

HIGHLAND INDEPENDENT SCHOOL DISTRICT SPECIAL EDUCATION OPERATING PROCEDURES

The Highland ISD has entered into an Interlocal Agreement to cooperatively operate its special education programs under the authority of Tex. Ed. Code § 11.157. The West Central Texas SSA Special Education Services Cooperative may provide for the efficient delivery of legally required special education and related services to the Highland ISD's eligible students with disabilities as set forth in the Interlocal Agreement, including the implementation of these Special Education Operating Procedures.

1.0 CHILD FIND

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Highland ISD Board Policy along with these *Special Education Operating Procedures* constitute the Policies and Procedures of Highland ISD, designed to be consistent with the State policies and procedures developed pursuant to the IDEA. Highland ISD *Special Education Operating Procedures* are not to be for the purpose of creating a requirement that is not otherwise imposed by the Individuals with Disabilities Education Improvement Act ("IDEA"), together with its implementing federal regulations, state statutes and rules, as they shall from time to time be amended, and shall not be construed to create a higher standard than that established by IDEA. These *Special Education Operating Procedures* will be posted on Highland ISD's website. These *Special Education Operating Procedures* should be interpreted consistent with the IDEA. Highland ISD's *Special Education Operating Procedures* are reviewed and updated, as needed, on at least an annual basis. Highland ISD will make timely changes to policies and procedures in response to IDEA amendments, regulatory or rule changes, changes to state policy, or new legal interpretation as are necessary to bring Highland ISD into compliance with the requirements of IDEA. Highland ISD maintains systems to ensure that all students with disabilities residing in the District, including students with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and provided a free appropriate public education. Highland ISD maintains systems to ensure that students with disabilities and their parents are afforded the procedural safeguards required under the IDEA (and its implementing federal regulations, state statutes and rules) including with respect to the confidentiality of records and personally identifiable information.

1.0 CHILD FIND.

The Highland Independent School District (HISD or “the District”) has an obligation to identify, locate and evaluate each child, birth to age 21 inclusive, residing within the jurisdiction of the District who has a disability or is suspected of having a disability, regardless of the severity of the disability, and who is in need of special education and related services. This *Child Find* obligation—mandated by the Individuals with Disabilities Education Improvement Act (IDEIA or, more commonly, IDEA) and Texas special education law¹—extends to all children with disabilities, including those who are homeless, highly mobile, migrants, in foster care, homeschooled, court-involved or attending private schools within the jurisdiction of the District.²

The District annually notifies and informs the Highland ISD community of a student’s right to a free appropriate public education and the programs and services available to eligible students, as well as the right to request an evaluation for special education and related services. The District endeavors to distribute written information in both English and Spanish to every enrolled student’s family regarding IDEA’s *Child Find* and free appropriate public education (FAPE) requirements, to inform them of the options and requirements for identifying students who may be suspected of having a disability and have an educational need for special education and specially designed instruction. The District’s community-wide efforts may include:

- publishing a *Child Find* notice in a local newspaper of general circulation;
- posting or linking the District’s *Child Find* notice on the District’s website; and
- placing a *Child Find* notice in locations where potentially eligible children and their parent(s) or legal guardian(s) are likely to see it, like disability-related community agencies, hospitals or daycare centers.

The District’s *Child Find* notice is included in the District’s [Student Handbook](#) which is updated annually. Together with the District’s annual *Child Find* notice, the District includes information indicating where members of the Highland ISD community can access the District’s processes and procedures for initiating a referral for special education services eligibility evaluation.³ The District also offers annual training to teachers and staff regarding the District’s responsibility to actively identify and appropriately refer for evaluation students suspected of being in need of special education and related services, consistent with these *Special Education Operating Procedures* (“Operating Procedures”).]

¹ 34 C.F.R. § 300.111(a); Tex. Ed. Code § 29.001

² 34 C.F.R. § 300.111(c). Homeless and highly mobile students are served via the District’s homeless education liaison as part of the District’s participation in TEA’s [Texas Education for Homeless Children and Youth \(TEHCY\)](#) program.

³ Tex. Ed. Code § 29.023(b)

1.1 *What steps does the District take prior to an initial evaluation to ensure students are identified and evaluated for special education appropriately and in a timely manner?*

Prior to referral for a full individual and initial evaluation, students experiencing difficulty in the general classroom should be considered for response to evidence-based intervention and other academic or behavior support services. “If the student continues to experience difficulty in the general classroom after the provision of interventions, District personnel will refer the student for a full individual and initial evaluation.”⁴ Notwithstanding this provision, these general education or response to intervention strategies will not be used to delay or deny the provision of an evaluation.⁵

PRACTICE GUIDE—Teachers who provide instruction to students may be trained concerning the District’s referral process and informed concerning the research-based interventions available in the District. Communication between general education teachers and campus staff who attend the MTSS meeting, concerning the interventions used and the results of those interventions should occur regularly.

If parental or guardian consent is obtained for an evaluation, the District will consider and document the provision of any steps taken concurrently with the special education referral or evaluation process to address the academic or behavioral needs of the student giving rise to the referral. These steps may include the following—

- If a campus receives an initial referral for a student who is not currently receiving **evidence-based general education interventions or Multi-Tiered Systems of Support (MTSS)** available to all students, a designated campus administrator should promptly convene a meeting with the parent or guardian, student (as appropriate), and at least one of the student’s general education teachers (preferably from one or more of the areas of academic and/or behavioral concern). The meeting’s purpose will be to develop a plan of evidence-based general education interventions or MTSS. This meeting may not be used to delay or deny an evaluation.
 - If the student has been receiving evidence-based general education intervention or MTSS, the campus principal, or designated campus administrator, should promptly convene a meeting with the parent or guardian, student (as appropriate), and at least one of the student’s general education teachers (preferably from one or more of the areas of academic and/or behavioral concern) to review and revise the student’s current interventions and general education services plan, as appropriate. Such meetings should recur at regular,

⁴ 19 TEX. ADMIN. CODE § 89.1011(a).

⁵ *Lisa M. v. Leander Indep. Sch. Dist.*, 924 F.3d 205, 209 n.4 (5th Cir. 2019); *Spring Branch Independent School District v. O.W. by Hannah W.*, 961 F.3d 781(5th Cir. June 12, 2020)

reasonable intervals throughout the pendency of the referral and/or evaluation process.

