



# TEXAS SCHOOL OF THE ARTS

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Texas Center for Arts + Academics

## **Special Services Handbook**

**2022-2023**

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## **Handbook Purpose**

The purpose of the Special Populations handbook is to provide an overview of all Special Populations programs at Texas School of the Arts. Each program follows all policies required by the Texas Education Agency, and therefore, some sections of this handbook are directly quoted from the TEA website. Some of the information presented in this handbook may also be found in the Texas School of the Arts Student Handbook.

## **TeSA Mission**

Our mission is to inspire a lifelong passion for learning and empower students to achieve academic excellence through an arts-based education.

## **Family Education Rights and Privacy Act (FERPA)**

FERPA is a federal law that provides parents with the right to access their children's education records, the right to request that the records be amended, and the right to have some control over the disclosure of personally identifiable information. This means that teachers are to protect the privacy of a student's educational records, and ONLY share them with those who have an educational interest in the student (such as their other teachers, the principal, the curriculum instructional, etc). They are not to be shared simply because the teacher is asked.

## **Counseling Services**

Texas School of the Arts provides a comprehensive counseling program in accordance with the Texas Education Agency (TEA). The services provided by the School Counselor assist all students to grow to their full potential academically, socially, and emotionally. The School Counselor may work with the grade-level teacher(s) to develop a plan of success for students struggling to meet academic or behavioral expectations. The School Counselor will also meet with students and parents as they prepare for the transition from elementary to middle school.

The school counselor may provide guidance lessons, teaching skills that develop self-confidence, responsible behavior, problem solving, decision making, interpersonal communication, goal setting, and motivation. A student wishing to speak to the School Counselor individually during the school day should fill out a request form available in all classrooms and in the office. Guardians may also request an individual counseling service for their child by emailing the School Counselor or calling the front office.

## **Multi-Tiered Systems of Supports (MTSS)**

MTSS is a framework that helps educators provide academic and behavioral strategies for students with various needs. Within this framework, several programs work together to best

serve every student. Data-based problem solving is used to take a comprehensive approach to educating the whole child by making systematic improvements across the campus.

To best serve students through consistency of scheduling, services, providers, and resources, all General Education and Special Programs work closely with the MTSS framework at Texas School of the Arts:

- Positive Behavioral Interventions and Supports (PBIS)
- Social Emotional Learning (SEL)
- Response to Intervention (RtI)
- Gifted and Talented Education (GT)
- English as a Second Language (ESL)
- Special Education (SPED)
- Section 504 (504)

MTSS is a proactive approach including the following elements:

- Beginning, middle, and end of year progress monitoring for all students
- Ongoing informal monitoring of students' progress
- Increasing levels of targeted support for struggling students
- Classroom extension opportunities for gifted students
- Integrated plans that address students' academic, behavioral, social, and emotional needs
- A schoolwide approach to student support, with teachers, counselors, administrators, and other specialists working as a team to assess students and plan interventions
- Professional development so staff can provide effective interventions
- The use of evidence-based strategies at every tier of support



## Positive Behavioral Interventions and Supports (PBIS)

PBIS is an evidence-based, positive approach used to improve school safety and promote positive behavior. Within its three-tiered framework, PBIS integrates all of the campus systems, data, and procedures for academic, social, and emotional growth. Tier 1 establishes a foundation of continuous, proactive support, with a focus of preventing unwanted behaviors. Tier 2 focuses more on students who are at risk for developing more serious issues. Lastly, Tier 3 provides students with more intense, individualized support to improve their behavior and/or academic performance.

As part of PBIS, TeSA uses the acronym STAR to define both student characteristics and behaviors. STAR can also be used in specific content areas to provide directions and support. For example:

TeSA Students Characteristics:

**Self-Aware**  
**Teachable**  
**Artistic**  
**Respectful**

TeSA Behavior Categories:

**Safety for All**  
**TeSA Rules & Policies**  
**Aggression toward Self or Others**  
**Responsible for Learning Tools & Materials**

## **Social Emotional Learning (SEL)**

Social Emotional Learning is the process through which students learn and apply the social and emotional skills needed to develop a positive self-image, manage their emotions, show empathy and compassion for others, create and maintain healthy relationships with others, and make sound decisions.

TeSA utilizes Tribes Learning Communities as the official SEL program in the classroom and across the campus. The Tribes program blends the fields of school change, learning theory, prevention and resiliency, cooperative learning, and group process. All students will learn and develop positive character traits through active participation in the four Tribes agreements:

- Attentive Listening
- Appreciations/No Put Downs
- The Right to Pass/Right to Participate
- Mutual Respect

## **Response to Intervention (RtI)**

For students having difficulty in the regular classroom, all school districts and open enrollment charter schools must consider tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts and charter schools to meet the needs of all struggling students.

