



International Leadership of Texas, Inc.

October 21, 2020 Regular Board Meeting

Date and Time

Wednesday October 21, 2020 at 6:15 PM CDT

Meeting Notice & Mission Statement

In compliance with the Texas Open Meetings Act, the Texas Government Code, Chapter 551, timely public advance written notice (at least 72 hours before the scheduled time of the meeting) is given of the subjects to be considered by the Board of Directors of International Leadership of Texas (the "Board") and the Board will convene a Regular Open Meeting of the Board of Directors of International Leadership of Texas on the date and time set forth herein.

Special Notice: Public Meetings at Headquarters are Suspended Until Further Notice:

International Leadership of Texas Board of Directors will be holding its regularly scheduled public board meeting at the date and time noticed above. Members of the public will be able to watch the meeting via the link <https://zoom.us/j/801651349> or by a link that will be posted on the ILTexas.org website (click the button "Board Meetings" to view any updates to this Notice).

If you would like to sign up to speak at the meeting, please send your name to board@iltexas.org, 24-Hours in advance of the noticed Meeting time so that we will be able to promote you to a panelist, which will allow you to speak with our board members.

It normally is the intent of the Board to have a quorum physically present at the above address and to allow any Board members not physically present to participate by live two-way video and audio feed in accordance with the Texas Open Meetings Act. However, due to the COVID-19 Coronavirus Pandemic and the governmental and administrative responses to that Pandemic, the Board intends to conduct the Meeting via videoconference. A quorum of the Board will not be physically present at the usual Headquarters address. Neither will the presiding officer physically be present there. Nevertheless, the Meeting will be open to the public. Every effort will be made to facilitate public viewing of the Meeting while it is in progress via live video feed and, subject to limitations of the technology and logistics, to allow the usual opportunities for those who wish to speak to do so. Please access this Agenda via the ILTexas website as the time of the Meeting approaches, in order to find any additional information or updated links concerning the Meeting.

The Board hereby certifies that this notice was posted on a bulletin board or on something akin thereto or at a place readily accessible and convenient to the public at 1820 N. Glenville Dr., #100, Richardson, TX 75081, as well as online at www.ILTexas.org. The items on this Agenda may be taken in any order. The mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character.

/s/ Finn Simmensen, For ILTexas' Board

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:15 PM
Opening Items			
A. Record Attendance and Guests			
B. Call the Meeting to Order			
II. Public Speakers			
Board Services			
A. Guests who spoke, if any	FYI		
III. Approve Minutes of Prior Meetings			
A. APPROVE MINUTES OF SEPTEMBER 16, 2020 REGULAR MEETING	Approve Minutes		
IV. Executive Session			
A. AUTHORIZATION	FYI		
Closed Session for Any and All Reasons Permissible by Texas Law, including, but not limited to, Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.082, 551.083, 551.084, pertaining to any item listed on this agenda, as permitted by applicable law.			
B. CONSULT WITH COUNSEL	Discuss		
Consult with school counsel pursuant to Government Code 551.071.			
V. Superintendent-CEO Report and Information Items			
A. SUPERINTENDENT-CEO REPORT	FYI	Eddie Conger	
B. SCHOOL LEADERSHIP REPORT	FYI	Dr. Thomas Seaberry	
C. CHIEF ACADEMIC OFFICER REPORT	FYI	Dr. Laura Carrasco	

	Purpose	Presenter	Time
Discussion of ILTexas EL Program Evaluation			
D. CHIEF ADMINISTRATIVE OFFICER REPORT	FYI	Jerry McCreight	

VI. Consent Agenda

A. VOTE ON CONSENT AGENDA ITEMS	Vote		
<ol style="list-style-type: none"> 1. ACT TO APPROVE TEMPORARY RELOCATION OF LDHS IN-PERSON STUDENTS TO LK8 DURING EARLY VOTING SEASON. 2. ACT TO APPROVE CHANGE OF DISTRICT ADDRESS DUE TO LEASE EXPIRATION AND PURCHASE OF NEW HQ PROPERTY. 3. ACT ON REIMBURSEMENT RESOLUTION 20201021 (CONSTRUCTION-RENOVATION CONTRACTS). 4. ACT TO APPROVE FINAL ASYNCHRONOUS PLAN WITH INSTRUCTIONAL SCHEDULE. 5. ACT TO APPROVE ADDITIONAL SCHOOL DAYS ON THE ILTEXAS ACADEMIC CALENDAR. 			

VII. Other Board Items for Discussion/Action

A. CONSIDER/ACT ON SEPTEMBER, 2020 FINANCIAL REPORT	Vote	James Dworkin	
Discuss/Take Action to approve the September, 2020 International American Education Federation (d.b.a. International Leadership of Texas) Financial Report.			
B. CONSIDER/ACT ON ANNUAL UPDATE OF SPECIAL EDUCATION POLICIES AND PROCEDURES	Vote	Shannon Urbina Haider	
Discuss/Take Action to approve Special Education Policies (no changes), and Local Procedures and Procedure Manual as prepared by the Special Populations Department to comply with requirement to file annual updates with the Texas Education Agency.			
C. CONSIDER/ACT TO RATIFY CONTRACTS EXECUTED BY ADMINISTRATION DURING SCHOOL YEARS 2019-2020 AND 2020-2021	Vote	Eddie Conger	
Discuss/Take Action to ratify contracts executed by administration during the 2019-2020 School Year and during the 2020-2021 School Year to date.			
D. CONSIDER/ACT TO RATIFY 7811 UNIVERSITY HILLS PROPERTY PURCHASE	Vote	Eddie Conger	
E. CONSIDER/ACT TO RATIFY THE AUTHORIZATION OF RETAINING THE LAW FIRM OF GEARY, PORTER & DONOVAN TO LITIGATE 7811 UNIVERSITY HILLS MATTER	Vote	Eddie Conger	
F. CONSIDER/ACT ON SUPERINTENDENT-CEO CONTRACT	Vote	Eddie Conger	
Discuss/Take Action on periodic review and renewal of Superintendent-CEO contract.			

	Purpose	Presenter	Time
VIII. Closing Items			
A. Adjourn Meeting	Vote		

Coversheet

APPROVE MINUTES OF SEPTEMBER 16, 2020 REGULAR MEETING

Section: III. Approve Minutes of Prior Meetings
Item: A. APPROVE MINUTES OF SEPTEMBER 16, 2020
REGULAR MEETING
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for September 16, 2020 Regular Board Meeting on September 16, 2020



International Leadership of Texas, Inc.

Minutes

September 16, 2020 Regular Board Meeting

Date and Time

Wednesday September 16, 2020 at 6:15 PM

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/s/ Finn Simmensen, For ILTexas' Board

Directors Present

Dr. Lynne Beach (remote), Major General James Williams (remote), Soner Tarim (remote), Tracy Cox (remote)

Directors Absent

Chris Moreland, PETER GUDMUNDSSON

Guests Present

Aaron Thorson, Alexander Maldonado, Amy Michie, Caitlin Madison, Charles Klein, Craig Timberlake, Dorothy Weldon, Dr. Laura Carrasco, Dr. Thomas Seaberry, Eddie Conger, Finn Simmensen, James (Tim) Brightman, James Dworkin, Jerry McCreight, Kayla Nations-Perkins, Lucy Mariappa, Mary Albritton, Regina Jones, Veronica Ibarra, Victor Carrillo

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

Major General James Williams called a meeting of the board of directors of International Leadership of Texas, Inc. to order on Wednesday Sep 16, 2020 at 6:16 PM.

II. Approve Minutes of Prior Meetings

A. APPROVE MINUTES OF AUGUST 19, 2020 REGULAR MEETING

Dr. Lynne Beach made a motion to approve the minutes from August 19, 2020 Regular Board Meeting on 08-19-20.

Tracy Cox seconded the motion.

The board **VOTED** unanimously to approve the motion.

B. APPROVE MINUTES OF AUGUST 27, 2020 SPECIAL BOARD MEETING

Dr. Lynne Beach made a motion to approve the minutes from August 27, 2020 Special Board Meeting on 08-27-20.

Tracy Cox seconded the motion.

The board **VOTED** unanimously to approve the motion.

III. Executive Session

A. AUTHORIZATION

The Board entered Executive Session at 7:46 p.m. and returned to Open Session at 8:45 p.m., having made no decisions and conducted no votes while in Executive Session.

IV. Superintendent-CEO Report and Information Items

A. SUPERINTENDENT-CEO REPORT

Superintendent-CEO Eddie Conger reported to the Board. Mr. Conger introduced Chief Equity Officer Regina Jones, who reported to the board. Ms. Jones reported to the Board on attendance: College Station: 581 attending with one testing positive. Harris County: seven staff members tested positive, all of these off campus. Dallas County: one positive prior to first day of school; three others, not on campus. Tarrant: two staff members and one student, all off campus. Additionally, Ms. Jones reported on monitoring of students and staff who reported having relatives, caregivers or neighbors as positive or symptomatic. Ms. Jones also reported on monitoring of contract service workers. Additionally, Ms. Jones reported to the Board on efforts toward empathy and respect, teams advising on equity, and on equality of opportunity with respect to race, culture and language.

Craig Timberlake reported on a webinar and upcoming speaker series to assist teachers, students and the ILTexas community with challenging cultural discussions at school.

B. SCHOOL LEADERSHIP REPORT

Deputy Superintendent Dr. Thomas Seaberry reported to the Board. Three options in CS were found to be burdensome for our teachers. Option 1: 1200 for Cycle Two. 2400 Option 2. 5300 Option 3. On visits to schools in Harris County, observed operations were remarkably smooth. Driveline remains a challenge. Additionally, Dr. Seaberry reported on student achievement rating: 80, nearly double the state expectation. Similarly superior career readiness results by ethnicity and economic situation.

C. CHIEF ACADEMIC OFFICER REPORT

Chief Academic Officer Dr. Laura Carrasco reported to the Board. Week 6. An upcoming Data Day. Reading Academy training efforts. Fine Arts electives are offered, including all campuses being part of UIL competition. Instructional Coaching Playbook. Modified TTESS for assessing teachers, to be used as a coaching tool.

D. CHIEF ADMINISTRATIVE OFFICER REPORT

Chief Administrative Officer Jerry McCreight reported to the Board on onboarding, new hires, resignations, authorized positions, vacancies. Mr. McCreight also reported on COVID-related requests for accommodations by employees. Dr. Seaberry joined, adding appreciation for exceptional service by HR. Dr. Lynne Beach added remarks concerning COVID.

V. Consent Agenda

A.

VOTE ON CONSENT AGENDA ITEMS

Dr. Lynne Beach made a motion to approve the Consent Agenda.

Soner Tarim seconded the motion.

As to Item 1, Title IX, motion by Dr. Beach, second by Dr. Tarim, unanimously in favor.

As to Item 2, motion by Tracy Cox, Second by Dr. Beach, unanimously in favor.

As to Item 3, motion by Dr. Beach, second by Dr. Tarim, unanimously in favor.

The board **VOTED** unanimously to approve the motion.

VI. Other Board Items for Discussion/Action

A. CONSIDER/ACT ON AUGUST, 2020 FINANCIAL REPORT

Tracy Cox made a motion to approve the August, 2020 Financial Report.

Soner Tarim seconded the motion.

CFO James Dworkin reported to the Board.

The board **VOTED** unanimously to approve the motion.

B. CONSIDER/ACT TO ACCEPT AUDIT

Soner Tarim made a motion to accept the draft Audit Report.

Tracy Cox seconded the motion.

This Item was considered first after Call to Order. CFO James Dworkin introduced Amy Michie of auditor Sutton Frost Carey. Ms. Michie briefed the Board on the Annual Financial Report. Unmodified Opinions. Internal controls free of deficiencies & the like. Best possible.

Next Item taken up after this was the Superintendent-CEO Report.

The board **VOTED** unanimously to approve the motion.

C. CONSIDER/ACT ON POSSIBLY INITIATING LAWSUIT REGARDING 7811 UNIVERSITY HILLS PROPERTY

Tracy Cox made a motion to approve initiating suit.

Dr. Lynne Beach seconded the motion.

The board **VOTED** unanimously to approve the motion.

D. CONSIDER/ACT ON CONTRACT WITH KEY CONSTRUCTION FOR TEMPORARY SCHOOL AT ILTEXAS AGGIELAND HS

Dr. Lynne Beach made a motion to approve contract.

Soner Tarim seconded the motion.

The board **VOTED** unanimously to approve the motion.

VII. Closing Items

A. Adjourn Meeting

Dr. Lynne Beach made a motion to adjourn.

Soner Tarim seconded the motion.

The board **VOTED** unanimously to approve the motion.

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:49 PM.

Respectfully Submitted,

Finn Simmenssen

Coversheet

CHIEF ACADEMIC OFFICER REPORT

Section: V. Superintendent-CEO Report and Information Items
Item: C. CHIEF ACADEMIC OFFICER REPORT
Purpose: FYI
Submitted by:
Related Material: CAO Report items combined 10-21-20.pdf

CAO Report Part 1

CAO PRESENTATION ITEMS

ILTexas Chief Academic Officer Board Report

**[Week 5 of the Second 6 Weeks Grading
Period]**

October 21, 2020
Presented by: Dr. Laura Carrasco



ILTexas Charter-Wide Day for Professional Growth

October 9, 2020



The mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character.

La misión de ILTexas es preparar a nuestros alumnos para roles de liderazgo excepcionales en la comunidad internacional, haciendo hincapié en el liderazgo de servicio, el dominio de los idiomas inglés, español y chino, y el fortalecimiento de mente, cuerpo y carácter.

德克萨斯州国际领袖学校旨在培养学生
在国际社会中卓越的领导才能。
我们强调学生在熟练掌握英语，西班牙
语和中文的前提下
加强奉献式的领导精神及身体，头脑和
品德的锻炼

SCHEDULE

7:45 a.m. - 8:00 a.m. **Morning Kick Off with Superintendent Conger (all ILTexas faculty & staff)**

<https://zoom.us/j/91586494042> *those who are attending Measuring Up- stay on!

8:00 a.m. - 8:45 a.m. **Measuring Up Items Bank:**

<https://zoom.us/j/91586494042>

Audience: Grades 2-8 RLA, Math, Science & HS Algebra I, Biology, English I

Note: Separate session for K-1 Teachers: [Science Dept K-1 Session](#)

8:50a.m. - 9:50 a.m. **Measuring Up MyQuest:** <https://zoom.us/j/91586494042>

Audience: Grades 2-8 RLA, Math, Science.

Note: Separate session for K-1 Teachers: [K-1 Social Studies Session](#)

*For those teachers who do not need to attend Measuring up, your content director may reach out with content specific guidance for this block of time, or you may choose from the asynchronous [Instructional Tech Menu Options](#)

[Link to Exit Ticket to be completed at the end of the day](#)

10:00 a.m. - 4:00 p.m. PD by Department/Grade Band:

DEPARTMENT	AGENDA LINK
K-2 DLI Teachers	Agenda Link
3-5 RLA DLI & 6-12 English	Agenda Link
3-5 MATH DLI & 6-12 Math	Agenda Link
3-5 SCIENCE DLI and 6-12 Science	Science K-12 Agenda
3-5 SOCIAL STUDIES DLI and 6-12 SOCIAL STUDIES	Social Studies Agenda

CHINESE FLES (K-5) & LOTE (6-12)	Chinese Department Agenda
SPANISH LOTE (6-12)	Spanish Department Agenda (6-12)
FINE ARTS	Fine Arts Department Agenda
SPECIAL EDUCATION	Standards Based IEPs for Special Education Teachers 1. SPED Teacher Agenda , Zoom Link
DYSLEXIA	NO PD
FITNESS	https://zoom.us/j/98885036686
CTE	NO PD
MEDIA SPECIALISTS	Media Specialists Digital Citizenship & Google Boot Camp 10:00-3:00 Zoom Link: https://zoom.us/j/8174226788
CAMPUS LEADERSHIP (Principals/APs) & COACHES *This session is only from 12:30-4pm (all others begin at 10am, giving principals, APs, coaches an opportunity to join other sessions)	Texas Instructional Leaders Day 3 , Zoom Link: https://zoom.us/j/2103323589
ADMINISTRATIVE ASSISTANTS	Training on setting up Eduphoria Courses and Approving Credit 1:00-2:00 Zoom: https://zoom.us/j/9037646257
FINANCE	NO PD
ENROLLMENT	NO PD
PEIMS/ SKYWARD	NO PD
COUNSELING	New Counselors - Youth Mental Health First Aid - 8:30 - 12:30 All Counselors - 2:00 pm - 3:00 pm - https://zoom.us/j/4175296452

HEALTH SERVICES	NO PD
FACILITIES/ TRANSPORTATION	NO PD
TECHNOLOGY	NO PD
FOOD SERVICES	NO PD
FEDERAL PROGRAMS/ MCKINNEY VENTO ACT	Preview document below for all campus teachers and staff who come in contact with students. This will be the topic of next week's asynchronous PLC. https://drive.google.com/file/d/1z11XHTHHMzKkg5_Gvo7oS7iGWhPFQsP9/view?usp=sharing

[Link to Exit Ticket to be completed at the end of the day](#)

CAO Report Part 2

BILINGUAL EDUCATION AND ESL PROGRAM EVALUATION PRESENTATION ITEMS

BE & ESL Evaluation



INTERNATIONAL LEADERSHIP OF TEXAS
Dual Language/ESL Program
Evaluation Report
2019-2020 School Year

Dr. Laura Carrasco – Chief Academic Officer

Dr. Vera Csorvasi – Director of English Learners K-12

Bilingual/ESL Program and Results of the Program Effectiveness Review

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德克萨斯州国际领袖学校旨在培养学生在国际社会中卓越的领导才能。我们强调学生在熟练掌握英语，西班牙语和中文的前提下加强奉献式的领导精神及身体，头脑和品德的锻炼。

Bilingual/ESL Program and Results of the Program Effectiveness Review

TEC 7.028 states: (b) The board of trustees of a school district or the governing body of an open-enrollment charter school has primary responsibility for ensuring that the district or school complies with all applicable requirements of state educational programs.

The charter annually conducts an evaluation to determine program effectiveness. The following factors are considered:

- Academic progress of English learners
- Assessment results including STAAR and TELPAS
- Number of students reclassified as English proficient
- Staff development and results of training for teachers
- Number of certified bilingual and ESL teachers

The District and Campus Improvement Plans include goals necessary for improving performance of English learners based on the needs identified by the program evaluation and the comprehensive needs assessment done annually.

Our Bilingual Program: Dual Language Immersion (DLI)-Two Way (K-5)

§89.1210. Program Content and Design.

- **Dual language immersion/two-way** is a biliteracy program model that integrates students proficient in English and students identified as limited English proficient.
- This model provides instruction in both English and Spanish, or another language
- Instruction is provided to both native English speakers and native speakers of another language in an instructional setting where language learning is integrated with content instruction.
- Academic subjects are taught to all students through both English and the other language. Program exit will occur no earlier than six years or later than seven years after the student enrolls in school.

Our ESL Program: ESL Pull-Out (6-12)

- An **ESL Pull-Out Program** model is an English acquisition program that serves students identified as English learners through English instruction provided by an appropriately certified ESL teacher under the TEC, §29.061(c), through English language arts and reading.
- The goal of ESL pull-out is for English learners to attain full proficiency in English in order to participate equitably in school.
- This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading. Instruction shall be provided by the ESL teacher in a pull-out or **inclusionary delivery** model.