- IDEA does not prohibit a local campus within the District from “**screening**” a student to collect data that may be considered when determining whether the student is suspected of having a disability. Parental consent is not required before a campus-based committee reviews existing data as part of the special education referral process. Likewise, parental permission is not required before administering screenings or other assessments that are administered to all students generally without the requirement of parental consent. Written notice will be provided to parents of the scheduled screening or assessment; however, a campus will not use screening procedures to delay or deny the provision of a full individual and initial evaluation.⁶
- Students suspected of having a disability under Section 504 should be referred for an evaluation by a **Campus Section 504 Committee** and, if needed, the development by that Committee of an accommodation plan under Section 504. These referrals should be directed to the student’s Campus Section 504 Coordinator. If a student’s Section 504 Committee determines that the student has a disability that may require specialized instruction to make progress in the general curriculum, or if the student continues to experience difficulty in the general education classroom even with the supports specified in a 504 accommodation plan, the Section 504 Committee should refer the student to the Director of Special Education or designee to determine whether a full individual and initial evaluation is appropriate under the circumstances.
- For students who transfer to the District from a residential facility or other private school, the campus counselor should obtain written consent from the student’s parent or guardian to communicate with and request records from the residential facility or other private school and convene a meeting to discuss whether a referral for special education and related services is appropriate.

PRACTICE GUIDE—Review enrollment records to determine whether the student previously accessed special education and related services while in attendance at a public school.

- Students suspected to have **dyslexia and related disorders** may be referred for an initial evaluation for special education and related services or to a Section 504 Committee. In accordance with TEA’s *The Dyslexia Handbook* (2018 Update)⁷, if the Response to Intervention committee suspects that a student has dyslexia or a related disorder but does not require specialized instruction, the student should be referred to the Section 504 Committee, which will assess the qualification of the student and whether the student may receive standard protocol dyslexia instruction and accommodations. If the Response to Intervention committee determines that data leads to the suspicion of dyslexia or a related disorder and that the student needs specially designed instruction as a result of dyslexia or a related disorder, the student should be

⁶ *Letter to Mills* (OSEP 05/02/19).

⁷ TEA’s *The Dyslexia Handbook* (2018 Update) is available at <https://tea.texas.gov/academics/dyslexia/>.

referred to special education for a potential full individual and initial evaluation, if appropriate. The District provides a reading program for any student with dyslexia or a related disorder that is in accordance with the descriptors and implementation requirements found in The Dyslexia Handbook.

The District will report through the Public Education Information Management System (PEIMS) the number of students enrolled in the District who are identified as having dyslexia.

PRACTICE GUIDE—If the results of reading instruments administered by general education teachers (to students in kindergarten through 2nd Grade) indicate a risk for dyslexia or other reading difficulties, the results may be shared with the student’s evaluation team for referral consideration.⁸

1.2 Who is eligible for the District’s program of special education and related services?

The District provides special education and related services to eligible students ages 3 through 21 who reside within the District.⁹ To be eligible for the District’s program of special education and related services, a student must (a) have one or more of the thirteen qualifying disabilities listed below and (b) need special education and related services—*Specially Designed Instruction* (SDI)—because of the disability.¹⁰ A free appropriate public education is also available to children with visual or auditory impairments residing within the District from birth through age 21.¹¹

Special education means “specially designed instruction, at no cost to the parents, to meet the unique needs of a student with a disability.”¹² *Specially Designed Instruction* (SDI) means—

- “adapting, as appropriate to the needs of an eligible student under this part, the content, methodology, or delivery of instruction-
 - To address the unique needs of the student that result from the student's disability; and
 - To ensure access of the student to *the general curriculum*, so that the student can meet *the educational standards within the jurisdiction of the public agency that apply to all children.*”¹³

⁸ Tex. Ed. Code § 28.006

⁹ 19 TEX. ADMIN. CODE § 89.0135(a)

¹⁰ 20 U.S.C. § 1402(3); 34 C.F.R. § 300.8

¹¹ 19 TEX. ADMIN. CODE § 89.0135(b)

¹² 34 C.F.R. § 300.39(a)(1)

¹³ 34 C.F.R. § 300.39(b)(3)(emphasis added)

The general curriculum and educational standards that “apply to all children” in Highland ISD are the **Texas Essential Knowledge and Skills (TEKS)** as well as the District’s Policy **EIE(Local)**.¹⁴ The state-wide assessments that determine a student’s progress toward meeting those educational standards are the **State of Texas Assessments of Academic Readiness (STAAR)**.

Special Education or *Specially Designed Instruction* (SDI) also includes—

- speech-language pathology services;
- any other related service, if the service is considered special education rather than a related service under state standards;
- travel training; and
- vocational education.¹⁵

PRACTICE GUIDE— Some examples of SDI include delivery of a specialized reading program in a small group setting 4 days a week for 30 minutes a day; individualized social skills programs; modified curriculum; adaptive physical education; or instruction in the use of Braille or specific technology to access curricular content or to provide responses to enable effective progress monitoring and functional performance data collection.

Subject to the age limitations specified above, students may be eligible for special education and related services under these categories of disability specified under state and federal law: autism, deaf-blindness, auditory impairment, emotional disturbance, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech impairment, traumatic brain injury, visual impairment, and “noncategorical early childhood.”¹⁶

Children between the ages of 3-5 who are evaluated as having an intellectual disability, an emotional disturbance, a specific learning disability or autism may be described as “noncategorical early childhood” for the purposes of special education eligibility.¹⁷

Consideration of eligibility for special education and related services begins with a referral for a special education evaluation—a full individual and initial evaluation.¹⁸

¹⁴ The educational standards applicable to all students in the state of Texas are also outlined in Tex. Ed. Code § 28.002 and in 19 TEX. ADMIN. CODE § 74.1.

¹⁵ 34 CFR § 300.39(a)(2)

¹⁶ 34 C.F.R. § 300.8(c) ; Tex. Ed. Code § 29.003(b); 19 TEX. ADMIN. CODE § 89.1040(c)

¹⁷ 19 TEX. ADMIN. CODE § 89.1040(c)(13)

¹⁸ 19 TEX. ADMIN. CODE § 89.1011

PRACTICE GUIDE— While the ARD committee will consider records from private providers or private evaluators, including physicians, the ARD committee is not required to adopt specific eligibilities or other recommendations from those reports. Any decisions to reject recommended eligibilities or services may be described and explained in the Prior Written Notice with reference to the District’s evaluation reports.

1.3 Who can initiate a referral for a Full Individual and Initial Evaluation for Special Education and Related Services?

A referral for a special education evaluation may be initiated by school personnel, a student’s parent or legal guardian, or another person involved in the education or care of the student.¹⁹

Should an administrator, teacher, parent or legal guardian believe that there is reason to suspect a student has a disability and is in need of special education, even if they are progressing from grade to grade, they may initiate the referral process.

The referral may be made verbally or in writing. A written request for a special education evaluation is not required by IDEA or Highland ISD. Written referrals should be directed to any campus administrator, counselor, or the Director of West Central Texas SSA. Any employee of the District receiving a verbal or written referral should communicate the referral to the Director of the West Central Texas SSA. District staff should make any referrals for special education in writing to the Director of the West Central Texas SSA.