Response to Intervention (RTI) is a proactive approach to help all students. It is most often used for struggling learners, but may also be used to improve student behavior. Like PBIS, a tiered approach is used to best meet the needs of every student. When a child is recommended for RtI, parents are notified and an individualized program is created.

Students are provided with interventions at increasing levels of intensity to meet their needs, and progress is closely monitored by their classroom teacher(s) and RTI Team. The amount of time each student spends in RTI varies as each approach is personalized. The ultimate goal is student success, and the RTI Coordinator will work with other educational professionals as needed to provide additional testing and/or supports.



## Gifted and Talented Program (GT or GAP)

### Our Philosophy and Program

TeSA serves gifted and talented students in both artistic and academic areas.

### Talented Students

Students who enter TeSA through the audition process are identified and served as artistically talented students. TeSA's slightly longer school day allows time for all four fine arts; Dance, Music, Theatre, and Visual Arts. Through the arts, students are able to explore creativity and performance, as well as have an opportunity to respond and connect to professional and student works.

### Gifted Students

Academically gifted students are served in the general education classroom through the Gifted Academic Program (GAP). TeSA believes that students who show attributes of academic giftedness should receive a differentiated learning environment. All students in the GAP will have a GAP Agreement in order to address the unique individual learning needs of each gifted student in the classroom.

GAP students will be given opportunities throughout the year to work within the classroom both independently, as well as in small groups with other GAP students. GAP students will meet once each six weeks as a group to discuss progress and complete extension activities. Each GAP student will also complete two required projects, for which the culmination of their learning will be displayed. As opportunities arise throughout the year, students may attend field trips with other GAP students, listen to presentations from special guest speakers, and/or complete group labs and activities.

TeSA offers this program for students who are identified through the TeSA identification process, or who come to TeSA having been previously identified as an academically gifted student. The identification of GAP students is accomplished through a process consisting of nominations, assessments, and selection by committee.

## **Nominations, Assessments, and Selection by Committee**

- All Kindergarten students who perform at a noticeably higher level of accomplishment relative to age peers are assessed for the GAP in the spring. Students are assessed in the area of overall intellectual ability.
- Parents whose children are enrolled at TeSA in Kindergarten-4th grade may nominate their child during the nomination period in April. To nominate a child, a parent nomination form and permission to test form must be completed by the posted deadline. Failure to submit nomination forms by the posted deadline will result in the child not being nominated for the program.
- Staff members at TeSA may nominate a student in April each year.
- Any student who enrolls at TeSA during the middle of the school year can be nominated by a parent within two weeks of enrollment.
- New students to TeSA will be screened within the first six weeks of enrollment during our fall universal screener. If students were identified as academically gifted at a previous school, they will automatically be served through the GAP.
- Final determination of a student's need for gifted services is completed by the GAP committee, which consists of the GAP committee chair and at least two teachers trained in the nature and needs of gifted and talented students. All committee decisions will be approved by the Campus Principal.

The GAP committee reviews all information gathered on each nominated student to determine if criteria is met for entry into the program.

## **Entry Process**

### **Step 1: Nominations**

Teacher referral, parent nomination, or cognitive ability test scores may be used as a nominator.

### **Step 2: Information Gathering**

After the committee has the completed forms by the posted deadlines, data from the following measures will be compiled.

1. Nomination/referral information
2. Cognitive ability test scores
3. Qualitative inventory or checklist completed by teacher(s)
4. State achievement and/or available school assessments
5. Review of Products/Portfolios, if requested by the committee

### **Step 3: Testing**

This step consists of cognitive ability testing administered for the sole purpose of entrance into the GAP.

### **Step 4: Selection**

The GAP Committee will review the information gathered on each student who has been nominated for the GAP. Parents and staff will be informed of the committee's decision and given an opportunity to discuss this information, if requested.

## **Appeals**

Parents can submit any appeals of GAP decisions to the following, **in order**, within 30 days of notification of assessment results.

1. GAP committee
2. Principal
3. Chief Academic Officer - The parent presents the reasons for reconsideration. The decision of the Chief Academic Officer is final.

### **Transfers, Furloughs, Reassessment, & Exiting**

When a student in the GAP *transfers* to another district, either in or out of Texas, that district is provided with the student's assessment data once request records have been received.

Students may have a *furlough* (a leave of absence from gifted program services) for specified reasons, with approval from the GAP committee, without being exited from the program.

