Assessment Decisions for Students with Disabilities

The ARD committee determines how each student participates in the state assessment program. Texas requires every student to be assessed; the committee decides which assessment and which allowable supports apply, based on the student's needs, not on placement or convenience. These decisions are documented in the IEP.

18.1 Assessment options the ARD committee considers

Assessment	Who it is for	ARD committee role
STAAR (general, grades 3–8) and STAAR EOC	Most students with disabilities, with or without designated supports	Determine eligibility for designated supports and any allowable accommodations
STAAR Alternate 2	Students with the most significant cognitive disabilities who meet all participation criteria	Apply the participation-requirement criteria and document the basis for the decision
TELPAS / TELPAS Alternate	Emergent bilingual students (TELPAS Alternate for those with the most significant cognitive disabilities)	Coordinate with the LPAC so language and disability needs are addressed together

18.2 Designated supports and accommodations

Designated supports and accommodations used on a state assessment must align with what the student uses routinely during instruction and classroom testing. The committee does not introduce an assessment support that the student does not use in daily instruction.

> **How the District Meets This Requirement**
>
> The District uses the current TEA participation-requirement criteria for STAAR Alternate 2 and documents, for each criterion, the data supporting the decision — the determination is a team decision reviewed at least annually, not a default tied to a student's setting or disability category. The ARD committee and the LPAC meet jointly, or coordinate, for emergent bilingual students with disabilities. The District ensures assessment accommodations match instructional practice and trains test coordinators and ARD facilitators on the current Accessibility and Accommodations resources published by TEA each year.

Evidence of practice: *Completed STAAR Alternate 2 participation-requirement form in the IEP; documented designated-supports decisions; ARD/LPAC joint-meeting records; annual test-coordinator training roster.*

> **For Families**
>
> Your child's ARD committee decides how your child takes the state tests — the regular STAAR with supports, or STAAR Alternate 2 for students with the most significant cognitive disabilities. The supports your child gets on the test should be the same ones your child already uses in class every

day. If your child is also learning English, the team works with the language committee (LPAC) so both needs are covered.

Legal authority: 34 C.F.R. § 300.320(a)(6); TEC §§ 39.023, 39.025; 19 TAC §§ 89.1070, 101.3011, 101.3022, 101.3023; current TEA assessment participation and accommodations guidance.

19. Graduation, Course of Study, and Diploma Requirements

Students receiving special education services graduate and earn a Texas high school diploma by meeting one of the conditions in 19 TAC § 89.1070. The ARD committee determines the student's course of study and whether satisfactory performance on state assessments is required for graduation. Graduation under § 89.1070(b)(1), or reaching maximum age eligibility, ends a student's entitlement to special education and FSP benefits.

19.1 Diploma pathways under 19 TAC § 89.1070(b)

Pathway	Summary	Effect on eligibility
§ 89.1070(b)(1)	Completes the Foundation High School Program and performs satisfactorily on required assessments (or the ARD determines assessment performance is not required for graduation)	Ends special education eligibility
§ 89.1070(b)(2)	Completes the Foundation High School Program and IEP requirements; no modified curriculum	May continue to receive services; may resume on request within age eligibility
§ 89.1070(b)(3)	Completes credit requirements through one or more courses with modified curriculum and meets IEP plus an employment/self-help or transition-support condition	May resume services on request within age eligibility

19.2 Texas does not award a special education "certificate of attendance" in lieu of a diploma

In Texas, students receiving special education services earn a regular high school diploma through the pathways above; the state does not issue a separate special-education certificate or "certificate of completion" as the exit credential. A student who has completed coursework but is continuing transition services may participate in graduation ceremonies while remaining enrolled, if the ARD committee defers awarding the diploma so services continue to maximum age eligibility.

How the District Meets This Requirement

The ARD committee selects the graduation pathway and the matching state reporting (Diploma Type / Graduation Type) code based on the condition met, not on the student's setting. For students graduating under § 89.1070(b)(2) or (b)(3), the District informs the student and parent of the right to request resumption of services within age eligibility and includes a statement to that effect in the IEP. Every student exiting by graduation under (b)(1)–(b)(3) or by exceeding maximum age receives a Summary of Performance (SOP). The District allows a student who has met credit requirements to "walk" at a ceremony while the ARD defers the diploma to continue transition services, where appropriate, and consults legal counsel on pathway selection in close cases.