PEIMS 2016 -2021

School Year	Number of English Learners (PEIMS)	% of All Students
2016-2017	2,397	23%
2017-2018	4,222	26%
2018-2019	4,848	26%
2019-2020	5,700	28%
2020-2021	6,038	29%

TELPAS Reading State vs ILTexas – Spring 2020

- 20% of the student population in Texas are English Learners
- 29% of the student population at ILTexas are English Learners

Group	Grade	Reading - Beginning - %	Reading - Intermediate - %	Reading - Advanced - %	Reading - Advanced High - %
State	Elem	25%	29%	21%	25%
ILTEXAS	Elem	20%	30%	22%	27%

Group	Grade	Reading - Beginning - %	Reading - Intermediate - %	Reading - Advanced - %	Reading - Advanced High - %
State	MS	11%	31%	31%	27%
ILTEXAS	MS	6%	29%	33%	32%

Group	Grade	Reading - Beginning - %	Reading - Intermediate - %	Reading - Advanced - %	Reading - Advanced High - %
State	HS	10%	42%	29%	20%
ILTEXAS)	HS	4%	24%	37%	34%

FALL 2020-2021 Growth of ELs on MAP (Grades 3-5)

	Fall 2020-2021 NWEA Growth: Math 2-5 TX 2012, Grade 3				
	Total Students	Fall to Fall Met Projected Growth			
		Yes	Yes*	No	No*
All Students	1766	32.38%	20.22%	28.14%	19.25%
First Year of Monitoring	7	75%	0%	25%	0%
LEP	543	38.02%	21.76%	24.40%	15.82%
Second Year of Monitoring	13	38.46%	7.69%	15.38%	38.46%

	Fall 2020-2021 NWEA Growth: Reading 2-5 TX 2017, Grade 4			Fall 2020-2021 NWEA Growth: Math 2-5 TX 2012, Grade 4		
	Total Students	Fall to Fall Met Projected Growth		Total Students	Fall to Fall Met Projected Growth	
		Yes	No		Yes	No
All Students	1732	52.88%	47.12%	1742	46.47%	53.53%
First Year of Monitoring	17	64.28%	35.71%	19	40.00%	60.00%
LEP	571	49.68%	50.33%	559	48.32%	51.68%
Second Year of Monitoring	13	54.54%	45.45%	13	72.72%	27.27%

	Fall 2020-2021 NWEA Growth: Reading 2-5 TX 2017, Grade 5			Fall 2020-2021 NWEA Growth: Math 2-5 TX 2012, Grade 5		
	Total Students	Fall to Fall Met Projected Growth		Total Students	Fall to Fall Met Projected Growth	
		Yes	No		Yes	No
All Students	1794	44.43%	55.56%	1826	37.76%	62.24%
First Year of Monitoring	16	67%	33.34%	16	45.45%	54.54%
LEP	597	41.76%	58.25%	618	40.89%	59.11%
Second Year of Monitoring	9	55.55%	44.44%	9	88.89%	11.11%

FALL 2020-2021 Growth of ELs on MAP (Grades 6-8)

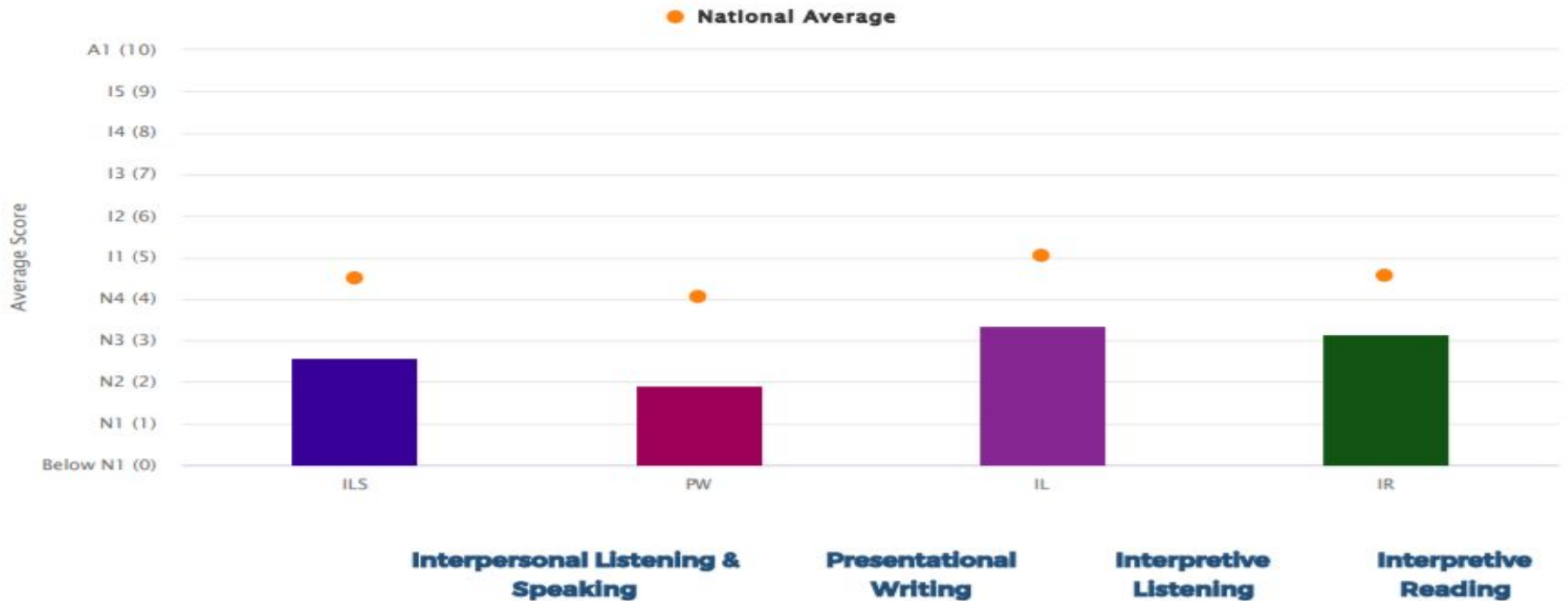
	Fall 2020-2021 NWEA Growth: Reading 6+ TX 2017, Grade 6			Fall 2020-2021 NWEA Growth: Math 6+ TX 2012, Grade 6		
	Total Students	Fall to Fall Met Projected Growth		Total Students	Fall to Fall Met Projected Growth	
		Yes	No		Yes	No
All Students	1709	47.08%	52.92%	1760	32.94%	67.06%
First Year of Monitoring	27	63.16%	36.85%	28	42.10%	57.90%
LEP	582	46.80%	53.20%	592	35.08%	64.92%
Second Year of Monitoring	21	57.89%	42.11%	21	21.05%	78.95%

	Fall 2020-2021 NWEA Growth: Reading 6+ TX 2017, Grade 7			Fall 2020-2021 NWEA Growth: Math 6+ TX 2012, Grade 7		
	Total Students	Fall to Fall Met Projected Growth		Total Students	Fall to Fall Met Projected Growth	
		Yes	No		Yes	No
All Students	1665	49.59%	50.41%	1657	32.02%	67.98%
First Year of Monitoring	35	46.15%	53.85%	34	42.85%	57.14%
LEP	534	44.07%	55.93%	536	28.67%	71.33%
Second Year of Monitoring	18	67%	33.33%	18	35.29%	64.71%

	Fall 2020-2021 NWEA Growth: Reading 6+ TX 2017, Grade 8			Fall 2020-2021 NWEA Growth: Math 6+ TX 2012, Grade 8		
	Total Students	Fall to Fall Met Projected Growth		Total Students	Fall to Fall Met Projected Growth	
		Yes	No		Yes	No
All Students	1417	44.28%	55.73%	1314	39.98%	60.02%
First Year of Monitoring	28	64%	36%	22	56.25%	43.75%
LEP	440	38.24%	61.75%	425	43.50%	56.50%
Second Year of Monitoring	10	55.55%	44.44%	7	40%	60%

ILTexas vs National AAPPL – 5th Grade Spring 2019

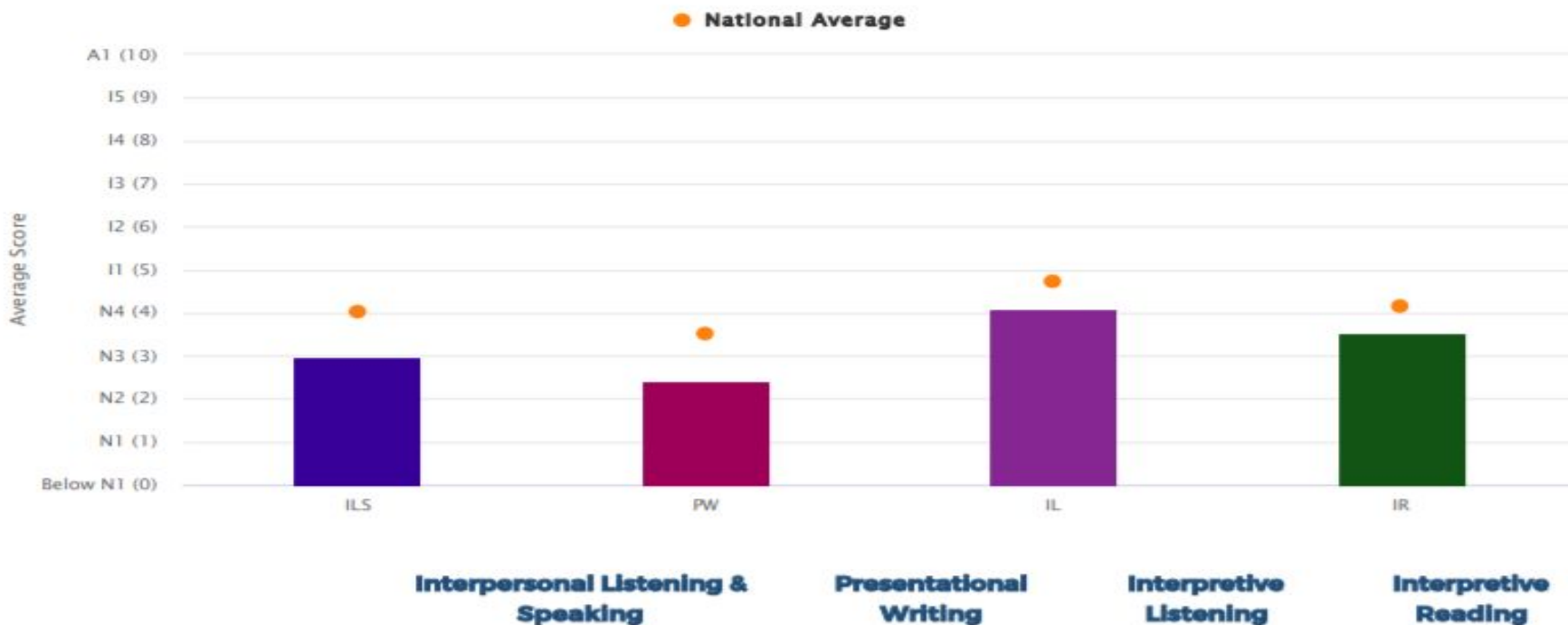
DATE RANGE	STUDENTS	LANGUAGES	GRADE
2/10/2019 to 10/14/2019	All Students	Spanish	5



National Average	N4 (4.5)	N4 (4.1)	I1 (5.1)	N4 (4.6)
International Leadership of Texas	N2 (2.6)	N1 (1.9)	N3 (3.4)	N3 (3.2)

ILTexas vs National AAPPL – 5th Grade Spring 2020

DATE RANGE	STUDENTS	LANGUAGES	GRADE
2/10/2020 to 10/14/2020	All Students	Spanish	5



National Average	N4 (4.0)	N3 (3.5)	N4 (4.7)	N4 (4.2)
International Leadership of Texas	N2 (3.0)	N2 (2.4)	N4 (4.0)	N3 (3.5)

Results Driven Accountability (RDA)

The Results Driven Accountability (RDA) is a data system that reports annually on the performance of school districts and charters in selected program areas: bilingual education/English as a second language, career and technical education, certain federal programs.

RDA provides test data on ELs vs all students on STAAR/EOC

RDA provides data on EL language acquisition/progress on TELPAS

RDA 2019 - ILTexas vs Neighboring Districts

STAAR Passing Rate for Grades 3-5 – English Learners in the Dual Language Program

	ILTexas	State	Dallas ISD	Garland ISD	Fort Worth ISD	Houston ISD	Plano ISD
Math	69.2	79.8	84.2	83.2	74.9	77.9	73.5
Reading	68.8	73.0	78.5	79.4	70.2	69	65.4
Science	60.9	66.5	71.4	63.3	62.6	59.4	51
Writing	51.9	64.3	74.6	71.2	62.1	60.8	48.9

STAAR Passing Rate for Grades 6-8 – English Learners in the ESL Program

	ILTexas	State	Dallas ISD	Garland ISD	Fort Worth ISD	Houston ISD	Plano ISD
Math	68.4	70.7	75.8	73.3	59.5	65.8	76
Reading	65.1	57.5	63.3	64.3	52	51.8	62.4
Science	77	57.5	70.2	62.2	46.2	50.5	58.7
Social Studies	52	39.5	54.4	43	29.8	30.8	41.3
Writing	60.5	46.4	54.2	55	36.8	42	48

RDA 2019 - ILTexas vs Neighboring Districts

EOC Passing Rate for High School - English Learners in the ESL Program

	ILTexas	State	Dallas ISD	Garland ISD	Fort Worth ISD	Houston ISD	Plano ISD
Math	76.7	76.2	86.1	81.1	71.5	63.4	67.4
Science	80.6	71.2	79.9	74.1	67.8	59.2	68.9
Social Studies	93.2	75	85.2	73.7	76.9	64.9	77.2
English	60.8	34.5	47.4	34.1	32.2	23.6	35.9

TELPAS Reading Beginning Proficiency Level

	ILTexas	State	Dallas ISD	Garland ISD	Fort Worth ISD	Houston ISD	Plano ISD
	5.4	9.8	12.2	7.6	9.9	14.9	6.8

TELPAS Composite Rating Levels for Students in School for Multiple Years

	ILTexas	State	Dallas ISD	Garland ISD	Fort Worth ISD	Houston ISD	Plano ISD
	19.3	25.5	27.9	21.3	24.7	31	18.8

Number of ELs Reclassified as English Proficient

Reclassified Students 2017	Reclassified Students 2018	Reclassified Students 2019
37	71	231

Dallas Area	
Campus	Students reclassified
GK8	25
GHS	11
LK8	7
LDHS	3
Total	46

Tarrant Area	
Campus	Students reclassified
Keller K8	12
Saginaw K8	11
EFW K8	4
NRH K8	18
GP K8	28
KSHS	3
AK8	29
AGPHS	8
Total	113

Houston Area	
Campus	Students reclassified
CS K8	3
Katy K8	33
KWP HS	7
Orem K8	6
WP K8	17
WML K8	4
WMLO HS	2
Total	72

Request to TEA for Bilingual Exceptions and ESL Waivers

- A school district that has an insufficient number of certified bilingual teachers to provide instruction in the bilingual program shall request from the commissioner of education an **exception** to the bilingual education program and the approval of an alternative language program as defined in §89.1203(12) of this title.
- A school district that has an insufficient number of appropriately certified ESL teachers (RLA/English) shall request from the commissioner of education a **waiver** of the certification requirements.
- ILTexas will submit a request for bilingual exceptions and ESL waivers by Nov. 1, 2020.
- The information will be shared with the School Board at the November Board Meeting.

Recruiting Activities 2020-2021

Recruiting Activities 2020-2021		
Date	Location	Brief Description
April, 2021	International Teacher Conference and Job Fair, Reg.4, Houston	Recruit bilingual/ESL teachers
Spring 2021	Puerto Rico	Recruit bilingual/ESL teachers
Spring 2021	Puerto Rico	Direct partnership with University of Puerto to recruit bilingual/ESL teachers
Spring 2021	<u>ILTexas</u>	<u>ILTexas</u> job fairs to recruit bilingual/ESL teachers
2020-2021	<u>ILTexas</u>	<u>ILTexas</u> offers a \$5,000 bilingual stipend
Spring 2021	Austin- Region 13 - Madrid, Spain Job Fair	Maintain partnership with Texas Spain Initiative (housed at Region 13) to recruit additional bilingual teachers
2020-2021	Regions 6, 12, 20	<u>ILTexas</u> has added Regions 6,12,and 20 for teacher recruiting, including bilingual teachers
2020-2021	<u>ILTexas</u>	<u>ILTexas</u> will recruit bilingual/ESL teachers from various countries through <u>ILTexas</u> J1 visa sponsorship.
2020-2021	<u>ILTexas</u>	<u>Clasificados Online</u> – bilingual teacher recruiting website
2020-2021	<u>ILTexas</u> Virtual Fairs	Candidates from Puerto Rico and Mexico can attend
2020-2021	<u>ILTexas</u>	<u>ILTexas</u> has added a certification program to assist bilingual teachers to become certified (information is shared with teachers when

COMPREHENSIVE AND TARGETED PD

As per TAC Chapter 89.1207(a)(1)(D) for LEAs filing a Bilingual Education Exception and 89.1207(b)(1)(D) for LEAs filing an ESL Waiver, the following assurance is required

Implementation of a comprehensive professional development plan that:

- is ongoing and targets the development of the knowledge, skills, and competencies needed to serve the needs of English learners;
- includes the teachers who are not certified or not appropriately certified who are assigned to implement the proposed alternative program; and
- may include additional teachers who work with English learners.

Bilingual/ESL Professional Development 2019-20 Comprehensive & Targeted

- Comprehensive Professional Development Plan for 2020-2021
- Monthly Webinars for Parents of English Learners

Professional Learning Plan



Professional Learning – 2020-2021

Supporting English, Spanish, and Chinese Learners

At International Leadership of Texas, 100% of the students are language learners and 100% of the teachers are language teachers.

Sheltered instruction is an instructional approach that uses various strategies to ensure that grade-level instruction provided in English, Spanish, and Chinese addresses both content and language objectives. Through sheltered instruction, students master the required essential knowledge and skills and become proficient in English language.

The Trilingual Department at IL Texas will offer **targeted support** to staff so that they can address the needs of their English, Spanish, and Chinese learners.