Students may not be *assessed* for entry into the GAP more than one time per school year. A student who is admitted to the GAP through our nomination and selection process will remain in the GAP for the duration of their enrollment at TeSA, without the need for re-nomination or re-assessment each year.

A GAP student who does not complete one of the two required GAP projects during the year will be placed on *probation* for the following semester. A student on probation will be monitored closely for adequate progress in response to services. If progress is satisfactory, the probation will be removed the following semester. If progress continues to be unsatisfactory, the student may be removed from the program by decision of the GAP committee. Parents will be informed of probation status and any decisions made as a result of probation.

Students may be *exited* from gifted services at any time based on multiple criteria, including student performance in response to services, lack of progress after being placed on probation, or at the request of a parent. The exiting of a student is finalized by a GAP committee decision after consultation with parent(s) and student regarding the student's educational needs.

## **English Learners**

A student identified as an English Learner (EL), or Emergent Bilingual (EB), may have services provided through the school. Students will enter the program and continue to demonstrate eligibility through the Texas English Language Proficiency Assessment System (TELPAS). The Language Proficiency Assessment Committee (LPAC) will meet multiple times each year to review and consider the classroom and testing needs of all English Learners.

Texas School of the Arts strives to foster the linguistic and academic development, along with personal and social growth of the English learners in our learning community by focusing on reading, writing, listening, and speaking.

### **Identifying ELs Upon Enrollment Home Language Survey**

The home language survey will be administered to each student new to TeSA, and students previously enrolled who were not surveyed in the past. If a response on the home language survey indicates that a language other than English is used, the student shall be tested to establish language proficiency.

## **State Requirements**

It is Texas policy that every student in the state who has a primary language other than English and who is identified as an English learner shall be provided a full opportunity to participate in a bilingual education or English as a Second Language (ESL) program, as required in the Texas Education Code (TEC), Chapter 29, Subchapter B.

The goal of bilingual education programs shall be to enable English learners to become proficient in listening, speaking, reading, and writing in the English language through the development of literacy and academic skills in the primary language and English. Such programs shall emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable English learners to participate equitably in school.

The goal of ESL programs shall be to enable English learners to become proficient in listening, speaking, reading, and writing in the English language through the integrated use of second language acquisition methods. The ESL program shall emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable English learners to participate equitably in school.

## **Texas School of the Arts ESL Program Model**

### **Statutory requirements**

Texas Administrative Code §89.1205 and 89.1210 requires that any school district that is not required to offer a bilingual education program to be provided an ESL program, regardless of the students' grade levels and home language, and regardless of the number of students. This program must:

- Use second language methods throughout the curriculum.
- Provide instruction that includes TEKS based academic content, as well as language development.
- Differentiate instruction of content according to language proficiency levels.
- Provides academic instruction that is on grade level.

The English as a Second Language program shall be implemented with consideration for each English Learners' unique readiness level through one of the following program models:

### **Content-Based Program Model**

TeSA primarily utilizes an English program that serves students identified as students of limited English proficiency in English only by providing a full-time teacher certified under TEC §29.061(c) to provide supplementary instruction for all content area instruction. The program integrates English-as-a-second-language instruction with subject matter instruction which focuses not only on learning a second language, but using that language as a medium to learn mathematics, science, social studies, or other academic subjects.

### **Pull-Out Program Model**

When needed, TeSA utilizes an English program that serves students identified as students of limited English proficiency in English only by providing a certified teacher under TEC §29.061(c) to provide English language arts instruction exclusively, while the student remains in a mainstream instructional arrangement in the remaining content areas. Instruction may be provided by the ESL teacher in a pull-out or inclusionary delivery model.

### **Goals of the ESL program**

- Enable ELs to become proficient in listening, speaking, reading, and writing of English.

- Emphasize mastery of English language skills, as well as Math, Science, and Social Studies.
- Use instructional approaches designed to meet the needs of ELs.
- Be an integral part of the total school program.
- Utilize the essential knowledge and skills required by the state as the curriculum.

The school district shall seek certified teachers to ensure ELs are afforded full opportunity to master essential knowledge and skills and provide professional development.

### **TELPAS**

TEA designed the Texas English Language Proficiency Assessment System (TELPAS) to assess the progress that Emergent Bilingual (EB) students, also referred to as English Learners (ELs), make in learning the English language. TELPAS assesses students' abilities in listening, speaking, reading, and writing. Students must complete this assessment process annually. All students are assessed through an online testing program, and students in 2nd grade and above are also assessed through a written portfolio. Teachers and administrators must complete specific training before administering any testing or reviewing the students' writing samples for the purpose of TELPAS.