Evidence of practice: *ARD documentation of pathway under § 89.1070(b); Graduation-Type code in PEIMS/TWEDS; resumption-of-services statement in the IEP; Summary of Performance on file; Board Policy EIF/FMH.*

> **For Families**
>
> In Texas, your child earns a real high school diploma — there is no separate "special education certificate." Depending on the pathway, accepting the diploma may end special education services, so the team will explain this first. For some pathways, your child can ask to resume services later (up to the maximum age). Your child can often take part in the graduation ceremony while still receiving transition services. Every graduating student gets a Summary of Performance describing strengths and recommendations.

Legal authority: TEC §§ 28.025, 28.0211, 39.025, 48.003; 19 TAC §§ 89.1070 (amended eff. Nov. 7, 2024), 101.3023; SB 1137 / related 89th Leg. (2025) graduation provisions; 34 C.F.R. § 300.305(e)(3) (SOP).

20. Parentally-Placed Private and Home School Students

The District has a Child Find duty to locate, identify, and evaluate children with disabilities who are parentally placed in private schools (including, in Texas, home schools, which are treated as private schools) located within the District's boundaries, regardless of where the child resides. Children found eligible do not have an individual entitlement to FAPE while parentally placed but may receive equitable services through a services plan, funded from the District's proportionate share of IDEA funds.

20.1 Timely and meaningful consultation

The District must conduct timely and meaningful consultation with private school representatives and representatives of parents of parentally-placed children before making any decision affecting equitable services, and must obtain a written affirmation that the consultation occurred.

20.2 Individualized services plans, ESA-related IEPs, and dual enrollment

Parents of a parentally placed private school student with a disability may request an individualized services plan (ISP) when the student is designated to receive services under 34 C.F.R. § 300.132. For a student not enrolled in public school, the ARD committee develops an Education Savings Account (ESA)–related IEP on parent request, documenting what is needed to determine eligibility under TEC § 29.3615. Existing IEPs and prior funding data may be used. An ESA-only IEP is not an IEP for the provision of FAPE and cannot be appealed (19 TAC § 89.1096). Dual enrollment remains available through the end of the 2026–2027 school year for eligible students ages 3–4 enrolled in both public and private school; the resident district provides FAPE and services through an IEP. That provision expires at the end of 2026–2027. The amended rule also removes the transportation and dispute-resolution provisions that were tied to the former dual-enrollment framework (19 TAC § 89.1096

How the District Meets This Requirement

The District conducts annual consultation, on a published calendar with set dates, that covers the Child Find process, how the proportionate share is calculated and spent, how children are selected for services, the types and location of services, and how disagreements are resolved. The District obtains the written affirmation of consultation from participating private school officials and, if officials decline to provide it, documents that and forwards the documentation to TEA. The District calculates its proportionate share annually based on the count of eligible parentally-placed children, maintains records of expenditures, and provides equitable services through services plans for students selected to receive them. Evaluations for parentally-placed children follow the same timelines and standards as for enrolled students.

Evidence of practice: *Dated annual consultation calendar and sign-in; signed written affirmation(s) of consultation (or declination documentation sent to TEA); proportionate-share calculation worksheet and expenditure records; services plans.*

For Families

If you place your child in a private school or homeschool, the District where the school is located still must offer to evaluate your child for free. A child found eligible may receive some services through a "services plan," though this is not the same as the full set of services a child gets when enrolled in

public school. Ask the Special Education Department about the annual consultation meeting and how children are selected for services.

Legal authority: 34 C.F.R. §§ 300.130–300.144; 20 U.S.C. § 1412(a)(10); TEC § 29.001; Texas treats home schools as private schools for Child Find purposes.

21. ARD Logistics: Facilitation, Communication Plans, and the Autism Supplement

This section sets out three recurring ARD-committee responsibilities that require their own procedures: facilitated ARD meetings, the communication plan for students who are deaf or hard of hearing, and the autism supplement for students with autism.