1.4 How should the District respond when it receives a referral for special education?

Referrals should be considered by the campus principal or other qualified professional, as outlined below, to determine whether there is reason to suspect that the student has a disability and is in need of special education and related services. Each campus should have a designated staff member responsible for receiving referrals from the campus principal. All referrals should be forwarded to the Director of the West Central Texas SSA. If a parent or legal guardian makes a referral to a general education teacher, a paraprofessional or campus office staff, the parent should be directed to the campus principal on the student’s campus who is responsible for receiving referrals.

If a parent, legal guardian or adult student verbally requests a special education evaluation, the District staff who received the verbal request should report the request to the campus principal or the aforementioned designated staff for the student’s home campus. The campus principal or designated staff should contact the requestor either by telephone or via email to gather more information about the request.

¹⁹ 19 TEX. ADMIN. CODE § 89.1011(a)

When the District receives a request for an initial evaluation, the Early Intervening Specialist, designated campus staff, and/or administrator should promptly review the student’s record and document any consideration that has been given to alternatives to special education, including but not limited to general education academic and behavioral interventions; *RtI* data; remedial instruction; tutoring; compensatory education pursuant to Tex. Ed. Code § 29.081 (“services designed to supplement the regular education program for students identified as at risk of dropping out of school”); **Multi-Tiered Systems of Support (MTSS)**;²⁰ and/or Dyslexia-related general education services.

PRACTICE GUIDE— When the District receives privately-completed evaluation reports or recommendations, the ARD committee should consider that information. In many instances, the student’s ARD committee will need to seek consent from the parent(s) to complete the District’s evaluation because it relies on school-based evaluation instruments and observations that incorporate special education standards.

If a student’s parent(s), legal guardian(s), or District staff submits a written request for a full individual and initial evaluation for special education and related services to the District’s Director of Special Education or to an administrative employee of the District, the personnel designated below will take the following steps:

- **Within 15 school days of the Director of Special Education or administrative employee’s receipt of the written request for an initial special education evaluation**, a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience or training in the area of the suspected disabilities designated by the Director of the West Central Texas SSA may, as appropriate—
 - Review the records and performance data of the student in order to determine if there is sufficient evidence to suspect a disability. Information reviewed shall include, but is not limited to, all individual and group standardized assessments, *including evaluations provided by the parent or guardian completed privately*; standards of learning test scores; school enrollment history; attendance records; student work samples; and teacher observational information.
 - Consult with the student’s general education teachers and other campus staff familiar with the student to review the general education supports and services, curricular modifications, instructional methodologies or evidence-based classroom accommodations or interventions that have been used with the student prior to referral, including the use of any **Multi-Tiered Systems**

²⁰ TEA describes MTSS as a school-wide framework designed to provide varying levels of support to meet the academic, behavioral, and social/emotional needs of students and includes RTI for academics and/or behavior and other evidence-based early intervention strategies.

of Support (MTSS), such as *Response to Intervention (RtI), Leveled Literacy Interventions (LLI), and other evidence-based general education interventions, tutorial, remedial, compensatory and other academic or behavior support services.*²¹

- Contact the parent, legal guardian or adult student to provide an overview of the District’s special education process and identify the date by which informed written consent for the evaluation may be obtained (i.e., no later than 15 school days after receiving the written request for an initial evaluation).²²
- **No later than 15 school days after the Director of Special Education or administrative employee’s receipt of the written request for an initial special education evaluation, the Early Intervening Specialist or Child Find Coordinator shall—**
 - Ensure the District provides the parent(s), legal guardian and/or adult student with a copy of TEA’s most recent *Notice of Procedural Safeguards*.²³
 - A parent, legal guardian or adult student may choose to receive the *Notice of Procedural Safeguards*, as well as the Prior Written Notice discussed below, by email, if the District makes that option available. If the parent or legal guardian does not affirmatively elect to receive the aforementioned notices by email, the District will mail or hand-deliver the notice(s) and document the method of delivery.²⁴
 - Provide Prior Written Notice of the District’s proposal to conduct a full individual and initial evaluation (*Notice of Proposed Evaluation*) and an opportunity for the parent, legal guardian or adult student to give informed written consent for the evaluation, *if there is evidence of a suspected disability and, as a result of the suspected disability, a suspicion that the student may require specially designed instruction based on the information obtained during the 15-school day period described above.*²⁵
 - Prior Written Notice. The District’s *Notice of Proposed Evaluation* shall describe any evaluation procedures that the District proposes to conduct.²⁶ Please see the District’s Evaluation procedures set out in **Section 2.0: EVALUATION** for additional requirements regarding the District’s *Notice of Proposed Evaluation*.

²¹ 19 TEX. ADMIN. CODE § 89.1011(a)

²² Tex. Ed. Code § 29.004; 19 TEX. ADMIN. CODE § 89.1011(b); 19 TEX. ADMIN. CODE § 89.1040(b)

²³ 34 C.F.R. § 300.504

²⁴ 34 C.F.R. § 300.505

²⁵ 19 TEX. ADMIN. CODE § 89.1011(b)(1)

²⁶ 34 C.F.R. § 300.304(a)

- Informed Written Consent. The District shall document that the parent, legal guardian or adult student has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, and the mode of communication. The District shall also document that the parent, legal guardian or adult student acknowledged understanding and agreeing in writing to the carrying out of the activity for which his or her consent is sought (e.g., a full individual and initial evaluation). The consent will describe the activity and indicate which educational records, if any, will be released and to whom those records will be released.²⁷
 - Notice and Consent by Email. The District may provide prior written notice via email if the District offers and the parent elects to receive the notice via email.²⁸ The District may also obtain a parent's or a guardian's informed written consent for an evaluation by using a record and signature in electronic form that identifies and authenticates the person or guardian as the source of the consent and indicates the parent's or guardian's approval of the information contained in the electronic signature.²⁹
 - If the parent, legal guardian or adult student does not provide consent for the initial special education evaluation, the District is relieved of its *Child Find* duty and its obligation to provide the student with a free appropriate public education pursuant to IDEA.³⁰ However, the District reserves the right in its sole discretion to file a request for a special education due process hearing to override a lack of parental consent for such evaluation. Designated staff should provide the parent, legal guardian or adult student with a ready, willing, and able letter regarding the District's intent to complete the evaluation with parental consent, together with prior written notice (*Notice of Proposed Evaluation*) documenting the District's offer to evaluate and the basis for the offer to evaluate and providing the parent or guardian with a copy of **TEA's Procedural Safeguards Notice**. Please see **Section 3.4: FAPE**.
- Provide the parent, legal guardian, or adult student with prior written notice of the District's decision not to conduct an evaluation, *if there is no evidence*

²⁷ 34 C.F.R. § 300.9; Tex. Ed. Code § 29.004(a)(1)

²⁸ 34 C.F.R. § 300.505

²⁹ **Part B Procedural Safeguards in the COVID-19 Environment Q&A Document** (June 30, 2020). OSEP. June 30, 2020.