### **Language Proficiency Assessment Committee (LPAC)**

The Language Proficiency Assessment Committees (LPAC) meets multiple times throughout the year to officially enter or exit students into the campus ESL program and to create classroom and assessment accommodations on an individual student basis. The LPAC committee must

- Designate the language proficiency level of each limited English proficient student in accordance with the state and federal guidelines
- Designate the level of academic achievement of each limited English proficient student
- Designate the initial instructional placement of each limited English proficient student in the campus program or note the parent/guardian denial of recommended services
- Facilitate the participation of limited English proficient students in other special programs for which they are eligible, such as Special Education, 504, GT, or RtI
- Classify students as English proficient in accordance with the state and federal criteria, and recommend their exit

### **Criteria to Exit**

To exit from the TeSA ESL program, a student may be classified as English proficient at the end of the school year in which a student would be able to participate equally in a regular, all-English, instructional program. The determination shall be based upon all of the following:

- TEA-approved tests that measure the extent to which the student has developed oral and written language proficiency and specific language skills in English
- Satisfactory performance on the approved reading assessment, or a TEA-approved English Language Arts assessment instrument administered in English, or a score at or above the 40th percentile on both the English Reading and the English Language Arts section of a TEA-approved norm-referenced assessment instrument for a student who is enrolled in Grade 1 or 2
- TEA-approved criterion-referenced written tests when available and the results of a subjective teacher evaluation

The LPAC will reevaluate a student who is transferred out of the ESL program during the first two years after the student is exited. If the student earns a failing grade in a subject during any grading period, the LPAC may meet to determine whether the student should be entered back in the ESL program.

## Referrals for Evaluation

If a student is experiencing learning difficulties, his/her guardian may contact the school to learn about the school's overall general education referral or screening system for support services. A parent may request an evaluation for Special Education or Section 504 services at any time. If a parent makes a written request for an initial evaluation for special education services, the school must respond no later than 15 school days after receiving the request. At that time, the district or charter school must give the parent a prior written notice of whether it agrees to or refuses to evaluate the student, along with a copy of the Notice of Procedural Safeguards. If the school district or charter school agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

A request for a special education evaluation may be made verbally and does not need to be in writing. Districts and charter schools must still comply with all federal prior written notice and procedural safeguard requirements and the requirements for identifying, locating, and evaluating children who are suspected of being a child with a disability and in need of special education. However, a verbal request does not require the district or charter school to respond within the 15-school-day timeline.

If the district or charter school decides to evaluate the student, it must complete the student's initial evaluation and evaluation report no later than 45 school days from the day it receives a parent's written consent to evaluate the student. However, if the student is absent from school during the evaluation period for three or more school days, the evaluation period will be extended by the number of school days equal to the number of school days that the student is absent.

There is an exception to the 45-school-day timeline. If a district or charter school receives a parent's consent for the initial evaluation at least 35 but less than 45 school days before the last instructional day of the school year, it must complete the written report and provide a copy of the report to the parent by June 30 of that year. However, if the student is absent from school for three or more days during the evaluation period, the June 30th due date no longer applies. Instead, the general timeline of 45 school days plus extensions for absences of three or more days will apply. Upon completing the evaluation, the district or charter school must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available in a companion document titled [Parent's Guide to the Admission, Review, and Dismissal Process](#).

## Section 504

Section 504 covers qualified students with disabilities who attend schools receiving Federal financial assistance. To be protected under Section 504, a student must be determined to:

- have a physical or mental impairment that substantially limits one or more major life activities; or
- have a record of such an impairment; or
- be regarded as having such an impairment.

Section 504 requires that school districts provide a free appropriate public education (FAPE) to qualified students in their jurisdictions who have a physical or mental impairment that substantially limits one or more major life activities.

### **Consent for Evaluation**

In order to evaluate a child for eligibility under Section 504, a parent/guardian/adult student must provide consent. This consent only allows for examination of data to determine INITIAL eligibility. Additional consent for re-evaluation is not necessary. Sometimes the parent is not present when Section 504 consideration is discussed and consent must be sent home for signatures.

### **Consent for Services**

Following an INITIAL eligibility determination, the campus coordinator will need to collect a Consent for Services form from the parent/guardian/adult student. This form will only be collected once.

### **Revoking Consent**

There may be situations in which a parent wants to revoke consent for certain services while maintaining eligibility under Section 504 for accommodations. For example, a parent may not want their child to receive Dyslexia services any longer. If this occurs, a Section 504 meeting should be held to discuss the parent request.