21.1 ARD facilitation logistics

The District schedules ARD meetings at a mutually agreed time and place, provides written notice early enough to ensure a parent can attend, and arranges interpreters or other communication support to meet parent needs. When agreement is difficult, the District offers IEP facilitation (a neutral facilitator) and, if consensus is not reached, the opportunity to recess for up to 10 school days.

> **How the District Meets This Requirement**
>
> The District uses a standard ARD-notice and agenda process, provides draft documents to parents in advance on request, audio-records meetings where required or requested consistent with law, and assigns a trained ARD facilitator for complex or contested meetings. The case manager confirms required members' attendance and documents any agreed member excusal in writing before the meeting. Meeting documentation, including the prior written notice/deliberations and any dissent, is completed contemporaneously and a copy of the IEP is provided to the parent in their native language.

21.2 Communication plan for students who are deaf or hard of hearing

For a student who is deaf or hard of hearing, the ARD committee must consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and/or communication mode.

> **How the District Meets This Requirement**
>
> The District documents a communication plan addressing each statutory factor for every student who is deaf or hard of hearing, coordinates with the Regional Day School Program for the Deaf, and ensures qualified personnel and appropriate amplification or interpreting services are provided. The committee revisits the plan at least annually.

21.3 The Autism Supplement — 11 strategies

For each student eligible on the basis of autism, 19 TAC § 89.1055(g) requires the ARD committee to consider, at least annually and based on peer-reviewed, research-based practices to the extent practicable, eleven specific strategies and to address them as needed in the IEP. All eleven must be considered; not all must be implemented, but under 19 TAC § 89.1055(h), if the committee determines a strategy is not needed in one or more areas, the IEP must include a statement to that effect and the basis for the determination (which may address the strategies collectively or individually). The eleven strategies the committee considers are:

- Extended educational programming (e.g., extended day and/or extended school year services).
- Daily schedules reflecting minimal unstructured time and active engagement (e.g., addressing transitions, substitutes, and changes such as pep rallies).
- In-home and community-based training or viable alternatives that support generalization of social and behavioral skills across settings.
- Positive behavior support strategies based on relevant information, including, where needed, a behavior intervention plan developed from a functional behavioral assessment.
- Beginning at any age, future planning for integrated living, work, community, and educational environments that considers skills to maximize independence.
- Parent/family training and support provided by qualified personnel with experience in autism spectrum disorders.
- A suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress.
- Communication interventions, including a functional spontaneous communication system based on the student's communication needs.
- Social skills supports and strategies based on social skills assessment/curriculum.
- Professional educator/staff support (e.g., training and follow-up to assure correct implementation of techniques and strategies in the IEP).
- Teaching strategies based on peer-reviewed, research-based practices for children with autism spectrum disorders.

How the District Meets This Requirement

The District uses an autism supplement form aligned to 19 TAC § 89.1055(g)–(h) to document the committee's consideration of all eleven strategies for every student with autism, every year, including the required basis statement for any "not needed" determination. The autism supplement is part of the IEP, not a separate document, and is informed by data drawn from the FIIE and ongoing progress data. The District includes in training plans all staff who interact with the student, including general-education, elective, cafeteria, and transportation staff, as relevant to the student's strategies, and ensures the supplement is internally consistent with the IEP's goals, communication system, and staff ratios.

Evidence of practice: *Completed autism supplement (§ 89.1055(g)–(h)) within each IEP; basis statements for any "not needed" strategy; FIIE autism data; staff training rosters covering all settings.*

For Families

If your child is served on the basis of autism, the team must talk through eleven specific support strategies every year — things like communication systems, social skills, behavior support, structured schedules, and parent training. Not every strategy will be used, but the team must consider each one and explain in writing why any are not needed. This is called the Autism Supplement, and it is part of your child's IEP.

Legal authority: 34 C.F.R. §§ 300.322, 300.324(a)(2)(iv); TEC §§ 29.005, 29.0051; 19 TAC §§ 89.1050, 89.1055(g) (eleven strategies), 89.1055(h) ("not needed" basis statement); 19 TAC § 89.1075.