Total participation of all students (Engagement)

Incorporating purposefully students’ academic language

Promoting literacy and language Development

Socio-Cultural competence

TARGETED AND COMPREHENSIVE PROFESSIONAL LEARNING OPPORTUNITIES

WHO	WHAT	WHEN	WHERE	Person Responsible to Organize
-----	------	------	-------	--------------------------------

<p>K-5 teachers working towards getting their BILINGUAL CERTIFICATION (teachers under bilingual exception)</p> <p>50 teachers per session (location)</p> <p>Extra Duty Pay</p>	<p>Supporting our BILINGUAL TEACHERS</p> <ul style="list-style-type: none"> - Setting up your DLI classroom for success - Make and Takes (anchor charts, pictorials, instructional charts and visuals) - How to bridge Spanish and English lessons - How to maximize on bell to bell instruction in the target language (to include both BICS and CALP) - Differentiating Spanish resources for Novice-Intermediate level Spanish students - Developing opportunities to develop interpersonal communication 	<p>August 2020- May 2021</p>	<p>All 3 areas</p>	<p>Adriana Fletes & DLI-EL PD Facilitator</p>
<p>K-5 teachers</p>	<p>Supporting our Bilingual Teachers</p> <ul style="list-style-type: none"> - Sharing of DLI best practices via videos and pictures - Show me! 	<p>August 2020 - May 2021</p>	<p>All K-5 campuses</p>	<p>Adriana Fletes</p>
<p>K-5 teachers working towards getting their BILINGUAL CERTIFICATION (teachers under bilingual exception)</p>	<p>Supporting our Bilingual Teachers</p> <ul style="list-style-type: none"> - Global VIDA – Differentiated modeling (model / co-teach / observe with feedback) - Saturday Make and Takes (optional and funded by each campus) 	<p>September - October 2020</p>	<p>All 6-12 Principals, Assistant Principals, instructional coaches and GLAs</p>	<p>Adriana Fletes</p>
<p>K-5</p>	<p>Supporting Campus principals and leadership with DLI Implementation</p> <ul style="list-style-type: none"> - ACTFL for administrators - Developing opportunities to extend the Spanish language and cultures outside of the classroom. - Spanish language culture and language advocacy school-wide - Learning walks with DLI and core department and campus staff 	<p>August 2020- May 2021</p>	<p>All K-5 Principals, Assistant Principals, instructional coaches and GLAs</p>	<p>Adriana Fletes</p>
<p>6-12</p>	<p>Supporting LOTE Spanish Teachers</p> <ul style="list-style-type: none"> - Department PLCs - VIDA for LOTE teachers (optional and faded by eac campus) - Modeling, co-teaching, observations & feedback 	<p>August 2020- May 2021</p>	<p>All 6-12 Spanish Teachers and instructional coaches</p>	<p>Adriana Fletes Awilda Rivas/Beatriz Gallegos</p>
<p>6-12</p>	<p>Supporting Secondary Principals and Assistant Principals</p>	<p>August 2020- May 2021</p>	<p>All 6-12 Principals,</p>	<p>Adriana Fletes</p>

	<ul style="list-style-type: none"> - Monitoring the use of the target language & high academic achievement - Supporting teachers with comprehensible input - Spanish language culture and language advocacy school-wide - Learning walks with LOTE department and campus staff - Monitoring with the development of language in speaking, listening, writing and reading 		Assistant Principals, instructional coaches and GLAs	
All Campus Teachers (6 CPE credit hours prior to start of school)	<p>Sheltered Instruction Strategies to Promote Comprehensible/Compelling Input</p> <p>Sheltered Instruction Strategies to Promote Oral Language Proficiency</p>	<p>July 28</p> <p>July 29 (virtual)</p>	All teachers	<p>Chad Parsons Dulce Zelaya</p> <p>Lisa Cortes Vanessa Colon</p>
All Campus teachers, TAs, and administrators	<p>Supporting All Our Teachers (TIPS), TAs, and Campus Administrators</p> <p>Sheltered Instruction in Texas: Second Language Acquisition Methods for Teachers of ELs – Seidltiz Education</p> <p>Going Beyond Compliance with Content and Language Objectives</p> <p>How Do We Truly Accommodate for Our English Learners?</p> <p>What Are the Proficiency Level Descriptors and How Can I Best Use Them?</p> <p>English Learners 101</p> <p>TIPS for English Learners</p> <p>Per campus request - professional learning opportunities delivered virtually during Wednesday PLCs</p>	<p>Aug., 2020 - Nov. 2020 (virtual)</p>		<p>Csorvasi & EL Coordinators</p>

All TAs	Supporting Our TAs - Sheltered Instruction (TIPS)	Campus PD day (virtual)		EL Dept.
Core Content Teachers Extra Duty	Supporting Our Core Content Teachers - 50 teachers - TIPS	September-April 1.5 hours	Zoom	Csorvasi & EL Coordinators
50 Teachers (books will be provided to participants)	Supporting Our Core Content Teachers - Book Study Talk, Read, Talk, Write - self-paced - Google Classroom + See Saw 7 Steps to a Language Rich Interactive Classroom	Fall 2020 Spring 2021	Eduphoria – self-paced	Csorvasi & EL Coordinators
Instructional Coaches	Support Campus and District Instructional Coaches Focus on the TIPS - 8 sessions	Fall 2020 Spring 2020	Zoom	Csorvasi/Fletes
TARGETED CAMPUS SUPPORT PROVIDED BY DLI & ESL INSTRUCTIONAL COACHES, EL COORDINATORS & PD Facilitator				
All Teachers, Campus & District Administrators	<p>District EL Coordinators: Vanessa Colon (Dallas + Arlington K8 and GPA HS) Dulce Zelaya (Tarrant County) Sergio Camarillo (Houston & CS)</p> <p>District ESL Coaches: Lisa Cortes (Dallas & Tarrant) Chad Parsons (Houston & CS)</p> <p>District DLI-EL PD Facilitator: Bonni Villaman</p> <p>District DLI Coaches: Barbara Ramos (Dallas and Tarrant) Beatriz Marquez (Dallas and Tarrant) TBD (Houston & CS) Awilda Rivas (Houston and CS)</p>	Ongoing	DFW, Houston, CS	

	<p>EL Coordinators and DLI, ESL Coaches will:</p> <ul style="list-style-type: none"> ● Training on Sheltered Instruction (TIPS) ● Model/co-teach/coach ● Collaborate on lesson planning ● Provide resources ● Support with data analysis of ELs/SLs ● Collaborate in content area PLCs 			
Online Professional Learning Opportunities				
<p>Regions 4, 6, 10, 11 (ILTexas has a Shared Services Arrangement with the ESCs – PD offered is free)</p>	<p>Support based on campus/teacher needs</p> <p>Region 10 Online https://olc.region10.org/pd/course/index.php?categoryid=196</p> <p>Region 10 https://txr10.escworks.net/search.aspx</p> <p>Region 4 http://www.esc4.net/services/bilingual-esl-title-iii/professional-development</p> <p>Region 6 https://www.escweb.net/tx_esc_06/search.aspx</p> <p>Region 11 https://www.esc11.net/Page/719</p>	<p>Consult schedule of trainings Per campus request</p>	<p>All campuses</p>	
PARTICIPATION IN LOCAL, STATE, AND NATIONAL CONFERENCES				
<p>Participation in local, state, and national conferences (per recommendation)</p>	<p>TABE Conference TEXTESOL V (DFW) La Cosecha - Dual Language Conference TESOL – Houston BEAM – Dallas ACTFL - San Antonio GLAD Training 2020-21-online certification TPR - DLI focus</p>	<p>July 2020 - May 2021</p>		

Coversheet

CHIEF ADMINISTRATIVE OFFICER REPORT

Section: V. Superintendent-CEO Report and Information Items
Item: D. CHIEF ADMINISTRATIVE OFFICER REPORT
Purpose: FYI
Submitted by:
Related Material: Authorized Position Board Report 10.21.20.pdf
Authorized Board Notification 10.21.20.pdf



INTERNATIONAL LEADERSHIP OF TEXAS

Authorized Position Report

10/21/2020

Position	# Positions	Positions Filled	Available FTE	Pending	Unfilled
AUX - FOOD SERVICE	14	12	2	0	2
AUX - MAINTENANCE	37	34	3	1	2
AUX - TRANSPORTATION	25.5	20.5	5	0	5
COUNSELOR	51	51	0	0	0
LIBRARIAN	19	19	0	0	0
NURSE	16	16	0	0	0
PARA - CAMPUS	369	333	36	1	35
PARA - DISTRICT	56.5	50.5	6	0	6
PROF - CAMPUS	46	41.5	4.5	0	4.5
PROF - CAMPUS ADMIN	73	72	1	0	1
PROF - DISTRICT	158	149	9	0	9
SLP	13	11	2	0	2
SUPERINTENDENT	1	1	0	0	0
TEACHER	1306	1280	26	4	22
TOTALS	2185	2090.5	94.5	6	88.5



INTERNATIONAL LEADERSHIP OF TEXAS

**Faculty and Support Staff New Hires
Subsequent to September 16, 2020
For Board Notification on October 21, 2020**

NEW HIRES FOR THE 20/21 SCHOOL YEAR			
Position	Position Assignment	Building	Start Date
TEACHER	ELEMENTARY	COLLEGE STATION	09/21/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	WM LAKES ELEMEN	09/21/2020
TEACHER	ELEMENTARY	LANCASTER ELEME	09/21/2020
PARA - CAMPUS	NURSE ASSISTANT	Keller Elem Sch	09/21/2020
TEACHER	PFC	Garland Elem Sc	09/21/2020
PROF - DISTRICT	MANAGER	HEADQUARTERS	09/21/2020
AUX - MAINTENANCE	FACILITIES & MAINTENANCE SPECI	WINDMILL LAKES	09/21/2020
TEACHER	MIDDLE	WEST PARK MIDL	09/22/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	EAST FW ELEMENT	09/23/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	Keller Elem Sch	09/23/2020
TEACHER	HIGH	Arlington High	09/23/2020
TEACHER	ELEMENTARY	Garland Elem Sc	09/24/2020
TEACHER	MIDDLE	Katy Middle Sch	09/28/2020
AUX - MAINTENANCE	LANDSCAPER	DISTRICT OFFICE	09/28/2020
TEACHER	ELEMENTARY	COLLEGE STATION	09/28/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	Arlington High	09/28/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	WM LAKES ELEMEN	09/29/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	WM LAKES MIDDLE	09/29/2020
TEACHER	MIDDLE	Arlington Middl	09/29/2020
TEACHER	MIDDLE	SAGINAW MIDDLE	09/30/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	WEST PARK ELEME	09/30/2020
COUNSELOR	COUNSELOR	WEST PARK ELEME	10/01/2020
PROF - CAMPUS	INSTRUCTIONAL COACH	Keller Elem Sch	10/01/2020
TEACHER	ELEMENTARY	SAGINAW ELEMENT	10/01/2020
TEACHER	ELEMENTARY	NRH Elem School	10/01/2020
TEACHER	ELEMENTARY	LANCASTER ELEME	10/02/2020
PROF - CAMPUS	INSTRUCTIONAL COACH	Keller High Sch	10/05/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	Garland High Sc	10/05/2020
PROF - CAMPUS ADMIN	ASSISTANT PRINCIPAL	WEST PARK MIDL	10/05/2020
STIPEND ATHLETIC	CROSS COUNTRY	Keller Middle S	10/05/2020
TEACHER	ELEMENTARY	LANCASTER ELEME	10/05/2020
TEACHER	MIDDLE	EAST FW MIDDLE	10/05/2020
TEACHER	ELEMENTARY	WM LAKES ELEMEN	10/05/2020
TEACHER	MIDDLE	Grand Prairie M	10/07/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	HOUSTON OREM EL	10/13/2020
TEACHER	MIDDLE	Grand Prairie M	10/13/2020
TEACHER	HIGH	Keller High Sch	10/13/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	SAGINAW ELEMENT	10/14/2020
PARA - CAMPUS	INSTRUCTIONAL AIDE	Keller Elem Sch	10/14/2020
TEACHER	ELEMENTARY	LANCASTER ELEME	10/16/2020



INTERNATIONAL LEADERSHIP OF TEXAS

TEACHER	HIGH	AGGIELAND HIGH	10/19/2020
TEACHER	MIDDLE	WEST PARK MIDDLE	10/19/2020

Total employees hired subsequent to 9/16/20: 42

Total employee count: 2185

Coversheet

VOTE ON CONSENT AGENDA ITEMS

Section: VI. Consent Agenda
Item: A. VOTE ON CONSENT AGENDA ITEMS
Purpose: Vote
Submitted by:
Related Material:
Consent 5 -- Additional School Days.pdf
Consent 4 -- Final Asynchronous Plan.pdf
Consent 3 -- Reimbursement Resolution.pdf
Consent 2 -- Change District Address.pdf
Consent 1 -- Temp Relocation LDHS In-Person During Voting.pdf

Consent item 5

ADDITIONAL SCHOOL DAYS ON ACADEMIC CALENDAR



INTERNATIONAL LEADERSHIP OF TEXAS

Others Before Self • Otros Antes De Uno Mismo • 先人后己

2020 - 2021 Calendar / Calendario / 日历

81 days
 Aug 13 - Nov 23
 Nov 30 - Dec 18
SECOND SEMESTER
 88 days
 Jan 5 - Mar 12
 Mar 22 - May 20

Get in Touch
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 /il_texas
 /iltexas

August/Agosto/八月 2020							September/Septiembre/九月 2020							October/Octubre/十月 2020							November/Noviembre/十一月 2020						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31	29	30					
30	31																										
Aug 3-12: PD Days Aug 13: First Grading Period Starts/ First Day of School							Sept 7: Labor Day Sept 18: First Grading Period Ends Sept 21: Data/PD Day Sept 22: Second Grading Period Starts							Oct 9: PD Day Oct 12: Fall Break Oct 13: Parent Conferences Oct 30: Second Grading Period Ends							Nov 2: Data/PD Day Nov 3: Third Grading Period Starts Nov 23-24: Targeted Enrichment/Remediation Nov 23-27: Thanksgiving						
December/Diciembre/十二月 2020							January/Enero/一月 2021							February/Febrero/二月 2021							March/Marzo/三月 2021						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2		1	2	3	4	5	6		1	2	3	4	5	6
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27	21	22	23	24	25	26	27
27	28	29	30	31			24	25	26	27	28	29	30	28							28	29	30	31			
							31																				
Dec 18: Third Grading Period Ends Dec 21-Jan 3: Winter Break Dec 21-22: Targeted Enrichment/Remediation							Jan 4: Data/PD Day Jan 5: Fourth Grading Period Starts Jan 18: MLK Day							Feb 11: Fourth Grading Period Ends Feb 12 - 15: Data/PD Day Feb 16: Fifth Grading Period Starts							Mar 15-19: Spring Break						
April/Abril/四月 2021							May/Mayo/五月 2021							June/Junio/六月 2021							July/Julio/七月 2021						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3							1			1	2	3	4	5					1	2	3
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
							30	31																			
Apr 2: Bad Weather Day #1 Apr 9: Fifth Grading Period Ends Apr 12: Data/PD Day Apr 13: Sixth Grading Period Starts							FYI - May 14: Last day of STAAR May 20: Sixth Grading Period Ends / Last Day May 21: Records Day / Bad Weather Day #2 May 24-28: Summer Targeted Enrichment/Remediation FYI - May 31: Memorial Day							June 1-17: Summer Targeted Enrichment / Remediation													

Teacher PD-Data Days / Student Holidays

Aug 3-12.....PD/Data
 Sept 21.....PD/Data
 Oct 9-13.....PD/Fall Break
 Nov 2.....PD/Data
 Jan 4.....PD/Data
 Feb 12-15.....PD/Data
 Apr 12.....PD/Weather
 May 21.....Records/Weather

Student/Teacher Holidays

Sept 7.....Labor Day
 Oct 12.....Fall Break
 Nov 23-27.....Thanksgiving
 Dec 21-Jan 3.....Winter Break
 Jan 18.....MLK Day
 March 15-19.....Spring Break
 Apr 2.....Weather Day 1
 May 31.....Memorial Day

[] Grading Period Start/End
 Targeted Enrichment/Remediation
 Student/Teacher Holidays
 Data/PD Days (Student Only Holidays)
 District Summer Break

2021 Modified Summer Schedule
 Summer office hours June 7 - 18
 M-Th 7:30 - 5:00
 F 8:00 - 12:00
 Office Closed June 21 - July 13
 *Regular Hrs Resume July 14, 2021

MISSION STATEMENT
 The mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character.

Consent Item 4

**FINAL ASYNCHRONOUS
PLAN WITH INSTRUCTIONAL
SCHEDULE**

ILTexas Asynchronous Plan:

- *Must address the required curriculum per TEC, §28.002
- *Eligible for all grades
- *School grading policies for remote student work must be consistent with those used before COVID-19 for on-campus assignments
- *Will generate full-day funding for each day student is engaged in learning
- *Deadline: end of 3rd six weeks reporting period



Asynchronous plans must address four key requirements

Instructional Schedule



- 1.1 Student interactions with academic content
- 1.2 Scheduled student-teacher interactions

Material Design



- 2.1 Full, TEKS-aligned, asynchronous curriculum
- 2.2 Instructional materials support special populations

Student Progress



- 3.1 Daily student engagement
- 3.2 Student achievement tracking & feedback

Implementation



- 4.1 PD for asynchronous instruction
- 4.2 Family communication & support



INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

Attestations

Instructional Schedule

- ☑ **Teacher interaction** with students is predictable, sufficient to support schedule.
- ☑ **Teacher availability** for students (e.g. office hours schedule) is planned in advance, predictable, sufficient for student progress, clearly defined, and published in the student syllabus.
- ☑ **Students can access instructional support** from teachers when needed, direct instruction is delivered by teachers, and students know how and when they can interact with their teachers.
- ☑ Students are provided **clear means to engage with academic material on a daily basis**.
- ☑ **Student IEPs** are followed regardless of learning environment such that students with disabilities receive a Free, and Appropriate Public Education (FAPE).
- ☑ Student academic work ensures **engagement that is equivalent to direct content work that a student would be engaged in over a normal school year**. As guidance, this direct work with academic content matches or exceeds the following average daily minimums across all subjects:
 - Half day PreK – 90 instructional minutes **N/A**
 - Full day PreK – 180 instructional minutes **N/A**
 - K through 5th grade – 180 instructional minutes
 - **Kinder & 1st grade** minimum minutes include 240 instructional minutes Mon/Tues,Thurs/Fri + minimum of 40 minutes on Wednesday Independent Study Day for a minimum daily average of 200 minutes.
 - **2nd grade** minimum minutes include 270 instructional minutes Mon/Tues,Thurs/Fri + minimum of 40 minutes on Wednesday Independent Study Day for a minimum daily average of 224 minutes.
 - **3rd-5th grade** minimum minutes include 285 instructional minutes Mon/Tues,Thurs/Fri + minimum of 40 minutes on Wednesday Independent Study Day for a minimum daily average of 236 minutes.
 - 6th through 12th grade – 240 instructional minutes
 - **6th-7th grade** minimum minutes include 360 instructional minutes Mon/Tues,Thurs/Fri + minimum of 40 minutes on Wednesday Independent Study Day for a minimum daily average of 296 minutes.
 - **9th-12th grade** minimum minutes include 400 instructional minutes Mon/Tues,Thurs/Fri + minimum of 40 minutes on Wednesday Independent Study Day for a minimum daily average of 328 minutes.

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Materials Design

- ☒ District has adopted a **full, TEKS-aligned curriculum can be executed in an asynchronous remote learning environment**. This includes:
 - ☒ Assessments that ensure continued information on student progress remotely
 - ☒ Instructional materials that support a coherent, logical course sequence that reinforces concepts at appropriate times to ensure continuity of learning remotely
 - ☒ Instructional materials consistently reinforce concepts at appropriate times to ensure retention of knowledge in asynchronous environments
- ☒ Instructional materials include specifically designed resources and/or accommodations and modifications to support students with disabilities and English Learners in an asynchronous environment.
- ☒ There is a plan to ensure district adopted instructional materials are used during instruction and in the hands of students.

Student Progress

- ☒ Expected student progress in remote asynchronous learning is **planned in advance, defined by day, and ties to the overall course coverage in the course syllabus**.
- ☒ **Daily, trackable student engagement exists** to ensure curricular progress in asynchronous learning. Curricular progress can be measured through any of the following means:
 - ☒ Data from the Learning Management System (LMS) showing progress made that day
 - ☒ Curricular progress evidenced from teacher/student interactions made that day
 - ☒ Completion and submission of assignments planned for that day
- ☒ Districts have **systems to measure academic progress** of all students to **inform instructional practice** in an asynchronous environment.
 - ☒ Progress monitoring includes all students and can be done in any proposed at-home scenario (digital or print)
- ☒ Student **feedback is provided from instructor at least weekly** in asynchronous learning environments including next steps or necessary academic remediation to improve performance.
- ☒ **School grading policies** for remote student work are consistent with those used before COVID for on campus assignments

Implementation

- ☒ Campuses plan for and implement **professional development calendars** with specific supports for asynchronous instruction. These include the following for educators:
 - ☒ Provide introductory and ongoing content-focused, job-embedded training linked to chosen asynchronous curricular resources
 - ☒ Cover all grade levels and content areas that are participating in asynchronous learning
 - ☒ Develop content knowledge to help educators internalize the asynchronous curriculum and analyze and respond to data with the use of the instructional materials
 - ☒ Explicitly cover asynchronous remote instructional delivery and use of the asynchronous learning platform and/or learning management system
- ☒ Districts provide **explicit communication and support for families** in order to support asynchronous work at home.