### **Initial Referrals**

Referrals for Section 504 can be made by parents or staff. Examples of situations in which a student may meet eligibility as a student protected under Section 504:

- The student has a chronic health condition such as asthma, diabetes, epilepsy, etc.
- The student has a disability identified under IDEA, but does not qualify for special education
- The student has low vision, poor hearing, heart disease, or some other “hidden disability.”
- The student has been evaluated by an agency outside of school and the parents provide the report and recommendations.

### **The 504 Evaluation**

The district must conduct an Evaluation before the initial provision of Section 504 services can be provided to the child with a disability. Consent from a parent or guardian must be obtained prior to an evaluation. Best practice dictates that the campus Counselor have this conversation with the parent and include any other campus personnel. If the campus Section 504 Coordinator is someone other than the campus Counselor, then he/she should be invited to the meeting with the parent as well. Evaluation under Section 504 does not necessarily mean a test or assessment. Rather, the evaluation consists of reviewing data from multiple sources and asking pertinent questions to determine eligibility. This process occurs within the context of a Section 504 meeting.

### **Timelines**

The Office of Civil Rights encourages school districts to follow the evaluation timelines similar to those of special education. Evaluations (the INITIAL Section 504 meeting) must be completed within 45 school days of the receipt of Consent for Evaluation. If a student has excessive absences, this timeline can be extended. Best practice would dictate that, because formal evaluation is not required, the Section 504 evaluation should occur within a much shorter time frame. Re-evaluations should be conducted every 3 years. Extensive data collection should

occur at this time to determine continued eligibility. Section 504 review meetings should occur annually.

### **Data to Collect and Consider in a Section 504 Evaluation**

The following is a list of data examples to be reviewed in a Section 504 evaluation. This is not an exhaustive list as each evaluation is specific to the needs of the student. The Section 504 committee should consider:

- Parent and Teacher input
- Medical information from campus nurse and/or outside providers
- Academic information, including grades, progress monitoring data, universal screening data, state assessment data, etc.
- Behavioral information, including discipline reports, behavioral observations
- Outside evaluations

When collecting information from outside providers, the campus Section 504 coordinator will need to obtain additional consent for release of confidential information. The campus coordinator will possibly need to work alongside the campus nurse in obtaining and/or understanding the information obtained. If the information obtained is vague in nature, the campus Section 504 coordinator is expected to call the provider and ask clarifying questions.

### **Eligibility**

In order to be considered eligible for Section 504 protections and supports, these questions must be answered:

- Does the student have a physical or mental impairment?
- Does the physical or mental impairment substantially limit one or more major life activities?
- Does the physical or mental impairment substantially limit a major life activity?

The Section 504 committee must answer “yes” to all of these questions and be able to explain the support necessary for the student to access all academic and extracurricular activities to the same extent as their peers. Federal law explains that a person eligible under Section 504 must have a disability, have a history of a disability, or be regarded as having a disability.

Also, the regulations stipulate that the disability must “substantially limit” one or more major life activities such as breathing, walking, seeing, reading, hearing, eating, running, concentrating, and/or learning. For a disability to be considered “substantially” limiting, it must create such a limitation without the application of mitigating measures that requires intervention so that the student has equal opportunity to access school-related activities without discrimination. “Substantially limits” should be considered without regard to the helpful effects of mitigating measures (ADHD medications, hearing aids, behavioral therapy, etc.), with the exceptions of ordinary glasses or contact lenses. If a medical or mental health provider indicates that the disability is “mild” in nature, then the child would not require any intentional interventions to prohibit discrimination. The impact must be classified as “moderate” to “severe” to be considered “substantial.”

There is not an exhaustive list of impairments nor a list of every possible life activity. The decision of eligibility is up to the Section 504 committee. Diabetic or ADHD students are the only exceptions to the questions because they are always found eligible for Section 504. Some students, however, may be eligible for Section 504 protections, but not require a Student Service Plan due to mitigating measures (i.e., medication) and/or remission (i.e., cancer patients).

# Special Education

Special education is a program within the school which provides accommodations to address students' needs, differences, and disabilities by utilizing specially designed instruction and related services to meet the unique needs of a child with a disability at no cost to the parent/guardian. There are federal and state guidelines which must be followed to determine a student's eligibility for services. Consideration of a student's need for special education services is initiated by a referral that may be made by the parents, a physician, a community agency, and/or school personnel. An ARD (Admission, Review, and Dismissal) Committee composed of administrators, teachers, parents, and others will meet to develop an Individual Education Plan (IEP) and determine placement.