22. Compensatory Services and FAPE-Denial Remediation

When a student has been denied FAPE — for example, because services in the IEP were not delivered, a timeline was missed, or an IEP was not reasonably calculated to provide benefit — the District takes prompt, individualized steps to remedy the denial. Compensatory services are educational services intended to make up for the skills or progress a student lost as a result of the denial; they are not a fixed hour-for-hour formula but a reasoned, qualitative determination by the ARD committee aimed at putting the student in the position they would have occupied absent the denial.

How the District Meets This Requirement

The District self-monitors for service delivery gaps (including those caused by staffing shortages, absences, or scheduling) and reports identified gaps to the Special Education Office. When a missed service is logged (Section 4.6), the ARD committee convenes to discuss the need for compensatory services. When a denial of FAPE is identified — by staff, by a parent complaint, or through a TEA finding — the ARD committee, with the parent, reviews the nature and length of the denial, the effect on the student, and the services needed to remedy it, then documents a compensatory services plan with the type, amount, and timeline of services and a method to measure recovery. The District tracks delivery of compensatory services to completion and implements any corrective action ordered by TEA. Compensatory determinations are based on the individual student's data, not a blanket policy.

Evidence of practice: *Service-delivery gap log; ARD compensatory-services determination with type/amount/timeline; progress data measuring recovery; corrective-action completion records.*

For Families

If the school did not provide services your child was supposed to receive, your child may be owed "compensatory services" to help make up for what was missed. The team will look at what was missed and its effect on your child, then write a plan for the extra services and how progress will be measured. You are part of that decision.

Legal authority: 34 C.F.R. §§ 300.101, 300.323; 20 U.S.C. § 1415; Endrew F. v. Douglas County Sch. Dist., 137 S. Ct. 988 (2017); TEA dispute-resolution and corrective-action procedureS.

23. Forms Inventory and Timeline-Tracking System

Consistent, compliant practice depends on standard forms and a reliable system for meeting every legal deadline. This section identifies the core forms the District uses and the system it maintains to track time-sensitive events — the operational backbone an auditor or monitor expects to see.

23.1 Core forms inventory

The District maintains current, legally reviewed versions of at least the following forms (typically through its statewide special education data system), and replaces them promptly when the law or state forms change:

- Referral for evaluation and documentation of a verbal referral reduced to writing.
- Notice and consent for evaluation; consent for reevaluation; revocation of consent.
- Prior written notice (PWN).
- Full individual and initial evaluation (FIIE) report template.
- Notice of ARD meeting; ARD committee report / deliverables; IEP, including present levels, goals, services, and accommodations; pre-ARD input forms for staff and parents
- Autism supplement; communication plan for students who are deaf or hard of hearing; behavior intervention plan and FBA.
- State assessment decision documentation, including STAAR Alternate 2 participation criteria.
- Procedural safeguards notice; consent to access public benefits (SHARS) and annual notification.
- Manifestation determination review; transition plan and Summary of Performance (SOP).
- Surrogate parent appointment; private/home school consultation affirmation; compensatory services plan.
- Request for video and audio equipment in a special education setting, homebound request and log.
- Restraint documentation (one record per restraint) and time-out documentation (Section 9); written crisis-intervention training risk criterion (Section 9.3).
- IEP service delivery schedule and missed-services log (Section 4.6)
- ARD meeting request log; ESA-related IEP request (Section 20.2).

23.2 Timeline-tracking system

The District maintains a centralized system that date-stamps each triggering event and calculates and monitors each statutory deadline, alerting staff before deadlines arrive.

Triggering event	Deadline tracked	Owner
Written parent request to evaluate	15 school days to consent or refuse	Campus + Special Education Office
Receipt of signed consent to evaluate	FIIE completion timeline (generally 45 school days, with statutory exceptions)	Evaluation staff
Completed FIIE	ARD within 30 calendar days; FIIE copy to parent at least 5 school days before ARD	Case manager

