

- develop an individualized education program (IEP) for each student that will help him/her be involved in and progress in the general curriculum;
- decide what special instruction and related services the school district will provide;
- provide services in the least restrictive environment (a placement that allows a student with disabilities to be educated to the maximum extent appropriate with students who do not have disabilities);
- maintain education records/files; and
- provide processes for resolving parent complaints and grievances.

Section 504: Under Section 504 (of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 794), no program or activity receiving federal money may discriminate against any qualified person with a disability. These regulations apply to all schools, including private schools that receive or benefit from federal funds. Each district is required to have a 504 officer. You can get more information on Section 504 from:

U.S. Office for Civil Rights, Dallas Office 1999 Bryan Street, Suite 1620 Dallas, Texas, 75201 (214) 661-9600 Web site: <http://www.ed.gov/OCR> E-mail: OCR_Dallas@ed.gov

Some students who do not qualify for special education services under the IDEA may receive services under Section 504. Students with Attention Deficit/Hyperactivity Disorder and some students with Dyslexia are good examples. Section 504 also requires that all students have an equal opportunity to participate in activities and services at school, including: school clubs, athletic programs, social activities, transportation, health and counseling services and vocational programs.

Americans with Disabilities Act (ADA): The ADA is a federal law passed in 1990 which gives people with disabilities, including students, protections like those provided to people on the basis of race, sex and national origin. All public schools must comply with the ADA. The ADA bans discrimination based on disability in the areas of public accommodations, state and local government services, employment,00912 0 616rnc5e idetion based on disa di(699(di)-4((699)TJETQq0.00000

Confidentiality of Records A student's records are private, and school districts, with some exceptions, must get parental consent before showing the records to anyone not involved in the student's education. The school should have a list of the names and positions of school employees who can see your child's records without your consent. At no time should other students have access to private records.

Getting Records If you think something written in the education records is wrong or misleading, or violates your child's rights, ask school officials to change it. Within a reasonable time, they must decide whether they will make the change. If school officials refuse to make the requested change, they must tell you they have refused and let you know about your right to a hearing. This hearing is different from the due process hearing mentioned elsewhere in this manual. If the hearing shows the records are wrong, school officials must change the records and let you know in writing what changes they made. If the hearing shows the school district does not have to change the records, they must allow you to add your own statement to the records explaining why you disagree or why you think the statements are unfair. The school district must keep your statement with the records. Whenever the school district shows the records to other people, they must show your statement also. If you have questions about getting information in your child's records changed, contact the Executive Director for Special Education, Counseling and Psychological Services.

Other Records You also have the right to see any education records kept by private schools which receive federal funds, state schools, state hospitals, state agencies and community Mental Health and Intellectual and Developmental Disabilities (MM/DD). While there are exceptions, these records are private and usually cannot be shown to persons who are not employees without your consent.

Words to Know

Accommodations: Adjustments made in how a student with a disability is taught or tested. Accommodations do not change what the student is taught or what they are expected to know. Common examples of accommodations are: highlighted textbooks, extensions of time for a student who writes slowly, or seating close to the teacher.

ADA (American with Disabilities Act): A federal law passed in 1990 that prohibits discrimination against persons with disabilities. Public schools are covered by the ADA.

Adapted Physical Education (APE):

Alternate Education Programs (AEP): A disciplinary placement for students who violate the district's student code of conduct or engage in behaviors that would result in an AEP placement. Placement of students with a disability is determined by the ARD committee.

ARD Committee (Admission, Review, and Dismissal Committee): In Texas, the name for the group made up of a student's parents and school staff who meet at least annually to decide whether or not the student has an eligible disability and what special education and related services will be provided. Its major responsibility is the development of the individual education program (IEP) for students receiving special education services. In Texas, these meetings are called "ARD meetings", and the committee develops the ARD document.

Assessment: Testing done by school staff to gather information about a student. All students are required to take the statewide assessment called the State of Texas Assessment of Academic Readiness (STAAR). Students receiving special education services take the same state and district

Developmental Delay: Refers to a child who has not gained developmental skills expected of him/her, compared to others of the same age.