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Open Responses

Key Requirement Instructional Schedule: Describe (or attach a description of) the structure of your asynchronous schedule highlighting any differences by grade level and/or content area.

Linked [HERE](#), please find our schedule by grade bands: *K-2, *3-5, 6-8 and 9-12. *Note: By A/B schedule we are referring to our two-way dual language partner teacher model rotation. Students follow the same schedule on A/B days and A/B weeks, alternating languages. For example, if I am a first grader, on an *A day* I may receive my math lesson #1 in English, then on *B day* lesson #2 is in Spanish, then lesson #3 (A day) is in English.

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Summarize how your instructional schedules meet the criteria:

Component	Explanation
What are the expectations for daily student interaction with academic content?	<p>ILTexas students are expected to interact <i>daily</i> with academic content. Students do so primarily by attending their synchronous classes (via zoom) during the posted class times (linked HERE), attending teacher office hours, tutoring sessions, and at <i>minimum</i>, logging in through ClassLink and accessing and completing/submitted their daily course learning modules and/or assignments daily.</p> <p>Special Education students are expected to follow the general education standards; however, Special Education students will continue to have direct contact with their service providers through general education Zooms, Breakout Rooms for in class support, SPED resource pull-out Zooms, and teacher office hours that directly reflect minutes outlined in the students' IEP. Additionally, students will have the opportunity to access pre-recorded direct instruction through ClassLink or Google Classroom.</p>
How will you ensure all student groups and grade levels will have the opportunity to engage in approx. a full day of academic content every day?	<p>100% of our curriculum (which also includes our trilingual program, fitness, electives) is available to students to access via our ILTexas Virtual School 3.0 (ILTexas Asynchronous Plan) model, with opportunities for our students to receive <i>daily</i> synchronous instruction as students are able. The posted schedule offers <i>daily</i> synchronous instruction. Our student schedules by grade band mirror the educational opportunities they would have if in person and our schedules exceed the minimum outlined by the State. Student synchronous learning opportunities are linked HERE. All students were given access to their virtual classrooms and schedules with set dates and times for each content area during Meet the Teacher nights and revisited at the beginning of each cycle (as we are having to adjust for parents changing their options). Further, schedules were emailed to families and posted on our website. Individual student schedules are posted on our Skyward student portal as well. Additionally, zoom classroom links are posted securely on individual Seesaw or Google Classroom accounts (these are not posted on our website). These may change by grading period, if a parent changes between virtual to in-person or in-person to virtual. As there are changes, skyward is updated and through our ClassLink, students are auto-rostered into their updated classroom management systems and corresponding applications.</p> <p>Students with no internet access are provided access points at their respective campus. Any student who is absent on any given day or to any class thus not able to log in to receive synchronous instruction will nonetheless have access to the full slate of curriculum and instruction as posted on the student's Seesaw or Google Classroom.</p> <p>Of our families wanting remote instruction, the grand majority of our parents have opted for our virtual school model or our in-person plan. However, for those students unable to participate in our virtual school, but still want remote instruction, we offer a back-up plan B, which leverages on our asynchronous platforms/tools and same schedule as the recommended schedule to follow independently (for those students not able to participate in the live/synchronous instruction). Thus, while we want 100% of our students in our Virtual School or In-person model, we recognize that a small percentage may need a modified plan, and we will work with families as needed to adjust.</p> <p>ILTexas has taken the added measure to adjust our curriculum guides and pacing tools (for our teachers) to adjust for our instructional model whereby 4 days of the week students receive synchronous first instruction, plus independent study day on Wednesdays (also giving</p>

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students a minimum of 40 minutes of synchronous instruction) with a portion of Wednesday dedicated to asynchronous instruction/independent study day and opportunities for small group synchronous instruction as needed (data driven).

While ILTexas follows a very similar scope and sequence (YAG: Year at a Glance & daily pacing tools) as we would during a regular school year/in-person model, adjustments have had to be made via curriculum compacting per course, by department, and curriculum has been digitized. Further, adjustments and focus areas are data driven and based on Leadership Report Card/Lead4ward Priority Clusters (Priority TEKS Clusters) & MAP data (for relevant courses). Emphasis will continue to be placed on data highlighting the most critical COVID gaps and priority TEKS (not only highly weighted, but also those foundational for the next level courses). Activities are housed for our students in Seesaw (K-2) and Google Classroom/Seesaw (3-12) Classroom Management Systems. Teacher course specific support for asynchronous instruction and corresponding resources are available on the *internal* [C&I Landing Page](#). Our Virtual School 3.0 also mirrors our gradual release model (I do, You do, We do) that our in-person instruction follows, with some adjustments made for the virtual classroom.

Moreover, differentiated instruction is based on the students success with our Virtual School 3.0. Meaning, as students are taught the content and complete assignments, adjustments are made based on formative assessment results and accommodations are provided, depending on the student's access to and success with the academic content. ILTexas teachers meet daily for Professional Learning Communities (PLCs). The focus of each Monday's PLC is to capture any students who may be falling behind and to determine a success plan. Monday's PLC is titled 'Triage' because it is during this time that students needing additional support are identified and where the student success plans are monitored. This Monday PLC is co-chaired by the AP for that grade level and the Grade Level Administrator (GLA). Teachers are always present, as well as the campus counselor for that grade level. During Monday's Triage, students are identified needing small group instruction, tutoring or Eagle Academy. These opportunities for additional differentiated instruction/remediation (above and beyond what is already provided during the regular schedule, such as during our guided reading block) are provided during our *daily* ER block (E stands for Enrichment and R stands for Remediation), during Wednesday independent study day, during after school tutoring, and during days identified on our academic calendar as additional school days (intersessional) which will take place in November, December, and summer.

Special Education student instruction is aligned with the general education scope and sequence, TEKS, and "Year at a Glance" in all content areas, across grade levels. Special Education students will access academic content, each day, via the services outlined in their respective IEPs.

What are the expectations for teacher/student interactions?

Teachers and students are provided a schedule whereby they are expected to interact daily through synchronous virtual "face to face" instruction. Students who for any reason are not able to attend live, have the asynchronous access as their back up. Thus, Interaction will occur "live" during direct instruction (following the student/teacher schedules) and/or through the interactions predominately posted on Seesaw (K-2), Google Classroom (3-12) as well as other online platforms. Additional avenues for teacher/student interactions are traditional email and phone calls. Even though daily interaction takes place predominantly through zoom, Seesaw and/or Google

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	<p>Classroom (depending on the grade level). This daily interaction is also monitored through our Skyward Student Portal through which attendance is captured and whereby student progress is communicated to students and parents (grades) as well as through our learning applications/courseware.</p> <p>Special Education teacher and student interactions follow the general education expectations for teacher/student interaction. Student IEPs will also drive teacher/student interaction on a daily or weekly basis. Additionally, Special Education students can access their general education teachers and SPED teacher/Case Manager through office hours or email for on-going support.</p>
<p>How will teacher/student interactions be differentiated for students with additional learning needs?</p>	<p>In addition to the aforementioned Monday PLC triage, we also host a “Data Day” at the completion of each grading period. During our Data Day, we are able to analyze the cycle’s data through developing an action plan which will include how we will and when we will differentiate for students.</p> <p>Opportunities for additional differentiated instruction/remediation (above and beyond what is already provided during the regular schedule, such as during our built in guided reading time) are provided during our daily ER block, during Wednesday independent study day, during after school tutoring, and as needed on days identified on our academic calendar as additional school days (intersessional) which will take place in November, December, and summer. Further, differentiated instruction is provided for all students with an IEP. General education and Special Education teachers are expected to follow all student IEP accommodations/modifications, goals/objectives, schedule of services, state and district testing considerations, and any additional supplements as necessary (e.g. AU supplement, transition plan, BIP, etc.).</p> <p>Similarly, students with a Gifted Potential, EL students and other special populations receive differentiation through the learning platforms. Some is differentiated by the teacher (scaffolded assignments) and some is through the individualized learning plans (IStation, Imagine Math, Study Island are our three most common).</p>

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Key Requirement Material Design: Describe how your instructional materials support your asynchronous environment, including how all students can access instructional materials.

Note: 100% of ILTexas students K-12 have been issued an ILTexas Chromebook. Students access instructional materials through (1) Their personal ClassLink (Single sign on) account. Through ClassLink, students access their zoom, their Google Classroom and/or Seesaw and all learning applications & (2) We have also distributed hard copy consumables to students for the courses where we have a student textbook or consumable that mirrors the digital.

Subject/ Course	Grade Level(s)	Instructional Materials	Progress Monitoring and Assessment	Is it TEKS aligned?	What resources are included to support students with disabilities?	What resources are included to support ELs?
Math Instructional Materials	K-12	K-5 - Savvas Envision Digital and Consumables 6-8 - HMH Go Math <i>Digital</i> and Consumables Alg I, II, Geom - Savvas Text Algebraic Reasoning - digital Cosenza Text College Prep Math - Texas College Bridge- digital	Math Formative Assessments (that form part of each lesson and that align to the lesson content/ language objectives) K-2 - Rapid Task Assessments per cycle End of Cycle Assessments - 3rd-12th K-Alg I - Imagine Math Benchmark	Yes	Special Education students have access to the Do The Math (k-8) and Math 180 (9-12) supplemental curriculum intervention supports offered during resource pull-out. Do The Math Assessment: Module Assessments Math 180 Assessment: Math Inventory All primary resources have differentiation plans included in each lesson.	Linguistic accommodations for instruction, and designated supports for assessment, will be determined by the LPAC committee. All primary resources have EL strategies embedded; Students in grades K-5 are able to access their Math lessons in Savvas and in Imagine Math in both Spanish and English. 3 Reads Instructional Routine in all classes All math teachers at ILTexas are trained in Sheltered Instruction strategies and use the strategies consistently in instruction. Math teachers will use engagement strategies for asynchronous

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		<p>Pre-Cal - Investigations of Functions Open Diginatl Resource</p> <p>AP Calculus - “Calculus of a Single Variable, 10th Ed” Larson & Edwards, digitized</p> <p>AP Statistics - The Practice of Statistics; College Board Classroom; Stats Medic, Digital</p> <p>K-12 Imagine Math</p> <p>Supplemental: Texas Home Learning Resources</p>	<p>BOY, MOY, EOY</p> <p>MAP MathGrowth - 2nd-8th</p> <p>Alg I - Interim Assessments Op. 1</p> <p>BOY EOC Diagnostic - Algebra 1(Dec. retesters)</p> <p>Interim Assessments Op. 2 Math 3rd-8th, Alg. 1</p> <p>STAAR Math - 3rd-8th</p> <p>EOC Algebra 1</p> <p>AP Assessments for available courses</p>			<p>instruction as they plan lessons with ELs as target audience.</p> <p>Math teachers will adapt engagement strategies for asynchronous instruction.</p> <p>Math teachers include sentence stems and Math scaffolds in English and Spanish .</p> <p>Anchor charts are posted in both Spanish and English.</p> <p>EL coaches support the Math department by embedding differentiation for ELs in all lesson plans.</p> <p>Math teachers integrate virtual interactive Math notebooks using EL scaffolds.</p>
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<p>ELA Instructional Materials</p>	<p>K-12</p>	<p>K-2 Benchmark Reader’s and Writer’s Workshop and Mondo Phonics, Raz Kids, iStation</p> <p>3-5 Benchmark Reader’s and Writer’s Workshop (digital) + Phonics, Raz Kids, iStation</p> <p>6-8 EMC/Carnegie Mirrors and Window and iStation</p> <p>9-12 Perfection Learning Pathwaysl</p> <p>IXL (for HS ELs)</p> <p>Imagine Learning (Language and Literacy) for newcomer ELs (MS)</p>	<p>Reading/Langu age Arts Formative Assessments (that form part of each lesson and that align to the lesson content/ language objectives)</p> <p>K-8 Monthly ISIP through iStation</p> <p>End of Cycle Assessments - 2nd-12th</p> <p>MAP Reading Growth - 3rd-8th</p> <p>Interim Assessments Op. 2 Reading 3rd-8th, Eng. 1 & 2</p> <p>STAAR Reading 3rd-8th</p> <p>EOC English 1 & 2</p>	<p>All resources are TEKS aligned</p>	<p>In addition to all the gen ed materials:</p> <p>Special Education students have access to the Read 180 (4-8) and System 44 (4-8) reading comprehension/phonics intervention programs. These programs are offered during the enrichment period.</p> <p>Read 180 and System 44 Assessments: Reading Inventory and Phonics Inventory</p>	<p>Linguistic accommodations for instruction, and designated supports for assessment, will be determined by the LPAC committee.</p> <p>In addition to all the gen ed materials:</p> <p>Newcomer ELs in middle school have access to the MS Newcomer Kit and to Imagine Learning (Language and Literacy) online platforms. All ELs have access to leveled readers.</p> <p>Newcomer ELs in high school have access to the HS Newcomer Kit, leveled readers, and the IXL platform.</p> <p>iStation (English & Spanish) is being used for K-8.</p> <p>All ELA teachers at ILTexas are trained in Sheltered Instruction strategies (via Seidnitz Education) and use the strategies consistently in instruction.</p> <p>EL coaches support the English department by embedding differentiation for ELs in all lesson plans.</p>
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		Supplemental: Texas Home Learning Resources	BOY EOC Diagnostic - Eng. 1 & 2 (Dec. retesters) AP Assessments for available courses			
Science Instructional Materials	K-12	Stemscopes (digital) Supplemental: Texas Home Learning Resources	Science Formative Assessments (that form part of each lesson and that align to the lesson content/ language objectives) MAP Science Growth - 3rd-8th MAP Biology End of Cycle Assessments - 3rd-12th Interim Assessments Op. 2 Science	Stemscopes Is 100% TEKS aligned	Stemscopes has a teacher toolbox section with intervention, literacy, ELPs, and interactive resources. Student activities in Stemscopes also contain text and text-to-speech tools.	Linguistic accommodations for instruction, and designated supports for assessment, will be determined by the LPAC committee. EL support information is included on our district provided lesson guides. Additionally, Stemscopes provides resources for language support. All Science teachers at ILTexas are trained in Sheltered Instruction strategies (via Seidlitz Education) and use the strategies consistently in instruction. EL coaches support the Science department by embedding differentiation for ELs in all lesson plans.

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			<p>5th & 8th, Biology</p> <p>STAAR Science 5 & 8</p> <p>EOC Biology</p> <p>BOY EOC Diagnostic - Biology (Dec. retesters)</p> <p>AP Assessments for available courses</p>			
Social Studies Instructional Materials	K-12	<p>K-5-Studies Weekly (digital and student consumables)</p> <p>6-HMH-Conte mporary Societies Texas Edition</p> <p>7-HMH-Texas History Texas Edition</p> <p>8-HMH-United States History Texas Edition</p> <p><u>HS-</u></p>	<p>Social Studies Formative Assessments (that form part of each lesson and that align to the lesson content/ language objectives)</p> <p>End of Cycle Assessments - 2nd-12th</p> <p>BOY EOC Diagnostic -</p>	Yes	<p>Studies Weekly offers suggestions for lesson differentiation, ELPS and hands on activities; weekly articles have read aloud features and videos. All resources are available in English/Spanish.</p> <p>HMH & HS texts offer lesson differentiation suggestions for literacy, ELPS and interactive activities.</p>	<p>Linguistic accommodations for instruction, and designated supports for assessment, will be determined by the LPAC committee.</p> <p>El Support strategies and training is provided for all teachers. Resources are available to teachers and are embedded into class instruction.</p> <p>All Social Studies teachers at ILTexas are trained in Sheltered Instruction strategies and use the strategies consistently in instruction.</p> <p>EL coaches support the Social Studies department by embedding</p>

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		<p>McGraw Hill-World Geography, World History, US History 1877 to Present</p> <p>Pearson-Magru der's Government; Think Sociology, American Government: Roots and Reform</p> <p>BFW- Krugman's Macroeconomi cs</p> <p>Fouberg, Murphy & Blijj- Human Geography</p> <p>Supplemental: Texas Home Learning Resources</p> <p>TexQuest Digital Resources</p>	<p>US History (Dec. retesters)</p> <p>Performance Assessments- K-1</p> <p>Interim Assessments Op. 2 Soc. St. 8th, US History</p> <p>STAAR Soc. St. 8th</p> <p>EOC US History</p> <p>AP Assessments for available courses</p>			<p>differentiation for ELs in all lesson plans.</p>
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Provide additional explanations of how your instructional materials meet the criteria if needed:

Component	Explanation
<p>How will materials be designed or will be adapted for asynchronous instruction, ensuring coherence and retention on knowledge</p>	<p>ILTexas is blessed to be a technology rich district, with digital resources and instructional materials already available (pre-COVID) prior to implementing our asynchronous plan. As part of the ILTexas textbook/instructional materials adoption, materials are vetted for their technology component and adaptability to the digital platform. Consequently, it was <i>relatively</i> easy to transition to digital and adjust for our asynchronous model. We have identified and addressed the few courses that did not yet have a digital component to them and have ensured 100% of our courses have what is needed to fully offer the asynchronous plan. This not only includes our four core, but also includes our fine arts, our language classes and all electives.</p> <p>In addition to the curriculum materials having an online component that is accessible to all students there are two additional methods of ensuring materials are suited for asynchronous instruction, we have also helped our teachers through (via our Course Leads and district-wide PLCs) deliberate and specific methods and tools to adapt any needed curricular or instructional resources to our ILTexas Virtual School plan and platforms. One of such methods, to provide an example, involves screen recording software that can be utilized by a teacher explaining a lesson that can then be later reviewed by anyone in the class. The second method involves using extensions to slide decks (such as our investment in tech tools such as Peardeck) that make presentations more comprehensible by embedding questions that checks for understanding. Doing this will allow the teacher to determine what components of the lesson the student either did or did not understand. ILTexas has also added a handful of key technology tools which we have provided teachers professional development on, and which we have included in our weekly lesson exemplars (per course) to help with the adaptation of our curriculum and instruction resources to our ILTexas Virtual School.</p> <p>The Special Education intervention programs (Read 180, System 44, Math 180, and Do The Math) have online software embedded into their programming that is accessible to all students enrolled into the aforementioned programs. Additional support has been provided to ensure student workbook materials are accessible in the virtual format.</p>

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<p>What additional supports (in addition to resources listed above) will be provided for students with disabilities and ELs?</p>	<p>Part of our lesson planning process includes how we are providing supports for our students who need them, which includes our daily formative assessments (provided through a quick check, EdPuzzle, measuring up data base, google form, etc) through accommodations that are needed on our summative assessments. Our testing calendar also provides all common summative assessments (such as our End of Cycle Assessments with accommodations available) and nationally normed assessments (also with some accommodations available) remotely, with special/specific training for our campus testing coordinators and teachers.</p> <p>If needed, and based on student needs and requests (in most cases also documented via our ARDC, LPAC, 504, SST), additional services and accommodations are provided, such as, to provide a few examples, targeted tutoring for high school English learners or small group test administration per SST (Student Success Team).</p> <p>Additionally, our EL department has trained all teachers on how to offer and ensure language accommodations and scaffolds are included in our daily lesson planning.</p> <p>Further, Special Education supports are based on the needs and schedule of services outlined in a student’s IEP. A student’s IEP will be followed, no exceptions. Special Education students have access to math and ELAR intervention programs (Read 180, System 44, Math 180, and Do The Math). Additionally, all campus SPED Teams receive support from a designated SPED Specialist (i.e. SPED Instructional Coach, Behavior Specialist). Further, our campus, area and district special education teams are taking the necessary steps to confirm that accessibility components students need are accessible. For example, for students with a vision and/or hearing impairments, accommodations are provided, such as the traditional braille through teacher provided accommodations, adaptive technology, and/ or modifications needed per IEP or 504. Most of our accessibility components are built into our online assessments, and if not available, then the teachers provide the accommodations directly to the student (and to the students home), if needed.</p>
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Key Requirement Student Progress: Describe (or attach a description of) how you’re tracking student engagement and progress in your asynchronous environment.