³⁰ 34 C.F.R. § 300.300(a)(3)

of a suspected disability or a suspicion that the student may require special education and related services.

- If appropriate, the student may be referred to the District’s Section 504 Coordinator or local campus designee for a potential Section 504 evaluation as outlined in the [Student Handbook](#).

- Prior Written Notice. The Educational Diagnostician, LSSP, Speech Therapist, or other Case Manager will prepare the Prior Written Notice to include an explanation of why the District refuses to conduct an initial evaluation as well as a description of the information (assessments, records, reports or observations) that the District used as a basis for its refusal to evaluate.³¹ The District will provide this prior written notice by means reasonably designed to ensure that it is received by the parent, legal guardian or adult student, and document the fact that the notice was sent. This notice will be provided in a language that is understandable to the general public and also in the native language of the parent, unless it is clearly not feasible to do so.³² Please see Section 1.5: CHILD FIND.

1.5 How does the District attempt to ensure that parents or guardians of Limited English Proficient students are included in the District’s Child Find efforts and understand the District’s special education process?

If the parent(s), legal guardian(s) or adult student is limited English proficient and the parent’s or guardian’s native language is Spanish, the District will provide Admission, Review and Dismissal (ARD) committee meeting notices and Prior Written Notices, as well as [TEA’s Notice of Procedural Safeguards](#) and other special education related documents, to the parent or guardian in [Spanish \(TEA’s Aviso Sobre Procedimientos de Protección\)](#). If the parent or guardian is limited English proficient and the parent’s or guardian’s native language is Spanish, the District will also provide either all of the text (comparable rendition) of the written Individualized Education Program (IEP) translated into Spanish or an audio recording of the IEP translated into Spanish. The District may also audio record an ARD committee meeting at which the parent or guardian was assisted by an interpreter and offer the parent or guardian an audio recording of the meeting; however, such recording shall not substitute for a written or audio recorded translation of the IEP unless it includes an oral translation into Spanish of all of the content in the student’s IEP.³³

³¹ 34 C.F.R. § 503(b)

³² 34 CFR § 300.503(c)

³³ 19 TEX. ADMIN. CODE § 89.1050(i); Tex. Ed. Code § 29.005(d)

If the parent's, guardian's or adult student's native language is other than English or Spanish, the District will make a good faith effort to provide notices to the parent or guardian in the parent's or guardian's native language, to provide a written or audio recorded translation of the IEP in the parent's or guardian's native language, and to facilitate the parent's or guardian's participation in any ARD committee meeting, including by arranging for an interpreter, unless it is clearly not feasible to do so. The term "native language" when used with respect to an individual who is limited English proficient, means the language normally used by the individual."³⁴

1.6 *What happens when the parent or guardian of a student attending private school or being homeschooled in the District requests a referral for a special education evaluation?*

The District is responsible for identifying, locating and evaluating those students who reside within the jurisdiction of the District but who are parentally placed in private schools or homeschooled. The parent, legal guardian or teacher of a resident student who is parentally placed in private school or home instructed may refer a student suspected of having a disability and in need of special education and related services to the student's home campus for District zoning purposes.

To meet its *Child Find* obligation to students who are homeschooled or attend private schools, the District offers to meet at least annually with representatives from private schools within the District and with parents who have placed their students in a private school within the District or who home-school their students, about special education and how to refer a student for a special education evaluation, and the special education and related service options available in the event their student is eligible.

If the parent or legal guardian of a student who is home-instructed or who is placed in a private school is offered an initial evaluation by the District but does not provide consent for the evaluation, the District may not use the special education dispute resolution process to override the lack of consent.

1.7 *What about students who transfer?*

If a student is in the process of being evaluated for special education eligibility by another public school district and enrolls in the District before the evaluation is completed, the District will coordinate with the student's previous school district to ensure prompt completion of the initial evaluation. If the student transfers from another public school district when an initial evaluation is pending, the timelines for conducting the evaluation apply to Highland ISD unless:

- the District is making sufficient progress to ensure a prompt completion of the evaluation; and
- the parent and the District agree to a specific time when the evaluation will be completed.

³⁴ 20 U.S.C. § 1401(30); 19 TEX. ADMIN. CODE § 89.1050(f)

If a student transfers from another school district in Texas with an Individualized Education Plan (IEP), the District will provide a free appropriate public education to the transfer student by providing services comparable to the services described in the student’s IEP from the student’s previous school district until:

- the District adopts the student’s IEP from the previous school district, or
- the District develops, adopts and implements a new IEP in accordance with the procedures outlined in **Section 3.0: FAPE**.³⁵

If a student transfers from another state with an IEP, the District will offer services comparable to the services described in the IEP from the sending school district until the District takes the following actions:

- conducts a new full and individual evaluation, as described in **Section 2.0: EVALUATION**, if the Educational Diagnostician, LSSP, Speech Therapist, or other designated provider, determines that a new evaluation is necessary; and
- develops, adopts and implements a new IEP, if appropriate, in accordance with the procedures outlined in **Section 3.0: FAPE**.³⁶

Additionally, the District will take reasonable steps to promptly obtain a transfer student’s special education and general education records from the sending school district.³⁷

1.8 What protections are available for students who have not been identified but may qualify for IDEA’s disciplinary safeguards?

Students not yet eligible for special education and related services may be entitled to the disciplinary protections afforded eligible students, including the manifestation determination review process. The District may be obligated to provide a manifestation determination review and other disciplinary change of placement protections for a student even if the student is not yet determined to be eligible for special education and related services at the time of the violation of the District’s conduct code. Disciplinary protections shall be afforded to a student if the District “had knowledge” that the student is a student with a disability prior to the behavioral incident at issue. The District is considered to have knowledge (1) if the parent or guardian expressed concern in writing to supervisory or administrative personnel, or a teacher of the student, that the student is in need of special education and related services; (2) the parent or guardian of the student requested an evaluation of the student pursuant to IDEA; or (3) the teacher of the student, or other District personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the District. The District does not have knowledge that the student is a student with a disability if the District

³⁵ 34 C.F.R. § 300.323(e)

³⁶ 34 C.F.R. § 300.323(f)

³⁷ 34 C.F.R. § 300.323(g)

sought and the parent refused to permit the student to be evaluated or declined special education and related services, or if the student was evaluated by the District and determined to be ineligible by a duly constituted Admission, Review and Dismissal (ARD) committee.³⁸

FOR CHILDREN BIRTH-THREE YEARS OF AGE
who are Deaf or Hard of Hearing and/or Visually Impaired