## **Individuals with Disabilities Education Act (IDEA)**

IDEA ensures that all students with disabilities receive a free and appropriate public education (FAPE) which will meet their needs and prepare them for their education, employment, and independent living. The six main principles of IDEA are FAPE, appropriate evaluation, individualized education plan (IEP), least restrictive environment (LRE), parent participation, and procedural safeguards. IDEA lists 13 disability categories:

- **Specific Learning Disability (SLD)** - these cover a student's ability to read, write, listen, speak, reason, or do math. Some examples are dyslexia, dyscalculia, written expression disorder (also referred to as dysgraphia)
- **Other Health Impairment (OHI)** - these limit a student's strength, energy, or alertness. ADHD, which impacts attention and executive function, is an example.
- **Autism Spectrum Disorder (ASD)** - this is a developmental disability, mainly affecting social and communication skills.
- **Emotional Disturbance - (ED)** - A number of mental health issues fall in this category, such as anxiety disorder, schizophrenia, bipolar disorder, obsessive-compulsive disorder, and depression. They are, at times, covered under OHI.
- **Speech or Language Impairment** - This covers speech or language difficulties as well as students who have difficulty understanding words or expressing themselves.
- **Visual Impairment, including Blindness** - Visual Impairment must be determined by a licensed ophthalmologist or optometrist. If eyewear is able to correct the vision problem, then it does not qualify.
- **Deafness** - This includes students who can't hear all or most sounds even with a hearing aid.
- **Hearing Impairment** - This includes hearing loss that is not covered under the "Deafness" category. This type of loss can change over time.
- **Deaf-Blindness** - This includes students with both severe hearing loss and vision loss, making their communication and needs unique.
- **Orthopedic Impairment** - Students are included when they lack function or ability in their bodies. Cerebral palsy is an example.
- **Intellectual Disability** - This category includes students with below-average intellectual ability, who may also have poor self-care, communication, and social skills. Down syndrome is an example.
- **Traumatic Brain Injury** - This is an injury which was caused by an accident or physical force.
- **Multiple Disabilities** - This category includes students who have more than one condition which is covered by IDEA.

### **Admission, Review, Dismissal Meeting (ARD)**

The admission, review, and dismissal (ARD) committee is the team that meets to determine eligibility based on a full and individual evaluation report, and to develop an individualized education program (IEP) for the child. The ARD committee must meet annually, but may meet more often as needed. The ARD Committee must include the following members:

- Parent/Guardian
- Child (when appropriate)
- Regular Education Teacher
- Special Education Teacher
- School Administrator/Representative
- Someone who can interpret evaluation results (if applicable)

### **Individualized Education Plan (IEP)**

An Individualized Education Plan is a legal document developed for each student who enters into the special education program. It is created by a team including the SPED teacher, general education teacher(s), the parent/guardian, and campus administrator. Other people who may contribute as needed include the speech teacher, occupational therapist, and the diagnostician who administered or interpreted tests. The IEP dictates what is needed to improve the educational situation for the student, and it ensures that the student's educational needs will be met in all areas of need. An IEP moves from school to school with a student and must be updated yearly. The IEP must be reviewed at least once annually, but may be addressed by the ARD committee more than once a year if needed.

### **Preparing an IEP**

The following procedures should be followed before presenting an IEP in the ARD meeting:

- Receive consent for testing (initial evaluations only)
- If needed, five dyslexia tests given
- If needed, five test results summarized and sent to diagnostician
- Completed results received from testing or from family and previous school
- Meeting scheduled and email invitation sent to family & all committee members
- Prior Written Notice (PWN) sent
- Procedural Safeguards sent
- ARD Guide sent
- Receive PLAAPF statements from academic teachers
- School nurse complete vision screening and hearing test
- Finish preparation of IEP in online program
- Complete COVID supplement form
- Set up Zoom & include digital signatures in online program if needed
- During/after meeting, make discussed changes to IEP
- If needed, contact Speech and/or OT contractors
- After meeting, complete IEP in online program
- After meeting, send finalized IEP paperwork to teachers, Principal, Counselor, Instructional Specialist, and service providers
- Add summary and goal papers to MTSS binder.
- Update student minutes on MTSS schedule
- Update accommodation survey and teacher/student lists
- Send information to counselor for coding
- Place all paperwork in red student SPED folder and file in SPED cabinet

### **Present Levels of Academic and Functional Performance (PLAAPFs)**

PLAAFPs are a major component of a student's Individualized Education Plan. They describe a student's current strengths and weaknesses and are a basis for writing student goals. PLAAFPs include how a student's disability affects their educational progress.