Component	Explanation
<p>What is the expectation for daily student engagement?</p>	<p>Student engagement is similar to the <i>daily</i> teacher/ student interaction expectations, and at ILTexas it is tracked a handful of ways. As previously noted, teachers and students are expected to interact and engage daily, either virtual “face to face” or if not possible on any given day (ie, student is absent for synchronous), via our applications and courseware. In either case, students are directed to access instruction through our ClassLink single sign on platform (daily ClassLink reports are run). Student engagement will occur either “live” during direct instruction for students who opt to follow the</p>

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	<p>daily student schedule and/or also through our classroom management systems: K-2 uses Seesaw and 3-12 uses Google Classroom plus Seesaw for language portfolios. Teachers keep a record of students in attendance (synchronous) as well as student engagement via our learning platforms (we centrally help teachers by running daily ClassLink and Google Classroom reports). Further, it is helpful that these classroom management platforms are auto rostered (skyward/ClassLink synch), and provide teachers with the ability to not only share assignments, but also provide and share the grade/ and student feedback. Student feedback is provided daily via these classroom management systems, and some of these are graded and also entered into the teacher gradebook (two grade per week minimum), others are for the purpose of engaging with the student, building relationships and relevance, and providing students with sometimes actionable feedback.</p> <p>Further,, while some of the feedback is for the purpose of engaging with the student and helping the student engage with the content, we also document and provide feedback through Skyward SIS, which primarily give a glimpse into progress towards mastery of TEKS. Both students and parents have access to their Skyward gradebook.</p> <p>Moreover, depending on the daily posted assignment, students may be tasked with completing one of their personalized learning plans on one of our core content specific learning platforms (ie, Imagine Math, Istation, Study Island, among others). These provide immediate feedback to the students and offer goal setting feathers to help students set and track/monitor their goals and growth.</p> <p>As an additional note, lessons are developed so that they could be followed live/through our synchronous schedule; but, also with the audience of a student who may be absent and thereby giving him/her access to the day’s lessons asynchronous. Our lessons include the I Do, We Do, and You do of the gradual release model. Thus, lessons do not only include direct teach, but also the student we do and you do/independent practice. Each lesson contains a formative assessment aligned to that lesson’s content/language objectives.</p> <p>Teachers use a variety of age appropriate tools to capture engagement and progress. These include the traditional exit tickets, PearDeck (we have purchased the full program) tasks, as well as task on tech tools such as Padlet, Kahoot and All In Learning.</p> <p>Planning time is provided in teacher PLC to address student engagement in lesson planning with specific time and expectation to include unpacking TEKS, Exit Tickets and Learning activities.</p> <p>Special Education student daily engagement, similar to student/teacher interaction, follows the general education expectations for teacher/student engagement. Student IEPs will also drive student engagement on a daily or weekly basis. Additionally, Special Education students can access their general education teachers and SPED teacher/Case Manager through office hours or email for on-going support.</p>
<p>What is the system for tracking daily student engagement?</p>	<p>As mentioned in the section above, ILTexas’s system for tracking daily student engagement is multi-layered. In sum, there are three components to the ILTexas system of tracking daily student engagement as part of Virtual School 3.0: (1) The first component is the tracking of the daily live/synchronous student engagement on our Skyward Student Database;</p>

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(2) The second component of tracking daily student engagement is the utilization of programs within Classlink. Classlink is a Single Sign On (SSO) platform that syncs information from the Student Information System with specific curriculum resources. When a student logs in to their device and then accesses a program, Classlink tracks the time the student logged into each program and the duration spent on that application. This information is accessible to the teacher through their dashboard. (3) Another method (used daily) of tracking daily student engagement includes platforms such as Seesaw or Google Classroom provide time stamps when work is turned in to ensure students are engaged every day and provide teachers an opportunity to give students feedback for the purpose of building relationships and engaging students in content/learning. The focus of the feedback here on the student engagement (assignments/tasks) is on the *quality* of the work, not quantity. Meaning, these are opportunities for teachers to provide live feedback, video recorded feedback, or written feedback that is qualitative not just quantitative. Our learning platforms, as an example, afford us the possibility of giving feedback on writing samples and a way a student may elaborate on their writing. At minimum, two of these data points are (4) added to the Skyward gradebook. If a student fails an assignment and or is missing an assignment, student contact is made. They are given an opportunity to make the assignment up on their own or invited to Eagle Academy (formerly known as Homework Academy), and (5) a significantly smaller percentage of student engagement is tracked through email communication and phone calls.

Special Education student engagement tracking will mirror that of the general education expectations listed above.

Additional tracking measures, in regards to student IEP schedule of services, include but are not limited to the following:

- In Class Support Logs
- Resource Pull-Out Logs
- Content Mastery Logs
- Counseling Attendance Logs
- Behavior Support Logs
- Social Skills Logs
- Related-Service Logs (e.g. OT, PT, Speech, etc.)

IEP support logs contain a “comments” section within the document for the service provider to annotate class observations regarding student engagement and participation.

Note: All Special Education Logs are expected to be maintained electronically

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

<p>How are the expectations for daily student engagement consistent with progress that would occur in an on-campus environment?</p>	<p>As previously noted, our curriculum and instruction plan and schedule mirrors the plan for in person instruction. Even though we have had to make adjustments and accommodations, the progress monitoring and tracking of student engagement and progress is similar to that of on-campus. Our grading policy is also the same for our asynchronous plan as it is for our in-person plan (with a two grades per week minimum documented in Skyward) expectation for both in-person and Virtual School 3.0.</p> <p>Additionally, ILTexas has made every effort to maintain consistency with student and teacher expectations and policies across our learning models. Just as daily student engagement and progress monitoring occurs in an on-campus environment, daily student engagement and progress monitoring occurs on our asynchronous model. As an example, ILTexas has three expectations (3B's): Be on time, Be Responsible, and Be Respectful. We have been able to transfer these same 3 B's and apply them to our asynchronous model. As students are on time and responsible with their daily engagement, we have been able to gauge engagement and progress in a similar manner. Further, as previously mentioned, if a student fails an assignment and or is missing an assignment, student contact is made. They are given an opportunity to make the assignment up on their own or invited to Eagle Academy (formerly known as Homework Academy), if they are in-person or if they are virtual. Eagle Academy is offered to both in-person as well as remote learners.</p> <p>Special Education student engagement is consistent with the general education student engagement expectations at ILTexas. Students are provided services per their IEP. Contingency plans will be developed for all students with an IEP to address any scheduling differences between the face-to-face, virtual synchronous, and virtual asynchronous settings. Additionally, the contingency plan will outline any adaptations made to the IEP in order for it to be implemented, with fidelity, in the virtual setting.</p> <p>Further, daily attendance dashboard/reports are share districtwide to principals, APs, and principal supervisors so that daily we are able to monitor trends. Weekly, our ILTexas dashboard also captures attendance averages per campus so that the necessary attention is placed on these percentages and provide actionable feedback on ways we are increasing attendance, student engagement, and academic progress.</p>
<p>What is the system for tracking student academic progress?</p>	<p>In addition to the aforementioned daily tracking of student academic progress via our classroom learning management systems and gradebook (minimum 2 grade per week)...</p> <p>Daily/Weekly - Formative Assessments developed at the campus level and tracked on Skyward. This is our avenue for communicating progress to parents as well.</p> <p>End of Cycle Assessments - Curriculum based assessments developed at the district level BOY - MOY - EOY assessments to assess progress (MAP Reading, Math, and Science), iStation (Reading), Imagine Math EOC BOY Diagnostic assessments - developed by TEA for students slated to retest in December</p>

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

Interim Assessments - developed by TEA - opportunities 1 & 2
 STAAR & EOC Assessments - developed by TEA

In addition to curriculum assessments, students will have additional assessments to include:

- PSAT 8/9 - 9th graders
- TSIA - 10th graders
- PSAT NMSQT - 11th graders
- SAT - Fall 12th graders, Spring 11th graders
- AP Assessments for available non-core courses
- ASVAB - all 10th graders, optional for 11th and 12th graders
- ACTFL - Spanish & Chinese - Kinder thru 12th grades
- AAPPL - Spanish & Chinese - 3rd, 5th, and 12th grades
- LEP Progress Monitoring - Kinder thru 12th grades
- TELPAS - Kinder thru 12th grades
- ISIP Reading/Lectura K-8
- Imagine Math K-8

As previously mentioned, in addition to the aforementioned Monday grade level PLC triage, we also host a “Data Day” at the completion of each grading period. During our Data Day, we are able to analyze the cycle’s data through developing an action plan which will include how we will and when we will differentiate for students. ILTexas hosted our Cycle 1 Data Day this month. Our Data Day agenda template is linked [HERE](#) for your reference. The Data Day goals are (1) Deliver Campus Priority PD/Work Sessions (AM) (2) Analyze Data & identify gaps in learning while also developing the reteach plan to close gaps, (3) Develop the instructional planning calendar with high leverage TEKS that may need to be retaught reviewed based off of Cycle 1 ECAs.

As part of our academic calendar, we will follow this same pattern whereby we are not only providing assessments to track academic progress but also giving teachers (and leaders) the opportunity to analyse the data and use the data to make informed decisions.

Data days occur *every cycle*, but PLCs are held daily. In addition to their daily PLC teachers also have a conference time/planning time. Of our daily PLCs, at least once weekly, teachers are afforded an opportunity to look at data, make data driven decisions specific to their students (ie, student grouping in ER time), and to inform practice (data driven instruction). ILTexas already had this framework in place, but it has been adapted to Virtual School 3.0, as it is more important than ever to know our students.

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

	<p>Special Education student progress will be tracked in accordance with the ILTexas assessment information listed above. Special education data (special populations data) is an integral part of our daily PLC and Data Day data analysis to action per cycle.</p> <p>Additionally, Special Education students with IEP goals/objectives are tracked on a weekly basis in Frontline or through the use of electronic goal/objective tracking templates. Progress Reports are updated “ concurrent with issuance of report cards” (i.e. at the end of each grading cycle) through Frontline Progress Reports.</p> <p>Special Education students enrolled into the Special Education intervention programs (Read 180, System 44, Math 180, and Do The Math) will be administered a BOY, MOY, and EOY of the following assessments:</p> <ul style="list-style-type: none"> - Reading Inventory (Read 180, System 44) - Phonics Inventory (Read 180, System 44) - Math Inventory (Math 180) - Module Assessments--Beginning, Middle, End (Do The Math)
<p>What is the system for providing regular (at least weekly) feedback to all students on progress?</p>	<p>Students (and their parents) have access to the same system for receiving regular feedback from their teachers as when on campus instruction is provided. Teachers are expected to, by 8am on Monday, ensure their Skyward grade book is up to date. Parents receive notice of any failing assignments or opportunities to make up assignments via our Eagle Academy. This is in addition to the aforementioned feedback (less formal) provided on the work submitted through Seesaw (K-2) and Google Classroom (3-12), plus that provided by our learning applications and courseware.</p> <p>Progress provision on Special Education students will follow the ILTexas guidelines. Additionally, per the IEP, Progress Updates on IEP goals/objectives are completed “concurrent with issuance of report cards” and prior to any ARD meeting (e.g. a Revision ARD for a student class failure, parent requested ARD, etc.).</p>

Key Requirement Implementation: Describe specific supports for educators and families to implement effective remote asynchronous instruction.

We have included links in this section which we hope are helpful artifacts. Please find a few sample schedules which are for professional development offered or to be offered for our Virtual School 3.0 teachers. Please note that there are links embedded within each that are internal only: (1) [Summer PD Catalogue](#), highlighting some of the Virtual School 3.0 prep, [August 7 Instructional Tech PD Sessions](#), [ILTexas Districtwide Grade Level PLC Sample Schedules & Presenter Notes](#), [October ILTexas-wide PD Day](#), [Virtual Breakout Sessions](#). Additionally, please note that we host Content PLCs (via zoom) Tuesdays and Wednesdays with the purpose of reviewing what students are expected to learn and how we will know they’ve learned it, anchored in our compacted curriculum and digitized platforms and instructional materials highlighting how we have adapted our curriculum and instruction, specifically for our Virtual School 3.0 (and our ILTexas Asynchronous Plan).

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

Summarize how your professional development for educators will support asynchronous instruction:

Component	Explanation
<p>How will both initial and ongoing, job-embedded educator development opportunities occur?</p>	<p>ILTexas has continued and will continue to provide online professional development through both a synchronous (zoom sessions with department directors, coaches, instructional aides, etc) and asynchronous professional development through recorded trainings (screen castify, recorded zooms, peardeck and google PPT self-paced slides).</p> <p>Professional Development is coordinated to meet the needs of our stakeholders based on department, years of experience, and training/ on- going support needed in key initiatives, etc.</p> <p>As an example, ILTexas hosted our New to ILTexas Orientation, New Teacher Orientation, and 8 days of professional development prior to our first day of school, virtually. This included a day and a half ILTexas wide conference which included a keynote, and over 100 virtual breakout sessions to include an emphasis on our asynchronous plan and our 2020-2021 Theme: Relationships, Relevance, Rigor, and Results.</p> <p>Further, we host Wednesday PD during our 7th & 8th Period Blocks, districtwide (zoom meetings or webinars) to help our teachers leverage on our synchronous/asynchronous resources & build capacity around the areas addressed in this plan.</p>
<p>How will professional development experiences develop educator content knowledge to support internalizing the asynchronous curriculum and analyzing and responding to data?</p>	<p>Professional Development sessions have targeted the instructional technology platform training that personnel from all departments have needed to quickly adapt to in order to better succeed at their role from a remote setting. All personnel have been trained on online communication platforms such as zoom, which continued emphasis on Google Classroom, SeeSaw and Peardeck offered to personnel who directly connect with students.</p> <p>Our highest leverage PD tool is our PLC framework. Because we have a uniform and unified master schedule, our teachers teaching the same courses (grade level and content) are off at the same time; thus, we host districtwide PLCs on Zoom. We have a course lead identified for each of the key course we teach that help facilitate these virtual PLCs whereby we are able to build capacity across the district to support internalizing our virtual school curriculum and lead data driven instruction.</p> <p>Special Education Teachers/Staff attend, as appropriate, their respective general education professional development training, in addition to Special Education targeted professional development regarding data collection and progress monitoring. If data trends are such that students appear to be regressing or lacking progress, Special Education teachers are mandated to return to ARD to review lack of progress and/or student failure.</p> <p>Further, The EL Department has scheduled for all campus staff to be trained on Sheltered Instruction in Texas - Second Language Acquisition Methods for Teachers of ELs. All our teachers are language teachers and all our students are language students.. There are a variety of models for delivering effective sheltered instruction in Texas schools. Some of the models used are: Sheltered Instruction in Texas: Second Language Acquisition Methods for Teachers of ELs (Seidltiz), SIOP,</p>

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

QTEL, Project GLAD. ILTexas has been and will continue to use **Sheltered Instruction in Texas: Second Language Acquisition Methods for Teachers of ELs**. These strategies will be used on differentiating instruction for ELs in asynchronous instruction. The EL Department will provide ongoing training on differentiating instruction for ELs in an asynchronous learning environment.

Describe your communication and support plan for families engaging with asynchronous learning:

Component	Explanation
<p>How will you communicate the expectations for asynchronous instruction to families?</p>	<p>Initial communication for asynchronous instruction expectation will be sent via email to all families. The communication will be housed on our website so that parents can easily access the resource as needed. Linked here are our Parent Norms</p> <p>Additionally, ILTexas created a Parent University website to provide parents a repository of district resources, links to instructional videos in English and Spanish on how to navigate through Zoom, See-Saw and Google Classroom as well as a section on Social/ Emotional Wellness links to manage adjusting to online learning for both students and parents.</p> <p>The ILTexas Professional Development department coordinated with key departments in collaborating on key topics and links that would be helpful to our parent and community stakeholders. Key components included in the Parent University site also include Student Norms for online learning, animated videos created by the Parent University committee and PD Department explaining key online instructional platforms and student norms, and an overview on supplemental platforms for core departments, SPED and GT resources for online learning.</p> <p>Link to Parent University Website: https://www.iltexasefwhs.org/</p> <p>Further, our main website (ILTexas.org) has a link to our Virtual School 3.0 plan schedules and Parent University.</p> <p>All Special Education students with an IEP will have a contingency plan developed, through IEP amendment or Revision ARD, to address schedule of services in the virtual synchronous and virtual asynchronous settings, of which a parent will receive a copy.</p>
<p>What are the expectations for family engagement/support of students?</p>	<p>The Professional Development department has coordinated with our Behavior Specialist Coordinator to outline Parent Norms for our parents to support online learning while still allowing students to take ownership of their online learning experience.</p> <p>ILTexas has held numerous parent Zoom meetings and webinars regarding our program model, to include specific grade level parent information sessions. Further, we have a slate of ongoing parent webinars that we will be offering throughout the school year.</p>

INTERNATIONAL LEADERSHIP OF TEXAS: ASYNCHRONOUS PLAN

	<p>Teachers/Case Managers of Special Education students are expected to maintain open lines of communication with students and families on a weekly basis. Campuses ensure meaningful parent participation in ARD meetings, parent/teacher conferences, and/or staffings through Zoom or phone conferences.</p>
<p>What additional supports, training, and/or resources will be provided for families who may need additional support?</p>	<p>ILTexas will provide ongoing webinars to families.</p> <p>For example, additional parent sessions will be presented to families of English Learners, specifically</p> <p>September: Building Resilience - 2 sessions: English & Spanish October Reading with Your Child - 2 sessions: English & Spanish November How to Help Your Child with Math - 2 sessions: English & Spanish January: Preparing Your Child for TELPAS - 2 sessions: English & Spanish February. College and Career Readiness - 2 sessions: English & Spanish</p> <p>Parents/families of students receiving Special Education services are invited to attend ongoing SPED specific webinars designed to address any updates from the state. ILTexas provides parent and in-home training as ARD-committees deem appropriate. Services to be provided virtually.</p> <p>Virtual counseling is offered to parents, families, and students in need.</p>

Note: The mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character. The ILTexas Asynchronous Plan is designed to fulfill the promises of our mission to our ILTexas students and families.