ECI	Local Education Agency (LEA)
<p>1. Will be the lead agency responsible for services available as per Part C to all infants and toddlers with disabilities birth through two.</p> <p>a. IFSP must be developed within 45 days of initial referral to ECI;</p> <p>b. New or added services to the IFSP must be delivered initially within 28 calendar days of IFSP date;</p> <p>c. Must attempt to reschedule missed or cancelled visits within 1 week of missed visit</p> <p>d. Will provide training and/or training materials of LEA personnel on DHH/VI documentation procedures as needed or requested.</p>	<p>1. Will meet all Part C requirements, including but not limited to, a family-focused process, flexible hours, full-year services, timelines, and procedural safeguards for children, birth through two years of age.</p> <p>a. New or added services to the IFSP must be delivered initially within 28 calendar days of IFSP date;</p> <p>b. Must attempt to reschedule missed or cancelled visits within 1 week of missed visit</p>
<p>2. Identifies and accesses all services for children, birth through two, with known or suspected auditory and/or visual impairments, including the development of an IFSP in coordination with the LEA within 45 days of referral.</p>	<p>2. As soon as possible, but in no case more than seven days, provide referrals to the local ECI program for all children under three years of age discovered through the Child Find process</p>
<p>3 or affect b. ECI programs will provide to children from birth to 36 months of age suspected of being deaf or hard of hearing (D/HH) or a visual impairment (VI) assistance to the family in obtaining:</p>	<p>3. Will keep a folder on each child that contains, at a minimum, the following documentation:</p> <ul style="list-style-type: none"> • Basic child and family information • Referral information • Consent for assessment by the LEA • A copy of the eye doctor or otologist report

³⁸ 34 C.F.R. § 300.534

<ul style="list-style-type: none"> a. An evaluation by a licensed ophthalmologist or optometrist; b. An audiological evaluation by a licensed audiologist if the audiological assessment indicates the child is deaf or hard of hearing, the contractor must refer the child to an otologist, as noted in c below; and c. An otological examination performed by an otologist or by a licensed medical doctor with documentation than an otologist is not reasonably available; d. with parent consent, ECI programs refer all children who are suspected of being deaf/hard of hearing or visually impaired to the LEA for an evaluation by a teacher certified to teach children with D/HH or VI, whichever is appropriate; <p>For children who are referred to the LEA for a suspected D/HH or VI, ECI programs invite a teacher certified to teach children who are deaf/hard of hearing or visually impaired, as appropriate, to the initial and annual IFSP (individualized family service plan) meetings, and to other IFSP meetings when issues related to the D/HH or VI will be addressed; and</p> <ul style="list-style-type: none"> e. Coordinate service delivery with the LEA and other service agencies. f. Have paperwork received and documented by the 20th of each month. Back to top 	<ul style="list-style-type: none"> • Evaluation/assessment reports • The IFSP • Procedural safeguards forms (e.g., ECI forms containing consent for evaluation/assessment and services for the local school district is providing) • Documentation that written information about the TSBVI and/or the TSD was given to and signed by parents annually. Document parent refusal to sign. Provide ECI a copy and maintain a copy in the LEA local folder. • For children with visual impairments, the Consent for Release of Confidential Information: Student with a Visual Impairment for TEA to release information from the January Registration of Students with Visual Impairments and, for children with deafblindness, permission to release information from the Deafblind Census; and • Copies of progress reports, to be copied to ECI by the 5th of the following month. A copy will be given to the parent if requested. • A list of suggested strategies will be given to the parent to work on between visits as determined by the DHH/VI teacher.
<p>4. Ensures that all children are referred to the LEA for evaluation related to a visual impairment. ECI will refer to the LEA for the following:</p> <ul style="list-style-type: none"> a. A functional vision evaluation and learning media assessment by a VI teacher; b. An orientation and mobility evaluation by a certified O&M specialist c. ECI will provide LEA with a written referral for VI services. 	<p>4. Ensures that all children, birth through two, referred with identified or suspected visual impairments will provide the following:</p> <ul style="list-style-type: none"> a. A functional vision evaluation and learning media assessment by a VI teacher; b. An orientation and mobility evaluation by a certified O&M specialist c. Any evaluations/assessments will be completed and reports provided to the ECI program within LEA timelines from signed parent consent provided by parent or ECI to the district.

<ul style="list-style-type: none"> d. Consultation by a teacher with a Visually Impaired Endorsement who will provide information and recommendations to the local ECI program assessment team; e. Attendance notification will be sent through a 14-day prior written notice, to the VI teacher and/or the specialist of Orientation & Mobility, for the initial and annual IFSP meetings, and other IFSP meetings when issues related to or impacted by the visual impairment will be addressed, f. Services for VI included in the IFSP will be provided by a teacher with a Visually Impaired Endorsement. 	<ul style="list-style-type: none"> d. A VI teacher to consult with the local ECI program assessment team in planning all aspects of the child's assessment and to participate as a member of the interdisciplinary team to determine eligibility and to develop the IFSP, in some cases may be via telephone or video conference with parent consent. e. A teacher with a Visually Handicapped/Impaired Endorsement to attend as a member of the interdisciplinary team, each annual IFSP meeting and each IFSP meeting that addresses issues related to and impacted by the visual impairment. In some cases attendance may be via telephone or video conference with parent consent. The LEA may provide written request to waive the 10-day attendance notice; f. Services by a teacher with a Visually Handicapped/Impaired Endorsement and an orientation and mobility specialist, as specified by the IFSP; g. Will provide separate progress notes for each child so that notes do not contain information about more than one child. The LEA will send originals, copies, or faxed copies of the notes to the ECI program no later than the 5th of the following month. h. Materials that are available through Quota Funds as specified by the IFSP; and i. Registration of each child on the Annual Registration of Students with Visual Impairments; and as appropriate, on the Deaf-blind Census.
<p>5. Ensures that all children are referred to the LEA for evaluation related to deaf/hard of hearing. ECI will refer to the LEA for the following:</p> <ul style="list-style-type: none"> a. A communication assessment, including sign language, conducted by a teacher with a Deaf/Hard of Hearing Certificate or other professionals who are qualified to work with children with auditory impairments; b. Consultation by a teacher with a Deaf/Hard of Hearing Certificate who will provide information and recommendations to the local ECI program assessment team; Back to top c. ECI will provide LEA with a written referral for DHH services; 	<p>5. Ensures that all children, birth through two, referred with identified or suspected deaf/hard of hearing will provide the following:</p> <ul style="list-style-type: none"> a. Assessments required to determine the need for services or adaptive equipment related to the deaf/hard of hearing; b. An D/HH teacher to consult with the local ECI program assessment team in planning all aspects of the child's assessment and to participate as a member of the interdisciplinary team to determine eligibility and to develop the IFSP, in some cases may be via telephone or video conference with parent consent. c. Any evaluations/assessments will be completed and reports provided to the ECI program within LEA timelines from signed