### **Inclusion and Resource**

During inclusion, a member of the special populations team will work with students in their general education classroom, using the work provided by the classroom teacher. During resource, the student goes to a different instructional area to work on the subject in which they need assistance. This work may be provided by the classroom teacher, special education teacher, dyslexia teacher, or combination..

### **Accommodations and Modifications**

An accommodation changes how a student learns the material; for example, the student may listen to an audio version of the same book the rest of the class is reading.. A modification changes what the student is expected to learn, such as receiving an easier reading passage than the rest of the class.

### **Behavior Plan (BIP)**

This document specifically addresses the behavioral plan for a student whose behavior interferes with their own learning or the learning of others. It is created along with the IEP and it must include positive behavioral intervention strategies. There must be a functional behavior assessment completed prior to developing a BIP. This process may take several weeks, as multiple sources of data are required.

### **Special Education Progress Reports**

Each student in Special Education will receive a progress report of their IEP goals at the end of each grading cycle. Notes are added to the online progress monitoring program weekly, and are based on the work students complete during inclusion or resource. The progress report gives specific data about the student's goals, and is to be used in conjunction with their regular report card.

### **Special Education and/or Dyslexia Teacher**

Special Education and/or Dyslexia Teachers provide individual and small group opportunities to students in need of additional instruction in specific areas through Special Education, 504, or Response to Intervention (RtI). Special Education and/or Dyslexia Teachers will create individualized lesson plans based on each student's current levels and goals. They will also work collaboratively with all students' classroom teachers to ensure alignment to the Texas Essential Knowledge and Skills (TEKS) and classroom activities.

### **Special Education and/or Intervention Aide**

Special Education and Intervention Aides provide individual and small group attention to students in need of extra assistance and support through Special Education and Response to Intervention (RtI). Aides also provides support for teachers by helping with classroom activities and monitoring students. Aides work under the general supervision of the Principal and immediate direction of the certified teacher of the student(s) needing services.

### **Diagnostician**

A Diagnostician is a Texas-approved licensed evaluator of students with special needs. The diagnostician is the leader in identifying needs of students and serves on the ARD committee to develop an IEP. The diagnostician may also set meeting schedules with parents and staff, and coordinate student services.

### Speech Pathologist

A Speech Pathologist is a Texas-approved licensed professional trained in diagnosing speech deficits and remediating those areas of concerns. The Speech Pathologist may work with students individually, in small groups, or in the classroom.

### Occupational Therapist

An Occupational Therapist is a Texas-approved licensed professional providing support for improving the physical, cognitive, psychosocial, and sensory components of performing tasks needed for independent functioning in the academic setting. Educational occupational therapy primarily focuses on academics, play and leisure, social participation, self-care skills, and transition/work skills.

## Differences Between Special Education IEPs and Federal 504 Plans

	IEP	504 Plan
Basic Description	A blueprint or plan for a child's special education experience at school.	A blueprint or plan for how the school will provide support and remove barriers for a student with a disability.
What It Does	Provides individualized special education and related services to meet a child's unique needs. These services are provided at no cost to families.	Provides services and changes to the learning environment to enable students to learn alongside their peers. As with an IEP, a 504 plan is provided at no cost to families.
What Law Applies	The Individuals with Disabilities Education Act (IDEA) This is a federal special education law for children with disabilities.	Section 504 of the Rehabilitation Act of 1973 This is a federal civil rights law to stop discrimination against people with disabilities.
Who's Eligible	1. A child has one or more of the 13 disabilities listed in IDEA. The law lists specific challenges, like learning disabilities, ADHD, autism, and others. 2. The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum. The child must need specialized instruction to make progress in school.	1. A child has any disability. Section 504 covers a wide range of different struggles in school. 2. The disability must interfere with the child's ability to learn in a general education classroom. Section 504 has a broader definition of a disability than IDEA. (It says a disability must substantially limit one or more basic life activities. This can include learning, reading, communicating, and thinking.) That's why a child who doesn't qualify for an IEP might still be able to get a 504 plan.