Consent Item 3

REIMBURSEMENT RESOLUTION

#20201021

RESOLUTION OF THE BOARD OF DIRECTORS OF THE INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. D/B/A INTERNATIONAL LEADERSHIP OF TEXAS EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED

REIMBURSEMENT RESOLUTION #20201021

WHEREAS, the Board of Directors of INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC. D/B/A INTERNATIONAL LEADERSHIP OF TEXAS, a Texas nonprofit corporation (the "Company"), has determined that it is in the Company's best interests to pursue a financing to pay certain costs associated with the acquisition, construction, furnishing, equipping, repair, renovation, expansion, and improvement of its educational facilities as further described in Exhibit A, attached hereto (the "Project"); and

WHEREAS, the Company reasonably expects to borrow the proceeds of one or more issues of tax-exempt obligations or obligations that qualify for an income tax credit or obligations the interest on which is excludable from gross income for federal income tax purposes (together, the "Tax-Advantaged Obligations"), pursuant to Section 103 of the Internal Revenue Code of 1986, as amended, that are issued on its behalf and to reimburse itself for the costs associated with the Financed Facilities and Improvements listed on Exhibit A attached hereto; and

WHEREAS, the Company desires to reimburse itself for the costs associated with the Financed Facilities and Improvements listed on Exhibit A attached hereto from the proceeds of Tax-Advantaged Obligations to be issued subsequent to the date hereof;

NOW, THEREFORE, be it resolved that:

Section 1. The Company hereby declares its intent to reimburse itself for all costs paid and to be paid in connection with the Financed Facilities and Improvements listed on Exhibit A attached hereto from the proceeds of Tax-Advantaged Obligations to be issued subsequent to the date hereof.

Section 2. The Company reasonably expects that the maximum principal amount of Tax-Advantaged Obligations issued by the Company to finance costs associated with the Financed Facilities and Improvements listed on Exhibit A attached hereto will not exceed \$75,000,000.

Section 3. This Resolution will be kept in the books and records maintained by the Company with respect to the Tax-Advantaged Obligations.

PASSED AND APPROVED this 21st day of October, 2020.

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **October 21, 2020**, which Resolution is in full force and effect and has not been revoked or amended.*

Tracy Cox, Board Secretary

Date: _____

EXHIBIT A TO REIMBURSEMENT RESOLUTION #20201021

Property	Address	Contract Effective Date	Tentative Closing/Completion Date	Contract/Total Price	Notes
Headquarters Land/Building Purchase	2021 Lakeside Blvd. Richardson, TX 75082	7.29.20	12.10.20	\$ 7,250,000.00	Does not include due diligence/commissions.
Headquarters Build-out	2021 Lakeside Blvd. Richardson, TX 75082		8.1.20	\$ 2,000,000.00	
Aggieland HS Land Purchase	4070 State Highway 6 South College Station, TX 77845	5.6.20	Closed 9.30.20	\$ 3,046,466.61	Does not include due diligence/commissions.
Lancaster-South Dallas HS Land Purchase	7811 University Hills Blvd. Dallas, TX 75241	6.2.20	10.30.20	\$ 3,080,000.00	Does not include due diligence/commissions.
Windmill Lakes-Orem HS Land/Buildings Purchase	9901 Windmill Lakes Blvd. Houston, TX 77075	5.8.20	Closed 10.8.20	\$ 13,100,000.00	Does not include due diligence/commissions.
Aggieland HS Remodel - CSPD Building	2611 Texas Ave. South College Station, TX 77840		12.31.20	\$ 1,997,964.00	Does not include architect and consultant fees.
Katy-Westpark HS Expansion	20055 Beechnut St. Richmond, TX 77407		8.1.21	\$ 9,643,972.00	
Keller-Saginaw HS Expansion	10537 Hwy 287 Fort Worth, TX 76131		8.1.21	\$ 9,791,395.00	
Keller-Saginaw HS Athletic Fields	10537 Hwy 287 Fort Worth, TX 76131		11.6.20	\$ 1,868,134.00	Does not include architect and consultant fees.
Lancaster-Desoto HS Remodel	901 N. Polk St., Suite 101 DeSoto, TX 75115		12.31.20	\$ 750,000.00	
Windmill Lakes-Orem HS Phase II Remodel	9901 Windmill Lakes Blvd. Houston, TX 77075		12.31.21 (date will move)	\$ 4,697,702.00	Fields, Sanctitorium Walls, STC, Utilities, Demo.

Consent Item 2

CHANGE DISTRICT ADDRESS

**RESOLUTION OF THE BOARD OF DIRECTORS OF INTERNATIONAL
AMERICAN EDUCATION FEDERATION, INC., CHARTER HOLDER OF
INTERNATIONAL LEADERSHIP OF TEXAS
REGARDING
CHANGE OF DISTRICT ADDRESS**

WHEREAS, International Leadership of Texas has maintained its headquarters at 1820 Glenville Dr., Suite 100, Richardson, TX 75081;

WHEREAS, the lease at that location will expire at the end of November 2020;

WHEREAS, International Leadership of Texas has entered into a purchase agreement for a new headquarters at 2021 Lakeside Blvd, Richardson, TX 75082, but that property will not be ready for move-in until the spring semester of 2021; and

WHEREAS, International Leadership of Texas has office space located at 1651 Glenville Dr., Suite 216, Richardson, TX 75081, available for use as a headquarters until the Lakeside building is ready for move-in.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, formally declares that:

1. **Change of Address.** Changing the address of International Leadership of Texas from 1820 Glenville Dr. to 1651 Glenville Dr., Suite 216, Richardson, TX 75081 and then to 2021 Lakeside Blvd, Richardson, TX 75082;
2. **Authorization.** The Board authorizes the Superintendent and Chief Financial Officer to file all necessary documentation with the Texas Secretary of State and the Texas Education Agency and any other entities necessary to effectuate the change of address and maintain the Charter under the new name.

[SIGNATURE PAGE FOLLOWS]

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., DBA INTERNATIONAL LEADERSHIP OF TEXAS, ON THE **21ST DAY OF October, 2020.**

Members Voting in Favor of Resolution:

Maj. Gen. James Williams, Board President

Lynne Beach, M.D., Board Vice President

Mr. Tracy Cox, Board Secretary

Dr. Soner Tarim, Board Member

Mr. Peter Gudmundsson, Board Member

Mr. Chris Moreland, Board Member

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **October 21, 2020**, which Resolution is in full force and effect and has not been revoked or amended.*

Secretary ____/____/____

Non-Expansion Amendment Request Form

**Texas Education Agency
Division of Charter School Administration**

Phone: (512) 463-9575

Email: charteramendments@tea.texas.gov

Name of Charter:

County-District Number:

Name of Charter Holder:

Requested Effective Date:

Section I: Check the appropriate box for the Non-Expansion Amendment requested.

More than one box may be checked. *(Attach additional documents as required.) (Submit all program changes for review.)*

1. Charter District Address Change

Current:

New:

9. Close Campus

Reason:

Campus Number:

2. Relocation-Campus: Campus #

Current:

New:

10. Return of Charter

Reason:

3. Charter Name Change:

Current:

New:

11. Admissions Policy Revision*

Attach separate sheet with current and requested language changes.

4. Campus Name Change : Campus #

Current:

New:

12. Enrollment Policy Revision*

Attach separate sheet with current and requested language changes.

5. Charter Holder Name Change

Current:

New:

13. Articles of Incorporation Revision*

Attach separate sheet with current and requested language changes.

6. Management Company Addition/Change**

Current:

Change:

14. By-Laws Revision*

Attach separate sheet with current and requested language changes.

7. Educational Services Addition/Change

Current:

Change:

15. Fiscal Revision*

Current:

Change:

8. Curricular Addition/Change

Current:

Change:

16 Other:

Continued on next page

For Internal Use Only

Amendment Numbers

Received Date

Due Date

Page 1

Non-Expansion Amendment Request Form

**Texas Education Agency
Division of Charter School Administration**

Phone: (512) 463-9575

Email: charteramendments@tea.texas.gov

Section II: Justification for Non-Expansion Amendment Request:

In the space below, please state justification for the non-expansion amendment requested.

Section III: Non-Expansion Amendment Request Form Checklist:

1. **Charter Holder Board Resolution**—A written resolution adopted by the governing body of the charter holder, with printed names and signatures, demonstrating that a **quorum** of the members voted in favor of amending the charter. The names should match information on the most recent Annual Governance Reporting Forms submitted to TEA. Otherwise, documentation explaining any differences must be included.
(If multiple amendment requests are being made, include all board resolutions together.)
2. **Charter language changes**—The text and page numbers, or photocopies of the charter language to be changed, and the text proposed as the new charter language must be submitted with changes clearly marked, if applicable.*
3. **Management company**—A copy of the contract must be submitted if the request is to enter into or change a management company contract, if applicable.**

Section IV: CEO/Superintendent acknowledgement, signature, and current contact information:

As the CEO/Superintendent of the charter school, I understand that incomplete submissions may cause a delay in processing until all required documentation has been received by the Division of Charter School Administration.

(Contact the Division of Charter School Administration at charteramendments@tea.texas.gov to confirm the submission of proper documentation. Include the charter name and CDN in the subject line.)

Name of CEO/Superintendent

Phone Number

Email Address

Signature of CEO/Superintendent

Date

For Internal Use Only

Amendment Numbers

Received Date

Due Date

Page 2

Non-Expansion Amendment Request Form

**Texas Education Agency
Division of Charter School Administration**

Phone: (512) 463-9575

Email: charteramendments@tea.texas.gov

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Name of Charter Holder:

Requested Effective Date:

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Current:

Change:

8. Curricular Addition/Change

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16 Other:

Continued on next page

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Amendment Numbers

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As the CEO/Superintendent of the charter school, I understand that incomplete submissions may cause a delay in processing until all required documentation has been received by the Division of Charter School Administration.

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Name of CEO/Superintendent

Phone Number

Email Address

Signature of CEO/Superintendent

Date

For Internal Use Only

Amendment Numbers

Received Date

Due Date

Page 2

Consent Item 1

**TEMPORARY RELOCATION OF IN-PERSON
LDHS STUDENTS**

**BOARD RESOLUTION
AMENDING THE OPEN-ENROLLMENT CHARTER OF
INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.,
DBA INTERNATIONAL LEADERSHIP OF TEXAS**

WHEREAS, the Board of Directors of the International American Education Federation, Inc., dba International Leadership of Texas (“ILTexas”) desires to amend its Open-Enrollment Charter to temporarily relocate a small number of ILTexas Lancaster-DeSoto High School students, who are receiving in-person on-campus instruction, to the site of ILTexas Lancaster K-8, at times when early voting and November 3, 2020 election voting activities may complicate adherence to ILTexas’s operational plans for mitigating COVID-19-related risks;

WHEREAS, toward this object, the Board of Directors wishes to make said temporary relocation of record with the Texas Education Agency;

WHEREAS, the activity contemplated is in the nature of items which 19TAC §100.1033(b) includes among types of charter amendments, such as those affecting grade levels, approved campus(es), approved sites, relocation of campus, educational program of a school;

WHEREAS, 19TAC §100.1033(b)(10) does not include the aforementioned among types of expansion charter amendments;

NOW, THEREFORE, the Board of Directors of ILTexas, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, does hereby adopt the following Resolutions:

BE IT HEREBY RESOLVED:

That administration is authorized:

1. To effect temporary relocation of ILTexas Lancaster-DeSoto High School students receiving in-person on-campus instruction to the site of ILTexas Lancaster K-8 as needed during voting activities; and
2. To file with the Texas Education Agency any non-expansion charter amendment requests and waiver applications administration deems appropriate for effecting said temporary relocation.

[SIGNATURE PAGE FOLLOWS]

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., DBA INTERNATIONAL LEADERSHIP OF TEXAS, ON THE **21st DAY OF OCTOBER, 2020.**

Members Voting in Favor of Resolution:

Maj. Gen. James Williams, Board President

Lynne Beach, M.D., Board Vice President

Mr. Tracy Cox, Board Secretary

Dr. Soner Tarim, Board Member

Mr. Peter Gudmundsson, Board Member

Mr. Chris Moreland, Board Member

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **October 21, 2020**, which Resolution is in full force and effect and has not been revoked or amended.*

Secretary ____ / ____ / ____

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Change:

14. By-Laws Revision*

Attach separate sheet with current and requested language changes.

7. Educational Services Addition/Change

Current:

Change:

15. Fiscal Revision*

Current:

Change:

8. Curricular Addition/Change

Current:

Change:

16 Other:

Continued on next page

For Internal Use Only

Amendment Numbers

Received Date

Due Date

Page 1

Non-Expansion Amendment Request Form

**Texas Education Agency
Division of Charter School Administration**

Phone: (512) 463-9575

Email: charteramendments@tea.texas.gov

Section II: Justification for Non-Expansion Amendment Request:

In the space below, please state justification for the non-expansion amendment requested.

Section III: Non-Expansion Amendment Request Form Checklist:

1. Charter Holder Board Resolution—A written resolution adopted by the governing body of the charter holder, with printed names and signatures, demonstrating that a **quorum** of the members voted in favor of amending the charter. The names should match information on the most recent Annual Governance Reporting Forms submitted to TEA. Otherwise, documentation explaining any differences must be included.

(If multiple amendment requests are being made, include all board resolutions together.)

2. Charter language changes—The text and page numbers, or photocopies of the charter language to be changed, and the text proposed as the new charter language must be submitted with changes clearly marked, if applicable.*

3. Management company—A copy of the contract must be submitted if the request is to enter into or change a management company contract, if applicable.**

Section IV: CEO/Superintendent acknowledgement, signature, and current contact information:

As the CEO/Superintendent of the charter school, I understand that incomplete submissions may cause a delay in processing until all required documentation has been received by the Division of Charter School Administration.

(Contact the Division of Charter School Administration at charteramendments@tea.texas.gov to confirm the submission of proper documentation. Include the charter name and CDN in the subject line.)

Name of CEO/Superintendent

Phone Number

Email Address

Signature of CEO/Superintendent

Date

For Internal Use Only

Amendment Numbers

Received Date

Due Date

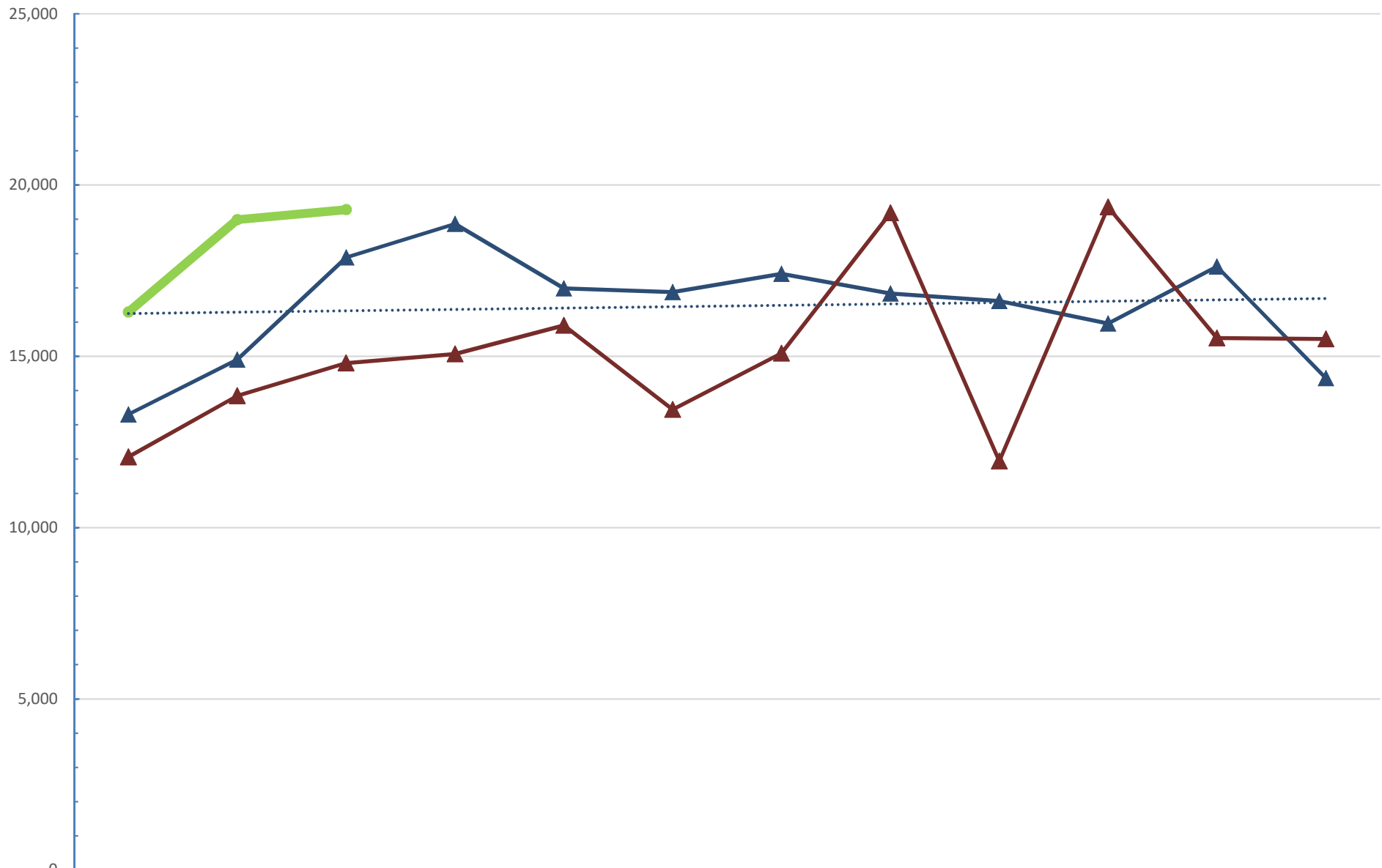
Page 2

Coversheet

CONSIDER/ACT ON SEPTEMBER, 2020 FINANCIAL REPORT

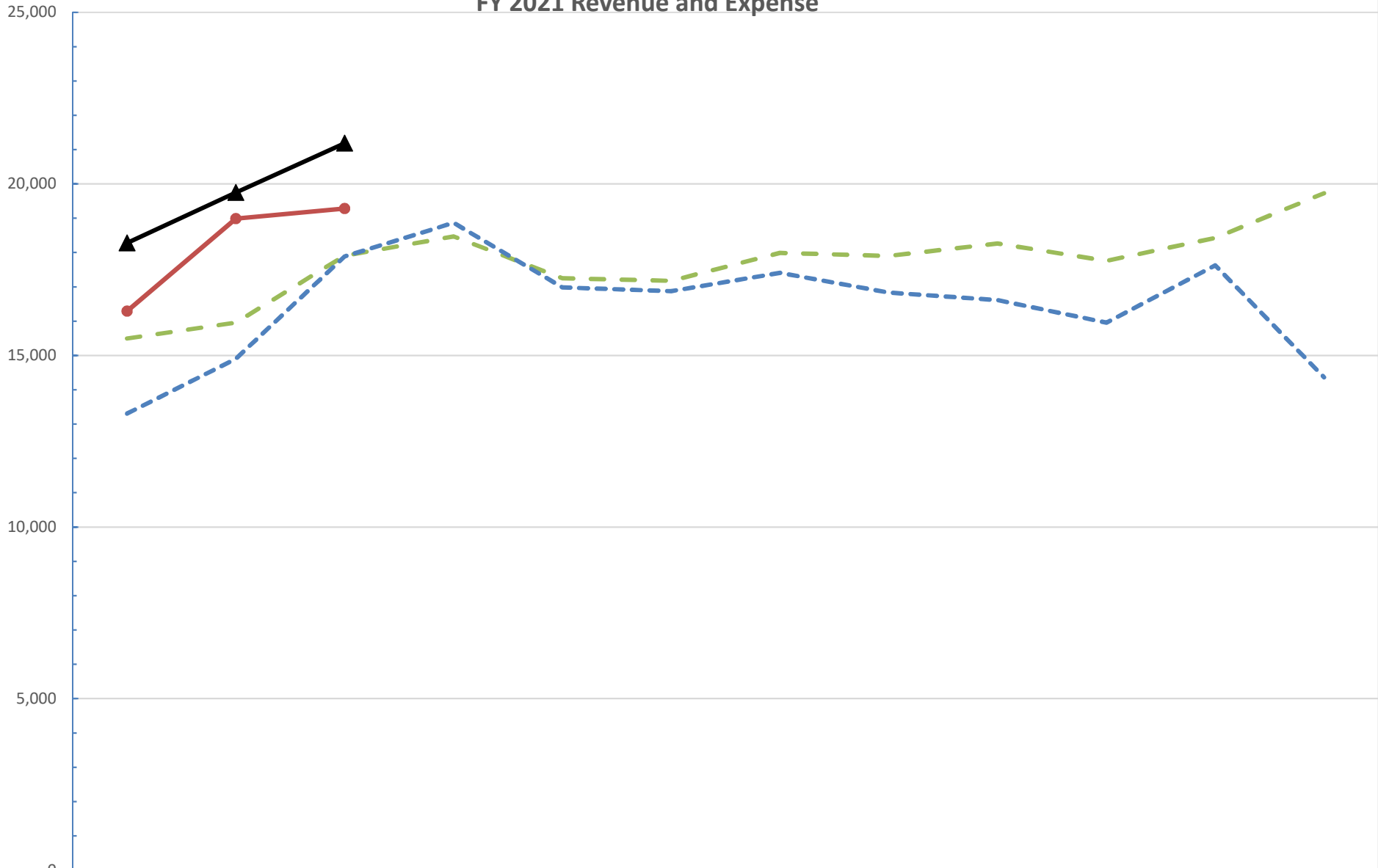
Section:	VII. Other Board Items for Discussion/Action
Item:	A. CONSIDER/ACT ON SEPTEMBER, 2020 FINANCIAL REPORT
Purpose:	Vote
Submitted by:	
Related Material:	9-2020 Financial Report with charts.pdf