Triggering event	Deadline tracked	Owner
Annual ARD	No later than 365 days after the previous annual review	Case manager
Reevaluation	At least every 3 years (unless waived)	Case manager + evaluator
Disciplinary removal approaching 10 days	Manifestation determination within 10 school days of a change of placement	Campus + Special Education Office
Transfer student (in/out of state)	Comparable-services and evaluation timelines; 20-school-day IEP timeline extended for absences of 3 or more days	Case manager
Child served by ECI approaching age 3	IEP in effect by the third birthday; transition conference held	Early childhood coordinator
Restraint incident	Parent contacted the same day; written documentation within 1 school day (24 hours for residential placements); each restraint documented separately	Campus administrator
Progress on IEP goals	Reported at least as often as report cards for all students	Case manager
Student approaching age 14 / age 17	Transition planning begins in the IEP in effect at 14; transfer-of-rights notice at least one year before age 18	Case manager + transition designee
Surrogate parent need identified	Appointment within 30 days	Special Education Office
Recessed ARD	Reconvene within 10 school days unless otherwise agreed	Case manager
Notice of ARD meeting; prior written notice	5 school days through June 30, 2027; 10 calendar days beginning July 1, 2027	Case manager
Parent’s written request for an ARD meeting	Through June 30, 2027: convene or give written refusal within 5 school days. Beginning July 1, 2027: scheduling options or written refusal within 10 school days	Campus + Special Education Office
Finalized IEP	Beginning July 1, 2027: provided to parent within 10 school days, with date and method documented	Case manager
Time-out in place for a student	ARD review of use, amount, and effectiveness at least annually	Case manager
Crisis-intervention training	Annual for high-risk personnel; every two years for other campus-based personnel (per the written risk criterion)	Campus administrator + Special Education Office

Triggering event	Deadline tracked	Owner
Transition and employment designee	Training within 90 calendar days of designation (or of a commissioner update); annually thereafter	Director of Special Education
Missed service logged	ARD committee convenes to discuss compensatory services; timing based on student need	Case manager
Missed-services record review	Each grading period, or sooner if needed	Case manager

How the District Meets This Requirement

The District assigns a clear owner to every deadline, runs a weekly compliance report flagging events nearing their deadline, and escalates at-risk items to the Special Education Office before they lapse. New or revised state forms are adopted promptly after release, reviewed by legal counsel, and pushed to all campuses with training. The timeline system, the eligibility folders (Section 11), and the data submissions for funding (Section 12) are reconciled regularly so that what is documented, delivered, and reported all match. Timeline-compliance results are summarized quarterly for the leadership team.

Evidence of practice: *Current form library with version dates; the weekly timeline-compliance report with assigned owners; escalation log; form-update and training records; reconciliation notes across timeline, folders, and PEIMS.*

Legal authority: 34 C.F.R. §§ 300.301–300.323, 300.530–300.536, 300.610–300.626; TEC § 29.004; 19 TAC §§ 89.1011, 89.1050, 89.1075; TEA monitoring and PEIMS/SAAH reporting requirements.

24. Handbook Review, Adoption, and Contacts

This handbook is reviewed and updated at least annually by the Student Services and Special Education Department and presented for adoption consistent with the District's Board policy. Because the District must implement the policies it is required to adopt, staff are expected to follow these procedures, and supervisors are responsible for ensuring they do.

24.1 Key contacts

Role	Name / Office	Contact
Chief Student Services Officer	Matt Zemo	mzemo@eanesisd.net
Director of Special Education	Emily Dunlap	edunlap@eanesisd.net
Director of Student Support Services	Allison Key	akey@eanesisd.net
Parent / family support and dispute resolution	Special Education Department	(512) 732-9020
Records custodian	Special Education Department	(512) 732-9020

24.2 Review cadence and version control

The Special Education Department reviews this handbook at least annually and within 90 days of any change in federal law, Texas statute, or TEA rule that affects these procedures. Each adopted version is dated, logged below, and distributed to all campuses with notice to staff; superseded versions are archived. The Chief of Student Services and Director of Special Education own this process. The annual review is scheduled for the summer.

Version	Summary of changes	Approved by
V1.0	Initial adoption	Matt Zemo & Emily Dunlap
V1.1	Applied the October 2026 amendments to 19 TAC §§ 89.1005, 89.1040, 89.1050, 89.1053, 89.1055, 89.1075, 89.1092, 89.1094, 89.1096, and 89.1121 as dated provisions; added section 4.6; rearranged sections	Matt Zemo & Emily Dunlap

24.3 External resources for families

- Texas Education Agency — Special Education: gather current contact and dispute-resolution information from the TEA website.
- Region 13 Education Service Center
- Texas parent training and information centers and disability advocacy organizations.