Independent Educational Evaluation	<p>Families can ask the school district to pay for an independent educational evaluation (IEE) by an outside expert. The district doesn't have to agree.</p> <p><i>*In Texas this is frequently referred to as an FIE (Full Independent Evaluation).</i></p>	<p>Doesn't allow families to ask for an IEE. As with an IEP evaluation, families can always pay for an outside evaluation themselves.</p>
Who Creates It	<p>There are strict legal requirements about who participates. An IEP is created by an ARD Committee that must include:</p> <ul style="list-style-type: none"> <li>• The child's parent or caregiver</li> <li>• At least one of the child's general education teachers</li> <li>• At least one special education teacher</li> <li>• School psychologist or other specialist who can interpret evaluation results</li> <li>• A district representative with authority over special education services</li> </ul> <p>With a few exceptions, the entire team must be present for meetings.</p>	<p>The rules about who's on the 504 team are less specific than they are for an IEP. A 504 plan is created by a team of people who are familiar with the child and who understand the evaluation data and special services options. This might include:</p> <ul style="list-style-type: none"> <li>• The child's parent or caregiver</li> <li>• General and special education teachers</li> <li>• The school principal or designee</li> </ul>
What's in It	<p>The IEP sets learning goals and describes the services the school will provide. It's a written document.</p> <p>Here are some of the most important things the IEP must include:</p> <ul style="list-style-type: none"> <li>• The child's present levels of academic and functional performance—how the child is currently doing in school</li> <li>• Annual educational goals for the child and how the school will track progress</li> <li>• The services the child will get—this may include</li> </ul>	<p>There is no standard 504 plan. Unlike an IEP, a 504 plan doesn't have to be a written document.</p> <p>A 504 plan generally includes the following:</p> <ul style="list-style-type: none"> <li>• Specific accommodations, supports, or services for the child</li> <li>• Names of who will provide each service</li> <li>• Name of the person responsible for ensuring the plan is implemented</li> </ul>

	<p>special education, related, supplementary, and extended school year services</p> <ul style="list-style-type: none"> <li>• The timing of services—when they start, how often they occur, and how long they last</li> <li>• Any accommodations—changes to the child’s learning environment</li> <li>• Any modifications—changes to what the child is expected to learn or know</li> <li>• How the child will participate in standardized tests</li> <li>• How the child will be included in general education classes and school activities</li> </ul>	
Notice	<p>When the school wants to change a child’s services or placement, it has to tell families in writing before the change. This is called prior written notice. Notice is also required for any IEP meetings and evaluations. Families also have rights to keep services in place while there’s a disagreement about the IEP.</p>	<p>The school must notify families about an evaluation or a “significant change” in placement. Notice doesn’t have to be in writing, but most schools do so anyway.</p>
Consent	<p>A parent or caregiver must consent in writing for the school to evaluate a child. They must also consent in writing before the school can provide the services in an IEP.</p>	<p>A parent or caregiver’s consent is required for the school district to evaluate a child.</p>
How Often It’s Reviewed and Revised	<p>The IEP team must review the IEP at least once a year. The child must be reevaluated every three years to determine whether services are still needed.</p>	<p>The rules vary by state. Generally, a 504 plan is reviewed each year and a reevaluation is done every three years or when needed.</p>

\*Table published at <https://www.understood.org/articles/en/the-difference-between-ieps-and-504-plans>

# Dyslexia

In the state of Texas, students who continue to struggle with reading, despite appropriate or intensified instruction, are provided organized systems of reading support. Some students struggle during early reading acquisition while others do not struggle until the later grades, even at the postsecondary level. Here they face more complex language demands, for example reading textbooks, academic texts, and other print materials. For many struggling readers, the difficulty may be due to dyslexia. Dyslexia is found in all student populations and languages. Some students with dyslexia may be English Learners (ELs) who struggle with reading not only in English, but also in their native language. In Texas, evaluation for dyslexia is conducted from kindergarten through grade 12.

The purpose of [The Dyslexia 2021 Updated Handbook](#) is to provide procedures for school districts, charter schools, campuses, teachers, students, and parents/guardians in early identification of, instruction for, and accommodations for students with dyslexia. This handbook will be used by school districts and charter schools as they develop their written procedures regarding students with dyslexia. It will also serve as a resource for educator preparation programs and other entities seeking guidance in serving students with dyslexia.

Texas Education Code (TEC) §38.003 defines dyslexia and related disorders, mandates screening and testing students for dyslexia and the provision of instruction for students with dyslexia and gives the State Board of Education (SBOE) authority to adopt rules and standards for screening, testing, and serving students with dyslexia. Texas Education Code §7.028(b) assigns the responsibility for school compliance with the requirements for state educational programs to the local district board of trustees. Title 19 of the Texas Administrative Code (TAC) §74.28 outlines the responsibilities of districts and charter schools in the delivery of services to students with dyslexia. Finally, two federal laws, the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973, Section 504, establish assessment and evaluation standards and procedures for students (34 C.F.R. Part 300 (IDEA), Part 104 (Section 504)).

[The Dyslexia 2021 Updated Handbook](#) should be referenced for all Dyslexia-related testing, services, and accommodations.