Early Childhood Intervention (ECI): A statewide program for children from birth to age three who have developmental delays. Services are available for eligible children in their natural environment (home, day care, preschool, etc.). An Individual Family Service Plan is developed for each child.

Early Childhood Special Education (ECSE):

Functional Behavioral Assessment (FBA): An assessment of why a student behaves as he/she does given the nature of the student's disability and considering environmental factors. The FBA is used by the ARD committee in developing a student's Behavior Intervention Plan (BIP).

Homebound: An in-home program established for students whose illness or injury prevents them from attending school for four or more weeks as determined by a physician and an ARD Committee.

State of Texas Assessments of Academic Readiness (STAAR): STAAR will be given to students in grades 3-8 and to students taking high school level End of Course (EOC) exams including English I, English II, Algebra I, Biology and U.S. History.

Texas Education Agency (TEA): The state agency ultimately responsible for making sure every

OT Occupational Therapy

PASS Positive Approach to Student Success

PBIS Positive Behavioral Interventions and Supports

PBMAS Performance Based Monitoring Analysis System

PEIMS Public Education Information Management System

PLAAFP Present Level of Academic Achievement & Functional Performance

PT Physical Therapy

RDSPD Regional Day School Program for the Deaf

REED Review of Existing Evaluation Data

RPTE Reading Proficiency Tests in English

RTI Response to Intervention

SC Self-Contained

SI Speech Impairment

SLD Specific Learning Disability

SLP Speech Language Pathologist

SSI Student Success Initiative

STAAR State of Texas Assessments of Academic Readiness

TAC Texas Administrative Code

TBI Traumatic Brain Injury

TCB Texas Commission for the Blind

TEA Texas Education Agency

TEC Texas Education Code

TEKS Texas Essential Knowledge and Skills

TSBVI Texas School for the Blind and Visually Impaired

TSD Texas School for the Deaf

VI Visual Impairment

WBL Work Based Learning

This list is not a fully exclusive list.

Eligibility Categories for Special Education under IDEA

If the full and individual evaluation shows that a student meets one or more of the following, an ARD committee will meet to determine if he / she is eligible to receive special education services under IDEA.

- **Autism (AU):** a developmental disability significantly affecting verbal and nonverbal communication and social interaction that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotypical movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.
- **Deaf-Blindness (D-B):** visual and hearing impairments that occur or exist concurrently, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafne

- As you review the draft of the goals and objectives/benchmarks, remember that the IEP must be

- If you disagree with any required elements of the IEP, the school must offer you a recess of no more than 10 school days. You and other ARD members must agree on a time, date and place for the next meeting.
- During the recess, you may gather more information, think of new options, work on documentation or get other people involved.

Keep in mind that if you are not in agreement with the student's IEP or placement after the recess, the school can implement the IEP unless you file for a due process hearing within 5 days following the ARD.

Closing the Meeting

Tell the ARD committee the ways you will be a supportive member of your team. You can provide support to your team by

- saying you want to be involved and are willing to help,
- giving positive feedback to teachers and administrators about things that work well for your child,
- becoming involved and visible by volunteering in the classroom, library, or other school programs; attending school functions; joining the P.T.A. and participating in site-based management teams and meetings and special events, or
- communicating regularly with teachers throughout the year (notebooks, phone calls, meetings) and/or sharing articles and other resources of interests. Ask your child's teachers the best way to communicate with them (email, notes, phone calls, etc.).

Procedural Safeguards explain the following information:

- All information has to be in your native language or an interpreter must be available to help you understand the information.
- In order to evaluate your child, the school must have written consent for the assessment. The consent can be revoked at any time.
- Any time action is taken that would impact a child's education, the child is being evaluated for special education or the program changes, prior written notice has to be given. The school must provide information on what evaluation procedures will be followed and you will be given a contact person's name, phone number and address to contact with any questions about this process.
- During the evaluation time, a collection of information about your child's special learning needs, strengths and interests wi