<p>d. Attendance notification will be sent through a 14-day prior written notice, to the D/HH teacher at the initial and annual IFSP meetings and at other IFSP meetings when issues related to or impacted by the deaf/hard of hearing will be addressed; and</p> <p>e. Services for D/HH included in the IFSP will be provided by a teacher with a Deaf/Hard of Hearing Certificate.</p>	<p>parent consent provided by parent or by ECI to the district.</p> <p>d. An D/HH teacher to attend as a member of the interdisciplinary team, each annual IFSP meeting and each IFSP meeting that addresses issues related to and impacted by deaf/hard of hearing. In some cases attendance may be via telephone or video conference with parent consent. The LEA may provide written request to waive the 10-day attendance notice;</p> <p>e. Services by a teacher with a Deaf/Hard of Hearing Certificate as specified by the IFSP;</p> <p>f. Will provide separate progress notes for each child so that notes do not contain information about more than one child. The LEA will send originals, copies, or faxed copies of the notes to the ECI program no later than the 5th of the following month.</p> <p>g. Necessary instructional support to ensure that a child who is deaf/hard of hearing has access to appropriate communication which may include American Sign Language (ASL), information about deaf culture and all educational options, including TSD, as appropriate</p>
<p>ECI will send notification of initial, periodic review, and annual IFSP meetings to DHH/VI teacher & special education director 10-days prior to IFSP meeting. If no response comes from LEA, DHH/VI services will not be addressed at that scheduled IFSP meeting. A later periodic review meeting will be scheduled in order to address DHH/VI services with the DHH/VI teacher present.</p>	<p>Ensures that the DHH/VI teacher(s) will respond in writing to the 10-day prior written notice of the initial, periodic review, and annual IFSP meetings, to indicate the intention to attend or not attend or the need to reschedule.</p>
<p>DHH/VI teachers will have the opportunity to review IFSP periodic reviews developed during unattended meetings which did not address DHH/VI issues. In the case of disagreement with IFSP changes, the DHH/VI teacher must request in writing that the IFSP team reconvene within five days of receipt of the revised IFSP.</p>	<p>DHH/VI teachers will review IFSP periodic reviews developed during unattended meetings which did not address DHH/VI issues. DHH/VI teachers will request in writing that the IFSP team reconvene within five days of receipt of the revised IFSP.</p>
<p>8. Ensures that all families referred for services receive all rights and procedural safeguards as outlined in Part C.</p>	<p>8. Ensures that all families receiving services for DHH/VI will be provided with specific written information about the TSBVI and the TSD annually. This action is to be documented in the child's folder at the LEA, typically by a receipt document or an assurance statement.</p>

<p>9. No Additional Requirements</p> <p>Back to top</p>	<p>9. Ensures that each LEA will enroll all children, birth through two years of age, with visual and/or deaf or hard of hearing impairments who need specialized services and include them in the Public Education Information Management System (PEIMS).</p>
<p>10. No Additional Requirements</p>	<p>10. Ensure that each LEA will cooperate fully with all complaint investigations conducted under Part C or the Family Educational Rights and Privacy Act (FERPA) and all data collection efforts to the extent permitted by law.</p>
<p>11. Recognizes that the IFSP and IFSP team meeting will replace the individualized education program (IEP) and the admission, review and dismissal (ARD) committee for children birth through two with visual and/or deaf or hard of hearing impairments.</p> <p>Back to top</p>	<p>11. Recognizes that the IFSP and IFSP team meeting will replace the individualized education program (IEP) and the admission, review and dismissal (ARD) committee for children birth through two with visual and/or deaf or hard of hearing impairments.</p>

TRANSITION PROCESS

ECI	LEA
<p>By 27-33 months, strategies addressing transition must be included in the IFSP. The IFSP must include the steps ECI will take to assist the family in preparing their child for transition, which will take place on the child’s third birthday to:</p> <ul style="list-style-type: none"> • Early Childhood Special Education; or • Other services that may be available, if appropriate. 	<p>LEAs coordinate efforts with ECI programs to support parent involvement in the transition planning process</p>
<p>Part B Potentially Eligible Notification: ECI is required to notify the LEA of children who are potentially eligible for the special education program at least 90 days before the child’s third birthday unless the parent opts out. This can be done at the transition conference, in a referral packet, or a written list titled Part B Potentially Eligible Notification- including limited personally identifiable information. Limited personally identifiable information will include:</p> <ol style="list-style-type: none"> i. Child’s Name ii. Date of Birth iii. Parent’s Name(s) iv. Language v. Address vi. ECI contact person 	<p>LEA will treat the Part B Potentially Eligible Notification as the initial referral. LEA will work with ECI to obtain written consent to determine eligibility.</p>

- vii. ECI contact phone number
- viii. Reason for late, if necessary

ECI will use the definition of potentially eligible provided by the State ECI.

*IFSP teams will need to consider the 13 disability categories for special education. *Texas uses the following list of disability categories to determine if a child (aged 3-21) is eligible for special education and related services:*

- *Autism (AU)*
- *Deaf-Blindness (DB)*
- *Deaf/Hard of Hearing (D/HH)*
- *Emotional Disturbance (ED)*
- *Intellectual Disability (ID)*
- *Multiple Disabilities (MD)*
- *Orthopedic Impairment (OI)*
- *Other Health Impairment (OHI)*
- *Learning Disability (LD)*
- *Speech Impairment (SI)*
- *Traumatic Brain Injury (TBI)*
- *Visual Impairment (VI)*
- *Non-Categorical Early Childhood (NCEC)*

These listed disability categories are more general in nature than a specific diagnosis. Only a few specific diagnoses are mentioned under the federal definitions. However, it is interesting to note that one of the changes made to IDEA 2004 was the specific mention of Tourette's Syndrome under "Other Health Impairment". You can find the definitions of each of these categories in TEA's Rules and Regulations for special education side-by-side document at www.tea.state.tx.us/special.ed/rules.

The "Non-Categorical Early Childhood" category is not in IDEA but was added in Texas to allow preschoolers to be found eligible for special education without being labeled with a specific disability. They do, however, still have to go through the evaluation process. In Texas, a child between the ages of 3-5 may be described as "NCEC" if he or she has been found to need special education as a result of:

- *Intellectual Disability (ID),*
- *Emotional Disturbance,*
- *Specific Learning Disability, or*
- *Autism.*

To be eligible for special education services the child must have a disability identified in one of the categories above, AND have an educational need. Teams may want to consider a child potentially eligible for special education if

<p><i>the child has a disability (or disabilities) that can be expected to adversely affect his/her ability to reach age-appropriate educational goals without direct or indirect support from a special education teacher, therapist, and/or other special educator. A disability can affect the educational process when it interferes with the child's ability to:</i></p> <ul style="list-style-type: none"> • <i>learn,</i> • <i>maintain health status required to attend and participate in school,</i> • <i>navigate the school environment,</i> • <i>make and maintain positive relationships with other children,</i> • <i>communicate effectively with others,</i> • <i>understand and process verbal instruction, and/or</i> • <i>manage his/her own behavior.</i> 	
<p>The ECI service coordinator contacts the LEA to coordinate the transition conference (face-to-face meeting). The transition conference may occur as early as nine months prior to and no later than 90 days prior to the child's third birthday. The ECI service coordinator will attend the transition conference (face to face meeting).</p> <p>108.1217 (b)</p> <p>If the parent gives approval to convene the LEA Transition Conference, the contractor must:</p> <p>(1) meet the requirements in 34 CFR 303.342 and 303.343 which requires:</p> <p>(A) the face-to-face attendance of the parent and the service coordinator; and</p> <p>(B) at least one other ECI professional</p> <p>who is a member of the IFSP team who may participate through other means as permitted 34 CFR</p> <p><i>Reading further in a Q & A : Q: Does the face to face transition meeting have to occur as part of an IFSP?</i></p> <p><i>A. No, the transition conference with the LEA and the community transition meetings do not need to occur as part of an IFSP meeting. However, they do need to meet the federal requirements of an IFSP meeting...which is notice, consent, and confidentiality</i></p> <p>ECI will invite the LEA at least 14 days before the transition conference.</p>	<p>. Each LEA will participate in transition planning conferences arranged by the designated local ECI program. In Texas, the transition planning conferences are held no later than 90 days before the child's third birthday. (34 CFR §300.124)</p> <p>LEA may waive the 14 day requirement upon verbal request to convene at an earlier date.</p>

If the child is referred to ECI less than 90 days prior to the child's third birthday, no transition conference is required. *The Part B Potentially Eligible Notification* will still be sent to the school with parent consent.

**The service coordinator will contact the LEA – special education director to schedule the conference. See directory for contact per LEA.

Note: A transition conference can be initial referral for evaluation. A referral for evaluation is initiated once the LEA obtains written consent for evaluation from the parent/guardian.

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Note: A transition conference can be initial referral for evaluation. A referral for evaluation is initiated once the LEA obtains written consent for evaluation from the parent/guardian.

At the transition conference, the family will meet with the LEA contact who will:

- Explain and give a copy of a *Guide to the Admission, Review, and Dismissal Process*.
- Discuss how eligibility is determined, the assessment process, and the ARD process.
- Discuss the continuum of services that may be available to the child should the child be determined eligible for services under Part B.
- The LEA documents the date of the transition conference, participants, and the steps discussed to determine the child's Part B eligibility.
- The LEA follows up with the family as appropriate after the transition conference.

By the third birthday, an IEP has been developed and is being implemented. (34 CFR §300.124; 34 CFR §300.101) Services are made available to students on their third birthday. (34 CFR §300.101(b))

. If the school is not available (i.e. summer) ECI will conduct the meeting and provide the parent information about preschool special education and related services, including a description of the Part B eligibility definitions, timelines, and process for consenting to an evaluation and eligibility determination and extended year services

. Each LEA will provide information on the following to ECI: information about preschool special education and related services, including a description of the Part B eligibility definitions, timelines, and process for consenting to an evaluation and eligibility determination and extended year services

<p>5. No Additional Requirements</p>	<p>If the child's third birthday occurs during the summer, the child's ARD committee shall determine the date when services under the IEP will begin. The ARD committee decides when services begin on an individual basis (i.e., immediately through Extended School Year [ESY] services or on the first day of the regular school year). (34 CFR §300.101(b)(2))</p>
<p>As soon as possible after the transition conference (face-to-face meeting), if the family wants their child to be referred to the LEA for an evaluation to determine eligibility for special education services, the service/transition coordinator obtains a signed Consent for Release of Records and sends referral and records to the LEA. Records to be sent to the LEA include:</p> <ul style="list-style-type: none"> • A copy of the signed Consent for Release of Information • A referral cover sheet • A copy of the latest of IFSP or IFSP review • The latest evaluation which includes vision and hearing (included in the Complete IFSP). • Early Childhood Outcomes Summary Form (when available). <p>If the service coordinator reasonably suspects that the child may need Extended School Year Services, documentation of experience of regression and recoupment (which may include formal and/or informal evaluations) should be included within the records sent to the LEA.</p> <p>ECI service/transition coordinator will continue to forward pending/completed evaluations and IFSP's to the LEA with parent consent.</p> <p>ECI will document confirmation that referral information about the child has been transmitted to the LEA.</p> <p>Back to top</p>	<p>LEA will receive ECI records and information. LEA will consider and decide on ESY recommendations.</p>

<p>7. No Additional Requirements</p>	<p>7. LEA will schedule a meeting to discuss evaluation and obtain consent for evaluation prior to the child's third birthday.</p> <p>The parent is provided a copy of the <u>Notice of Procedural Safeguards: Rights of Parents of Students with Disabilities and a Guide to the Admission, Review and Dismissal Process</u>. Parent signs a receipt verifying that they have received the documents and understand the contents.</p> <p>The LEA shall have procedures in place which meet the timeline requirements for evaluation and the initial ARD committee meeting for children referred during the summer. The ARD Committee decides when services begin for these children on an individual basis (i.e., immediately through Extended School Year [ESY] services or on the first day of the regular school year).</p> <p>If the LEA determines that it will not conduct an evaluation requested by the parent of the child, the LEA will provide the parent Prior Written Notice and a copy of the <i>Notice of Procedural Safeguards</i> of this decision within five school days of the decision. (34 CFR §300.503; 19 TAC §89.1015)</p>
<p>The ECI service coordinator may attend the evaluation upon request of the LEA or the child's parent. Parent consent is required for the attendance of the ECI service coordinator at the evaluation. Consent for release of confidential information is required to release information to the ECI.</p>	<p>The LEA will conduct a full and individual initial evaluation (FIIE) according to IDEA guidelines. (34 CFR §300.301)</p> <p>The LEA will notify necessary specialists for evaluation (OT, PT, DHH/VI, etc.).</p> <p>The LEA may accept an outside evaluation or conduct an evaluation to determine eligibility for special education services under Part B.</p>
<p>The ECI service coordinator may be notified of the ARD meeting.</p>	<p>The LEA will schedule an ARD meeting with the family to review the results of the evaluation. LEAs will invite the ECI service coordinator to the initial ARD committee meeting at the request of the parent.</p>
<p>D. The ECI service coordinator may attend the ARD meeting at the request of the parent or the LEA. Parent consent is required for the attendance of the ECI service coordinator at the request of the LEA. Consent for release of</p>	<p>D. During the ARD meeting, the evaluation results are discussed and the eligibility determination is made. If the child is determined eligible for special education</p>

<p>confidential information is required to release information to the ECI.</p> <p style="text-align: center;">HYPERLINK "SectionLink " Back to Top</p>	<p>services under Part B, the IEP is developed (34 CFR §300.323).</p> <p>The ARD committee determines placement based on the least restrictive environment (LRE), within a continuum of services in which a child's IEP goals can be achieved.</p> <p>The parent must provide consent for initial placement prior to initiation and implementation of special education services.</p> <p>The parent reserves the right to not provide consent for the initial provision of special education and related services.</p> <p>The parent reserves the right to revoke consent for special education services at any time.</p>
<p>1. If the ECI service coordinator does not attend the ARD meeting, he/she may request information regarding results of the ARD.</p>	<p>1. The LEA will obtain consent for release of confidential information prior to releasing information.</p>
<p>2. ECI will continue to provide full IFSP services until the day before the child's third birthday.</p>	<p>12. The LEA will provide services as outlined in the IEP.</p>

PROCEDURES FOR CHILDREN TURNING THREE DURING THE SUMMER

ECI	LEA
<p>1. ECI will make every effort to schedule transition conference meetings before the end of the school year for children turning three during the summer months for children enrolled prior to the summer months.</p>	<p>1. Transition Conference (face-to-face meeting) and evaluations will be scheduled so that the ARD committee meeting will be convened prior to the student's third birthday, and if possible prior to the end of the school year preceding the child's third birthday.</p>

PROCEDURES FOR CHILDREN REFERRED TO ECI LESS THAN 90 DAYS BEFORE THE CHILD'S THIRD BIRTHDAY

ECI	LEA
1. ECI will inform family of options for services and timelines that need to be followed.	1. No Additional Requirements
<ul style="list-style-type: none"> The ECI service coordinator will complete a Part B Potentially Eligible Notification and send to the LEA for potentially eligible children aged 33-36 months and include in the notification the reason for the delay. 	2. LEAs understand that receiving notification of a child who is potentially eligible for Part B services constitutes a referral to the Part B system and that steps must be taken to initiate the evaluation process to determine whether the child is eligible for Part B services.
<ul style="list-style-type: none"> If a child is referred fewer than 45 days before the child's third birthday, the IFSP team is not required to plan steps in transition services. ECI may refer child directly to the LEA with written parent consent. 	3. For children who are referred from ECI less than 45 days prior to their third birthday, the LEA will treat these students as Child Find and follow Child Find procedures and timelines to determine eligibility. They are not included in SPP 12 data collection.

SCHOOL ACTION PLAN

Event	LEA Action Required
Part B Potentially Eligible Notification	<ul style="list-style-type: none"> Document and treat as Referral Collaborate with ECI to get Consent to evaluate for eligibility Assess Hold ARD meeting Implement IEP by 3rd Birthday
Invitation to Transition Conference	<ul style="list-style-type: none"> Attend and treat as Referral Document date of conference, the participants, and the steps to determine a child's part B eligibility. Collaborate with ECI to get Consent to evaluate for eligibility Assess Hold ARD meeting Implement IEP by 3rd Birthday
DHH/VI Referral for Services	<ul style="list-style-type: none"> Refer ECI to DHH/VI teacher DHH/VI Teacher then: <ul style="list-style-type: none"> Obtain Assessment Consent Form Assess Attend IFSP meeting Begin Services if eligible Report Progress Notes for Each Visit to ECI by 5th of Following Month- include "Parent To-Do List" at Visit

DEFINITIONS

ARD- Annual Review and Dismissal Meeting held to put services in place, similar to an IFSP meeting

D/HH- Deaf or Hard of Hearing

ECI- Early Childhood Intervention agency

ESC 14- Education Service Center Region 14

ESY- Extended School Year or summer school

IEP- Individualized Education Plan used to define services for academic aged children (3-21)

IFSP- Individualized Family Service Plan as defined in 34 CFR §303.20. A written plan of care for providing early childhood intervention services and other medical, health and social services to an eligible child and the child's family when necessary to enhance the child's development.

IFSP Team- An interdisciplinary team that meets the requirements in 34 CFR §303.24(b) (relating to Multidisciplinary), and develops, reviews, modifies, and approves the IFSP and includes the parent, the service coordinator, all ECI professionals providing services to the child, as planned on the IFSP, certified Teachers of the Deaf and Hard of Hearing, as appropriate, and certified Teachers of Students with Visual Impairments, as appropriate.

LEA- Local Education Agency

Limited Personally Identifiable Information- the child's and the parent's names, addresses, and phone number, child date of birth, service coordinator's name, language spoken by the child and family

Natural Environment- As defined in 34 CFR §303.26, settings that are natural or typical for a same-aged infant or toddler without a disability, may include the home or community settings, and must be consistent with the provisions of 34 CFR §303.126.

(What is not a natural environment? Hospitals, clinics, rehab centers, therapists offices, group home setting)

Settings that individual families identify as natural or normal for their family including the home, neighborhoods, and community settings in which children without disabilities participate.

Part B Potential Eligibility Notification- information sent to the school to begin the referral process, similar to the former 90-day referral. IDEA Part B has 13 eligibility categories (*see pages 8-9 for categories*).

Prior Written Notice- The school district must give a written notice (information received in writing), whenever the school district:

- (1) Proposes to begin or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education (FAPE) to a child; or
- (2) Refuses to begin or change the identification, evaluation, or educational placement of a child or the provision of FAPE to a child.

The school district must provide the notice in understandable language (34 CFR §300.503(c)).

Procedural Safeguards- This document gives a parent of a child with a disability, a description of their legal rights, or procedural safeguards, under the Individuals with Disabilities Education Act (IDEA).

Service Coordinator- The contractor's employee or subcontractor who:

- (1) meets all applicable requirements in Subchapter C of this chapter (relating to Staff Qualifications);
- (2) is assigned to be the single contact point for the family;
- (3) is responsible for providing case management services as described in §108.405 of this title (relating to Case Management Services); and
- (4) is from the profession most relevant to the child's or family's needs or is otherwise qualified to carry out all applicable responsibilities.

SPP 12- State Performance Plan Indicator 12 for federal data collection on Early Childhood Transition from Part C to Part B, required of LEA

SSA- Shared Service Arrangement or Education Cooperative (Co-op)

Transition Conference- former 120-day, tour of campus, treated as referral to LEA

TSBVI- Texas School for the Blind and Visually Impaired

TSD- Texas School for the Deaf

VI- Visual Impairment