TOTAL MONTHLY EXPENSES



	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
2020-21	16,292,575	18,991,399	19,280,397									
2019-20	13,306,685	14,902,934	17,887,960	18,866,142	16,982,487	16,876,725	17,406,249	16,833,481	16,612,201	15,957,893	17,624,013	14,364,370
2018-19	12,064,266	13,846,414	14,803,071	15,066,973	15,906,248	13,443,654	15,087,697	19,185,321	11,941,085	19,356,312	15,535,001	15,506,318

FY 2021 Revenue and Expense



	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
▲ FY21 Rev	18,278,859	19,746,714	21,185,998									
● 2020-21	16,292,575	18,991,399	19,280,397									
- - FY20 Rev	15,494,578	15,955,879	17,906,962	18,470,825	17,250,663	17,173,369	17,989,492	17,903,384	18,264,391	17,759,333	18,427,481	19,727,267
- - 2019-20	13,306,685	14,902,934	17,887,960	18,866,142	16,982,487	16,876,725	17,406,249	16,833,481	16,612,201	15,957,893	17,624,013	14,364,370

ILTexas Board Report

GRANT PROGRAMS

September 30, 2020



	Revenue FY 2020	FY 2021 Available	1st QTR
Title I (Part A & SIP)	4,460,295	6,554,275	1,492,200
Title II	546,110	711,673	120,159
Title III & Immigrant	442,483	572,408	74,630
Title IV	269,714	414,544	132,854
IDEA B	2,281,983	3,210,960	824,422
Carl Perkins	207,089	240,868	31,520
EMAT	1,765,958	2,042,751	2,042,751
Recurring Revenue	9,973,631	13,747,480	4,718,535

Title I, Part A – Helping provide high-quality education to students from low-income families. **SIP** – for Schools identified as a Comprehensive Support and Improvement School.

Title II – Increasing student achievement by improving educator effectiveness and increasing number of effective school leaders and teachers serving low-income and minority populations.

Title III – Ensuring English learners, including immigrant children, attain English proficiency at high levels in academic subjects to meet State academic standards

Title IV – Improving academic achievement of all students by increasing school capacity, improving school conditions, technology and digital literacy.

IDEA B – education for eligible students with disabilities ages 3-21

Carl Perkins – develop academic, technical, and employability skills of students enrolled in CTE programs.

EMAT – Bi-annual allotment for instructional materials and technology.

ILTexas Board Report

GRANT PROGRAMS

September 30, 2020

High Quality Replication – Special application: High-quality charter school expansion grant.

Safety Security – Special application: State grant to improve campus resources.

Physical Education – Special application: State grant to expand physical fitness and character education for students in middle school, junior high school and high school. Pilot program to improve academic and nonacademic outcomes for participating students.

Instructional Continuity / COVID-19 – To facilitate transition to distance, remote, and/or virtual learning for identified targeted support and improvement campuses.

ESSER / COVID-19 – Response to coronavirus. (Replaces funds taken by TEA in 2019-2020.)

SHARS CARES / COVID-19 – Special application: For healthcare-related COVID expenses.



	Revenue FY 2020	FY 2021 Available	1st QTR
High-Quality Rep.	2,467,557	2,932,443	567,346
Safety/Security	-	295,481	290,000
Physical Education		41,777	567,346
Instructional Continuity		70,000	-
CRF		1,137,704	1,137,704
ESSER State Adj.		3,507,805	36,908
CARES		38,070	
Non-Recurring Revenue	2,467,557	8,023,280	2,599,304

ILTexas Board Report

GRANT PROGRAMS

September 30, 2020

+3.8 million

\$8 million

	Revenue FY 2020	FY 2021 Available	1st QTR
Title I (Part A & SIP)	4,460,295	6,554,275	1,492,200
Title II	546,110	711,673	120,159
Title III & Immigrant	442,483	572,408	74,630
Title IV	269,714	414,544	132,854
IDEA B	2,281,983	3,210,960	824,422
Carl Perkins	207,089	240,868	31,520
EMAT	1,765,958	2,042,751	2,042,751
Recurring Revenue	9,973,631	13,747,480	4,718,535
High-Quality Rep.	2,467,557	2,932,443	567,346
Safety/Security	-	295,481	290,000
Physical Education		41,777	567,346
Instructional Continuity		70,000	-
CRF		1,137,704	1,137,704
ESSER State Adj.		3,507,805	36,908
CARES		38,070	
Non-Recurring Revenue	2,467,557	8,023,280	2,599,304
Total Funds	\$ 12,441,189	\$ 21,770,760	\$ 7,317,839

ILTexas Board Report | **Chief Financial Officer** | **September 30, 2020**

Key Ratios / Indicators	Results	Stat	Notes
Days Cash On Hand Day's Cash (+\$60,000)	109 Days \$561,000		Goal = 120 days Bonds = 45 days FIRST >20 days
Debt Service Coverage Ratio	1.7x		1.10x
D/E Ratio DS % of Revenue	25:1 16%		CFO Target = 4:1 CFO Target <10%
Current Enrollment (As of end of Month)	20,908		Hold Harmless = ADA: 20,212

Treasury / Accounting

BANKING

- BBVA 61,500,000 1.000%
- BBVA mmkt -0-
- TexPool 60,000

- Total Cash \$ 61,560,000 (↑\$21,990,000)
- Less: Accel Pmts 24,980,000 (↑\$24,980,000)
- Less: Revolver -----

= Base-line Cash \$ 36,580,000 (↓\$ 2,990,000)

Fixed Assets

August Cash Activity

- \$3,046,000 Land / Aggieland HS
- \$ 168,000 Six Vehicles (Operations / Recruiters)
- \$ 223,000 Two Busses
- \$1,764,000 Other purchases (primarily IT)

Other Information

BBVA Loans as of September 30:

- \$-0- million drawn on \$35 million line (3.15%)
- \$-0- million drawn on \$10 million line (4.00%)

Audit Complete – Seeking credit review (November?)

Key Indicators	Final 2020	2021 Budget	YTD 2021
Revenue	\$ 213,875,000	\$ 217,140,816	\$ 59,211,000
Expenses	\$ 197,881,000	\$ 215,217,736	\$ 54,564,000
Net Income	\$ 16,434,000	\$ 1,923,080	\$ 4,647,000

INTERNATIONAL LEADERSHIP OF TEXAS

UNAUDITED

Financial Summary

	Jul-20 2020-2021	Aug-20 2020-2021	Sep-20 2020-2021	Oct-20 2020-2021	Nov-20 2020-2021	Dec-20 2020-2021	FY 2021 2020-2021
Base Cash (excl. Excel. Pmt.)	\$ 40,879,709	\$ 39,567,545	\$ 36,585,674				
Accelerated TEA Payment	885,000	-	24,980,837				
Total Ending Cash	\$ 41,764,709	\$ 39,567,545	\$ 61,566,510				
<i>Days Cash (excl. Bond Int. Fund)</i>	83.7	72.8	109.8				
Bond Interest Fund							
Bond Project Fund	661,126	669,459	677,792				
Lease & Notes Payable	\$ 292,099	\$ 279,895	\$ 267,691				
\$10 million BBVA Revolver	-	-	-				
\$35 million BBVA Revolver	-	-	-				
Revenues	\$ 18,278,859	\$ 19,746,714	\$ 21,185,998				\$ 59,211,572
Less Expenses:							
Payroll Costs	9,232,293	10,190,727	10,298,273				29,721,294
Other Operating	3,358,635	5,133,213	5,274,278				13,766,126
Interest & Amort.	2,580,264	2,546,582	2,551,035				7,677,881
Depreciation	1,121,383	1,120,876	1,156,811				3,399,070
Change in Net Assets	1,986,285	755,315	1,905,601				4,647,200
EBIDA	\$ 5,687,932	\$ 4,422,774	\$ 5,613,447				\$ 15,724,152
Total Liabilities	538,403,971	537,650,517	564,153,805				
Total Equity	20,144,798	20,900,113	22,805,713				
D/E	26.7	25.7	24.7				CFO Target = 4:1
Equity Percent	3.6%	3.7%	3.9%				CFO Target = 20%
Interest = % of Revenue	14.1%	13.5%	13.0%				CFO Target < 8%
Bond Cash Interest	\$ 2,540,516	\$ 2,510,569	\$ 2,515,022	\$ -	\$ -	\$ -	\$ 7,566,107
Bond Principal	483,788	632,705	679,621	-	-	-	1,796,114
Other Debt Interest	4,891	1,156	1,156	-	-	-	7,203
Other Debt Principal	12,202	12,204	12,204	-	-	-	36,610
Cash Debt Service*	\$ 3,041,397	\$ 3,156,634	\$ 3,208,004	\$ -	\$ -	\$ -	\$ 9,406,034
D-S Coverage (YTD)	1.9	1.6	1.7				1.7
D-S % of Revenue	16.6%	16.3%	15.9%				

* Excludes optional pre-payments

INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

BALANCE SHEET

Assets	Beginning	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20
Current assets:							
Cash and cash equivalents	\$ 67,821,425	\$ 41,764,709	\$ 39,567,545	\$ 61,566,510			
Cash, bond project and maintenanc fund	652,792	661,126	669,459	677,792			
Cash, bond debt service funds	6,983,837	6,983,837	6,983,837	6,983,837			
Cash, debt service reserve fund	38,393,859	38,393,859	38,393,859	38,393,859			
Due from government agencies	30,998,333	30,863,695	33,142,272	35,722,708			
Other current assets	194,376	97,188	-	-			
Total current assets	145,044,621	118,764,413	118,756,971	143,344,706			
Non-current assets:							
Land	38,839,724	38,839,724	38,839,724	38,839,724			
Buildings	429,746,529	429,746,529	429,746,529	429,746,529			
Furniture and equipment	16,338,873	16,338,873	17,673,789	18,005,998			
Vehicles	3,133,997	3,133,997	3,133,997	3,301,987			
Less: Accumulated depreciation	(51,780,338)	(52,901,721)	(54,022,597)	(55,179,408)			
Construction in Process	3,978,238	4,626,953	4,422,218	8,899,983			
Total non-current assets	440,257,023	439,784,355	439,793,659	443,614,813			
Total assets	\$ 585,301,644	\$ 558,548,768	\$ 558,550,629	\$ 586,959,519			
Liabilities and Net Assets							
Current Liabilities:							
Accounts payable	4,054,289	3,371,871	3,970,406	5,920,327			
Accrued payroll	14,014,968	14,140,142	14,241,662	14,384,824			
Accrued interest	10,954,330	10,954,330	10,954,330	10,954,330			
Student activity funds	748,529	725,535	764,867	848,828			
Deferred revenue	3,741,587	1,041,587	156,587	25,137,587			
Lease liabilities, current	146,446	144,095	141,743	139,391			
Notes payable, current	-	-	-	-			
Bonds, current maturities	5,805,455	6,012,924	6,220,402	6,427,880			
Total current liabilities	39,465,605	36,390,484	36,449,996	63,813,168			
	3.7	3.3	3.3	2.2			
Long-term liabilities:							
Lease liabilities, long-term	157,855	148,004	138,152	128,300			
Notes payable, long-term	25,000,000	-	-	-			
Bonds payable, long-term	514,768,197	514,076,940	513,236,757	512,349,658			
Bonds payable, premium net issue costs	(12,248,525)	(12,211,457)	(12,174,389)	(12,137,320)			
Total long-term liabilities	527,677,527	502,013,487	501,200,521	500,340,638			
Total liabilities	90.2% 567,143,131	538,403,971	537,650,517	564,153,805			
Net assts (deficit):							
Beginning balance	16,829,679	18,157,597	18,157,597	18,157,597			
Current year change in net assets	1,328,834	1,987,200	2,742,515	4,648,116			
Total net assets	18,158,513	20,144,798	20,900,113	22,805,713			
Total liabilities and net assets	\$ 585,301,644	\$ 558,548,768	\$ 558,550,629	\$ 586,959,519			

INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED**CASH FLOWS**

	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	FYTD
Operating activities:							
Increase in net assets	\$ 1,986,285	\$ 755,315	\$ 1,905,601	\$ -	\$ -	\$ -	\$ 4,647,200
Adjustments to change in net assets:							
Depreciation	1,121,383	1,120,876	1,156,811	-	-	-	3,399,070
Amortization of debt issuance cost	37,068	37,068	37,068	-	-	-	111,205
Change in cash held in trust	-	-	-	-	-	-	-
Changes in assets:							
Due from Texas Education Agency	134,637	(2,278,576)	(2,580,436)	-	-	-	(4,724,375)
Other current assets	97,188	97,188	-	-	-	-	194,376
Changes in liabilities:							
Accounts payable and accruals	(580,239)	739,386	2,177,046	-	-	-	2,336,193
TEA accel. payments (deferred rev.)	(2,700,000)	(885,000)	24,981,000	-	-	-	21,396,000
Net cash provided by operations	96,322	(413,742)	27,677,090	-	-	-	27,359,669
Investing activities:							
Misc. purchases of equipment	(648,715)	(906,832)	(1,763,508)	-	-	-	(3,319,055)
Aggieland HS			(3,046,467)				(3,046,467)
Busses		(223,348)					(223,348)
6 Vehicles (Van/Recruiter/Highlander)			(167,990)				(167,990)
							-
							-
Net cash used in investing	(648,715)	(1,130,180)	(4,977,965)	-	-	-	(6,756,860)
Cash flows from (to) financing activities:							
Principal paid on Bond debt obligations	(483,788)	(632,705)	(679,621)	-	-	-	(1,796,114)
Principal paid on Other debt obligations	(12,202)	(12,204)	(12,204)	-	-	-	(36,610)
Bank loan - \$10M Revolver	(10,000,000)						(10,000,000)
Bank loan - \$25M Revolver	(15,000,000)						(15,000,000)
Cash provided (used) by financing	(25,495,990)	(644,909)	(691,825)	-	-	-	(26,832,724)
Net increase (decr) in cash & equivalents	(26,048,383)	(2,188,831)	22,007,299	-	-	-	(6,229,915)
Cash and cash equivalents at beginning of per	68,474,217	42,425,835	40,237,004				68,474,217
Cash and cash equivalents at end of period	42,425,835	40,237,004	62,244,303				62,244,303

INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

Income Statement

	July 2020	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Unaudited
	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021
<i>Enrollment</i>							
Total Local Support	4,054	22,762	23,047	-	-	-	49,863
Total State Funds	16,533,012	17,600,754	18,554,245	-	-	-	52,688,011
Federal Program Revenues							
Title I (Part A & SIP)	406,544	403,002	682,655	-	-	-	1,492,200
Title II	41,217	40,230	34,070	-	-	-	115,516
Title III & Immigrant	25,003	24,558	25,070	-	-	-	74,630
Title IV	12,193	96,463	24,198	-	-	-	132,854
IDEA B	194,993	206,700	194,800	-	-	-	596,494
Carl Perkins Grant	-	31,520	-	-	-	-	31,520
High-Quality Rep.	169,481	397,865	158,300	-	-	-	725,646
CRF	-	-	36,908	-	-	-	36,908
ESSER State Adj.	-	-	1,152,309	-	-	-	1,152,309
Medicaid Admin. Claim	(1,004)	24,898	795	-	-	-	24,690
JROTC	10,510	10,510	10,510	-	-	-	31,530
Child Nutrition	882,858	887,453	289,091	-	-	-	2,059,402
Total Federal Program Rev.	1,741,794	2,123,199	2,608,706	-	-	-	6,473,699
Total Revenues	\$ 18,278,859	\$ 19,746,714	\$ 21,185,998	\$ -	\$ -	\$ -	\$ 59,211,572
Expenses							
11 Instructional	7,497,969	9,788,517	9,521,962	-	-	-	26,808,448
12 Inst. resources & media	66,188	79,746	116,761	-	-	-	262,696
13 Curriculum & inst. staff devel.	544,302	609,847	576,032	-	-	-	1,730,181
21 Instructional leadership	126,074	118,107	121,232	-	-	-	365,412
23 School leadership	782,251	845,237	862,257	-	-	-	2,489,745
31 Guidance counseling & eval.	345,117	409,366	392,810	-	-	-	1,147,293
32 Social work services	5,814	5,662	5,365	-	-	-	16,841
33 Health services	175,521	161,729	130,912	-	-	-	468,162
34 Student transportation	83,618	104,926	72,796	-	-	-	261,339
35 Food services	715,101	258,306	343,178	-	-	-	1,316,584
36 Extracurricular activities	87,627	139,383	192,693	-	-	-	419,704
41 General administration	491,792	836,271	669,964	-	-	-	1,998,027
51 Facilities maintenance & ops.	2,175,365	2,312,062	2,209,094	-	-	-	6,696,521
52 Security and Monitoring	-	153,937	68,499	-	-	-	222,436
53 Data processing services	514,972	507,835	1,149,390	-	-	-	2,172,197
61 Community services	97,995	112,780	276,313	-	-	-	487,088
71 Debt service	2,582,869	2,547,688	2,571,141	-	-	-	7,701,698
81 Fundraising	-	-	-	-	-	-	-
Total Expenses	\$ 16,292,575	\$ 18,991,399	\$ 19,280,397	\$ -	\$ -	\$ -	\$ 54,564,372
Change in Total Net Assets	\$ 1,986,285	\$ 755,315	\$ 1,905,601	\$ -	\$ -	\$ -	\$ 4,647,200

INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

Expenses by Object Code

	<i>See Audit</i>	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	ILTexas
	<i>FY 2020</i>	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	2020-2021
6111 SALARY CONTROL	160	-	-	-	-	-	-	-
6112 SALARIES/WAGES SUB TEACH	1,548,436	-	10,338	65,297	-	-	-	75,634
6117 EXTRA DUTY/PROFESSIONAL	806,533	102,098	20,940	34,820	-	-	-	157,858
6118 STIPENDS/PROFESSIONAL	3,254,074	271,458	307,143	298,650	-	-	-	877,252
6119 SALARIES/WAGES TEACHERS/PROF	70,753,940	6,177,877	7,279,491	7,338,388	-	-	-	20,795,756
6121 O/T SUPPORT PERSONNEL	571,524	14,360	85,302	34,940	-	-	-	134,602
6127 EXTRA DUTY PAY/SUPPORT PERSN	171,158	7,479	16,496	11,515	-	-	-	35,490
6129 SALARIES/WAGES SUP PERSNL	10,193,479	1,331,643	970,973	971,286	-	-	-	3,273,902
6139 EMPLOYEE ALLOWANCES	224,982	919	500	-	-	-	-	1,419
6141 FICA/MEDICARE	1,165,668	110,338	118,783	119,596	-	-	-	348,717
6142 GRP HLTH/LIFE INS	5,664,946	552,360	542,065	627,552	-	-	-	1,721,977
6143 WORKERS'COMP	322,432	201,200	276,388	276,388	-	-	-	753,976
6146 TRS	4,235,016	337,561	437,309	394,841	-	-	-	1,169,711
6149 EMPLOYEE BENEFITS	(998)	-	-	-	-	-	-	-
6179 PAYROLL ACCRUAL	13,983,352	125,000	125,000	125,000	-	-	-	375,000
61-- Payroll Costs	112,894,703	9,232,293	10,190,727	10,298,273	-	-	-	29,721,294

PAYROLL BY DESIGNATED FUNDS SOURCE

4XX State & Local Funded	106,438,214	8,646,232	9,647,701	9,698,952	-	-	-	27,992,885
240 Child Nutrition	634,268	29,884	34,316	56,741	-	-	-	120,941
211 TITLE I, A	2,830,596	312,429	240,481	277,602	-	-	-	830,512
224 IDEA, B FORMULA	1,993,437	169,638	193,447	190,553	-	-	-	553,638
244 CATE - BASIC	894	-	902	-	-	-	-	902
255 TITLE II, A	499,778	37,635	38,532	32,632	-	-	-	108,799
263 TITLE III, A	259,277	24,521	17,631	24,001	-	-	-	66,153
266 SFSF	106,079	-	-	-	-	-	-	-
289 FED TEMP RESTR NET ASSETS	132,160	11,954	17,718	17,792	-	-	-	47,463
Federal Funds	5,822,221	556,177	508,711	542,580	-	-	-	1,607,467
61-- Payroll Costs	112,894,703	9,232,293	10,190,727	10,298,273	-	-	-	29,721,294

INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

Expenses by Object Code

	<i>See Audit</i>	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	ILTexas
	FY 2020	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	2020-2021
61-- Payroll Costs	112,894,703	9,232,293	10,190,727	10,298,273	-	-	-	29,721,294
6211 LEGAL SERVICES	350,634	20,828	47,262	18,770	-	-	-	86,861
6212 AUDIT SERVICES	62,810	30,000	30,000	-	-	-	-	60,000
6219 PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
6239 ESC SERVICES	367,681	3,015	106,895	85,885	-	-	-	195,795
6249 CONTRACTED MAINT/RPR	2,071,924	331,129	316,575	989,104	-	-	-	1,636,807
6254 INTERNET SERVICES	289,280	36,631	40,793	50,186	-	-	-	127,610
6255 CELL PHONES	71,997	6,363	6,274	-	-	-	-	12,637
6256 WATER/WASTE MGMNT	959,296	44,952	75,501	102,049	-	-	-	222,501
6257 PHONE	209,174	23,917	14,065	17,367	-	-	-	55,348
6258 ELECTRIC	1,371,374	96,903	116,861	142,133	-	-	-	355,896
6259 GAS	78,751	2,662	1,074	990	-	-	-	4,726
6269 RENTALS-OP LEASES	1,666,567	138,075	188,036	132,332	-	-	-	458,443
6297 SECURITY SERVICE/STUDENT	687,119	-	69,587	41,009	-	-	-	110,596
6299/2 Food Service Contracted Services	9,358,392	679,165	204,517	285,528	-	-	-	1,169,209
6299 MISC. CONTRACTED SERVICE	9,850,733	699,876	987,460	1,393,718	-	-	-	3,081,053
62-- Professional and Contracted Svcs.	27,395,734	2,113,515	2,204,900	3,259,069	-	-	-	7,577,484
6311 FUEL	119,741	2,922	63	5,681	-	-	-	8,666
6319 SUPPLIES M/O	735,093	56,195	163,979	119,433	-	-	-	339,607
6321 TEXTBOOKS	662,599	328,842	949,023	449,078	-	-	-	1,726,943
6329 READING MATERIALS	505,087	128,632	47,455	101,600	-	-	-	277,686
6339 TESTING MATERIALS	151,692	-	-	6,790	-	-	-	6,790
6398 DISCRETIONARY MATERIALS	600,000	60,000	60,000	60,000	-	-	-	180,000
6399 GENERAL SUPPLIES	6,639,965	373,128	1,331,491	875,993	-	-	-	2,580,611
6631 F&E / GRANT FUNDED	-	-	223,348	-	-	-	-	223,348
6639 F&E / GRANT FUNDED	79,185	-	-	20,250	-	-	-	20,250
6669 F&E / GRANT FUNDED	333,173	4,337	-	115,638	-	-	-	119,975
63+66 Other Supplies & Materials	9,826,536	954,056	2,775,358	1,754,462	-	-	-	5,483,876
6411 EMPLOYEE TRAVEL	519,590	2,766	9,733	9,911	-	-	-	22,410
6412 TRAVEL-STUDENTS	49,573	-	-	-	-	-	-	-
6419 TRAVEL--NON-EMP	2,155	-	-	-	-	-	-	-
6429 INS/BONDING COSTS	1,366,564	187,167	86,993	-	-	-	-	274,160
6449 DEPR EXP	13,796,892	1,121,383	1,120,876	1,156,811	-	-	-	3,399,070
6494 RECLASS TRANSP EXP	(60,400)	-	-	-	-	-	-	-
6495 MEMBERSHIPS AND DUES	213,411	-	6,265	158,558	-	-	-	164,823
6497 DYSLEXIA	(0)	-	-	2,900	-	-	-	2,900
6499 MISC OP COSTS	2,435,047	98,525	48,859	69,272	-	-	-	216,656
64-- Other Operating Expenses	18,322,832	1,409,841	1,272,726	1,397,452	-	-	-	4,080,019
6521 INT ON BONDS	27,283,527	2,539,410	2,509,464	2,513,917	-	-	-	7,562,790
6522 CAPTL LEASE INT	(150,984)	1,155	1,156	1,156	-	-	-	3,467
6523 INT ON DEBT	147,221	3,736	-	-	-	-	-	3,736
6524 AMRT BOND ISSUE COSTS	503,247	35,963	35,963	35,963	-	-	-	107,888
6525 AMRT BOND PREM/DISC	-	1,106	1,106	1,106	-	-	-	3,317
6599 OTHER DEBT FEES	118,356	1,500	-	19,000	-	-	-	20,500
7950 Gain - Asset Recovery	(220,033)	-	-	-	-	-	-	-
Total Expenses	\$ 196,121,140	\$ 16,292,575	\$ 18,991,399	\$ 19,280,397	\$ -	\$ -	\$ -	\$ 54,564,372

Coversheet

CONSIDER/ACT ON ANNUAL UPDATE OF SPECIAL EDUCATION POLICIES AND PROCEDURES

Section: VII. Other Board Items for Discussion/Action
Item: B. CONSIDER/ACT ON ANNUAL UPDATE OF SPECIAL
EDUCATION POLICIES AND PROCEDURES
Purpose: Vote
Submitted by:
Related Material:
VII B 5 -- Framework Crosswalk 2020 update (policies and procedures).pdf
VII B 1 -- Board Overview.pdf
VII B 4 -- SPED Operating Procedures - Required Upload.pdf
VII B 3 -- 2020-2021 SPED Policies.pdf
VII B 2 -- Policies 2020.pdf

SPECIAL EDUCATION CROSSWALK

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Child Find		#CHILD FIND- Child Find Duty #CHILD FIND - Generic
State Funding: Special Allotments	6.20	
Open-Enrollment Charter Equal Educational Opportunity	6.3, 6.1	
Applicability of Texas Education Code Relating to Special Education	6.2	
Compliance with Federal Funding Requirements: IDEA	6.17	
Free Appropriate Public Education	6.1	
Evaluation Procedures	6.16	
Child Find Duty	6.6	
Referral for Possible Special Education Services	6.15	
Ages 0-5	6.5	
Independent Educational Evaluations	6.16	
Monitoring and Compliance	6.2	
Eligibility	6.14	
District and Campus Improvement Plan		
District and Campus Improvement Plans	6.12	
Parent Notification and Personal Graduation Plan		
Graduation Requirements	6.3, 6.21	
Closing the Gap		
Closing the Gap	6.8	
Testing – Student Assessment	6.3, 6.16	
Diagnosis and Programs of Instruction	6.3, 6.8	
Free Appropriate Public Education	6.1	
Applicability of Texas Education Code Relating to Special Education	6.2	
State Funding: Special Allotments	6.20	
Graduation Requirements	6.3, 6.21	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Curriculum	6.8	
Open-Enrollment Charter Equal Educational Opportunity	6.3, 6.1	
Individual Education Program	6.3	
Shared Services Arrangements	6.19	
Dyslexia Services		#CHILD FIND - Dyslexia Services
Dyslexia Services	6.13	
Curriculum	6.8	
Public Education Information Management System (PEIMS)	6.2	
Referral for Possible Special Education Services		#CHILD FIND - Referral for Possible Special Education
Referral for Possible Special Education Services	6.15	
Native Language	6.3, 6.9	
Consent	6.9	
Independent Educational Evaluations	6.16	
Prior Written Notice	6.9	
Child Find Duty	6.6	
Monitoring and Compliance	6.2	
Eligibility	6.14	
Ages 0-5		#Child Find - Ages 0-5
Ages 0-5	6.5	
State Funding: Special Allotments	6.20	
Child Find Duty	6.6	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Prior Written Notice	6.9	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Native Language	6.3, 6.9	
Testing- Student Assessment	6.3, 6.16	
Least Restrictive Environment	6.3, 6.1	
Individual Education Program (IEP)	6.3	
Children Who Transfer		#CHILD FIND- Children Who Transfer
Evaluation Procedures	6.7, 6.16	
Records	6.24	
Individual Education Program (IEP)	6.7, 6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.7, 6.3	
Transfer of Parental Rights at Age of Majority	6.4	
Consent	6.9	
Children Who are Incarcerated		
Transfer of Parental Rights at Age of Majority	6.4	
Transition Services	6.3	
Private School Children	6.23	
Parent		
Consent	6.9	
Native Language	6.3, 6.9	
Records	6.24	
Prior Written Notice	6.9	
Health & Safety	6.11, 6.26	
Closing the Gap	6.8	
Curriculum	6.8	
Teacher Requested Review	6.2	
Foster and Surrogate Parents	6.22	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Transfer of Parental Rights at Age of Majority	6.4	
Procedural Safeguards	6.15	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Adult Student and Transfer of Right		
Transfer of Parental Rights at Age of Majority	6.4	
Records	6.24	
Transition Services	6.3	
Prior Written Notice	6.9	
Consent	6.9	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Review of Existing Evaluation Data (REED)		#EVALUATION- Review of Existing Evaluation Data
Evaluation Procedures	6.16	
Evaluation Procedures		#EVALUATION- Evaluation Procedures #EVALUATION- Generic
Evaluation Procedures	6.16	
Independent Education Evaluations	6.16	
Eligibility	6.14	
Summary of Performance		
Transition Services	6.3	
Autism		#EVALUATION- Disabilities #EVALUATION- Disabilities— Autism
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Autism Supplement	6.14	
Deaf-Blindness		#EVALUATION-Disabilities #EVALUATION-Disabilities—Deaf Blindness
Free Appropriate Public Education	6.1	
Ages 0-5	6.5	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Deaf or Hard of Hearing		#EVALUATION-Disabilities #EVALUATION-Disabilities—Deaf or Hard of Hearing
Free Appropriate Public Education	6.1	
Ages 0-5	6.5	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Emotional Disturbance		#EVALUATION-Disabilities #EVALUATION-Disabilities—Emotional Disturbance
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Intellectual Disability		#EVALUATION-Disabilities #EVALUATION-Disabilities— Intellectual Disability
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Multiple Disabilities		#EVALUATION-Disabilities #EVALUATION-Disabilities— Multiple Disabilities
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Noncategorical Early Childhood		#EVALUATION-Disabilities #EVALUATION-Disabilities— Noncategorical Early Childhood
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Orthopedic Impairment		#EVALUATION-Disabilities #EVALUATION-Disabilities—Orthopedic Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Other Health Impairment		#EVALUATION-Disabilities #EVALUATION-Disabilities—Other Health Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Specific Learning Disability		#EVALUATION-Disabilities #EVALUATION-Disabilities—Specific Learning Disability
Free Appropriate Public Education	6.1	
Referral for Possible Special Education Services	6.15	
Curriculum	6.8	
Dyslexia Services	6.13	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Evaluation Procedures	6.16	
Eligibility	6.14	
Speech or Language Impairment		#EVALUATION-Disabilities #EVALUATION-Disabilities—Speech or Language Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Traumatic Brain Injury		#EVALUATION-Disabilities #EVALUATION-Disabilities—Traumatic Brain Injury
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Visual Impairment		#EVALUATION-Disabilities #EVALUATION-Disabilities—Visual Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Eligibility	6.14	
Independent Educational Evaluation		#EVALUATION-Independent Educational Evaluation
Independent Educational Evaluations	6.16	
Rule of Construction		
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
ARD Committee Membership		#FAPE Admission Review and Dismissal Committee Membership
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Parent Participation		#FAPE Parent Participation
Prior Written Notice	6.9	
Native Language	6.3, 6.9	
Consent	6.9	
Foster and Surrogate Parents	6.22	
Procedural Safeguards	6.9, 6.15	
Referral for Possible Special Education Services	6.15	
Transfer of Parental Rights at Age of Majority	6.4	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
ARD Committee Meeting		#FAPE Admission Review and Dismissal Committee Meeting

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
		#FAPE Generic
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Native Language	6.3, 6.9	
Teacher Requested Review	6.2	
Independent Education Program (IEP)	6.3	
Procedural Safeguards	6.3, 6.9, 6.16, 6.15	
Prior Written Notice	6.9	
Consent	6.9	
Foster and Surrogate Parents	6.22	
Evaluation Procedures	6.16	
Least Restrictive Environment (LRE)	6.3, 6.1	
Graduation	6.3, 6.21	
Independent Education Evaluations	6.16	
Determination of Eligibility		#FAPE Composite
Free Appropriate Public Education	6.1	
Closing the Gap	6.8	
Curriculum	6.8	
Eligibility	6.14	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Transition Services		#FAPE Transition and Graduation Composite
Transition Services	6.3	
Curriculum	6.8	
Eligibility	6.14	
Graduation	6.3, 6.21	
Transfer of Parental Rights at Age of Majority	6.4	
Free Appropriate Public Education	6.1	
Present Levels		#FAPE Composite
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Independent Education Program (IEP)	6.3	
Annual Goals		#FAPE Composite
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Special Factors		#FAPE Composite
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Curriculum	6.8	
Testing – Student Assessment	6.3, 6.16	
Closing the Gap	6.8	
Student Discipline	6.11	
Free Appropriate Public Education	6.1	
Teacher Requested Review	6.2	
Independent Education Program (IEP)	6.3	
Least Restrictive Environment (LRE)	6.3, 6.1	
Eligibility	6.14	
Supplementary Aids and Services, Special Education, Related Services		#FAPE Composite
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Transportation	6.3, 6.1	
Curriculum	6.8	
Extracurricular Activities	6.3	
Independent Education Program (IEP)	6.3	
Least Restrictive Environment (LRE)	6.3, 6.1	
Testing – Student Assessment	6.3, 6.16	
Free Appropriate Public Education	6.1	
Least Restrictive Environment		#FAPE Least Restrictive Environment Composite
Least Restrictive Environment	6.3, 6.1	
Curriculum	6.8	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Extracurricular Activities	6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Residential Treatment	6.18	
Free Appropriate Public Education	6.1	
Placement in a Residential Facility		#FAPE Least Restrictive Environment Composite
Contracts for Services; Residential Placement	6.18	
Least Restrictive Environment	6.3, 6.1	
Free Appropriate Public Education	6.1	
Residential Facility	6.18	
Independent Education Program (IEP)	6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
State and Districtwide Assessments		#FAPE Composite
Diagnosis and Programs of Instruction	6.3, 6.8	
Testing – Student Assessment	6.3, 6.16	
Curriculum	6.8	
Graduation		#FAPE Transition and Graduation Composite
Free Appropriate Public Education	6.1	
Curriculum	6.8	
Graduation Requirements	6.3, 6.21	
Transition Services	6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Prior Written Notice	6.9	
Extended School Year Services		#FAPE Composite

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Amendment Without a Meeting		#FAPE Amendment Without a Meeting
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Prior Written Notice		
Prior Written Notice	6.9	
Native Language	6.3, 6.9	
Consent	6.9	
Health and Safety	6.11, 6.26	
Procedural Safeguards	6.9	
Consent for Initial Evaluation		
Evaluation Procedures	6.16	
Native Language	6.3, 6.9	
Consent	6.9	
Referral for Possible Special Education Services	6.15	
Procedural Safeguards	6.9	
Consent for Services		
Native Language	6.3, 6.9	
Consent	6.9	
Procedural Safeguards	6.9	
Consent for Reevaluation		
Native Language	6.3, 6.9	
Consent	6.9	
Procedural Safeguards	6.9	
Consent to Excuse Member from attending ARD Committee Meeting		
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Native Language	6.3, 6.9	
Consent	6.9	
Consent to Access Public Benefits		
Native Language	6.3, 6.9	
Consent	6.9	
Consent to Access Private Insurance		
Native Language	6.3, 6.9	
Transfer of Parental Rights at Age of Majority	6.4	
Consent	6.9	
Consent to Transfer Assistive Technology Devices		
Native Language	6.3, 6.9	
Consent	6.9	
Consent for Disclosure of Confidential Information		
Native Language	6.3, 6.9	
Records	6.24	
Restraint and Time Out		
Student Discipline	6.11	
Authority of School Personnel		
Student Discipline	6.11	
Protections for Children Not Yet Determined Eligible		
Child Find Duty	6.6	
Student Discipline	6.11	
Disciplinary Change of Placement		
Student Discipline	6.11	
Procedural Safeguards	6.11	
Evaluation Procedures	6.16	
Independent Education Program (IEP)	6.3	
Free Appropriate Public Education	6.1	
Manifestation Determination		
Student Discipline	6.11	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Procedural Safeguards	6.11	
Evaluation Procedures	6.16	
Independent Education Program (IEP)	6.3	
Free Appropriate Public Education	6.1	
When Behavior is a Manifestation		
Student Discipline	6.11	
When Behavior is Not a Manifestation		
Student Discipline	6.11	
Services During Periods of Removal		
Student Discipline	6.11	
Free Appropriate Public Education	6.1	
Independent Education Program (IEP)	6.3	
Special Circumstances		
Student Discipline	6.11	
Administration of Program Information		
Public Education Information Management System (PEIMS)	6.2	
Testing – Student Assessment	6.3, 6.16	
Records	6.24	
Student Discipline	6.11	
Monitoring and Compliance	6.2	
Child Find Duty	6.6	
Evaluation Procedures	6.16	
Independent Education Program (IEP)	6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Least Restrictive Environment (LRE)	6.3, 6.1	
Eligibility	6.14	
Residential Facility Within a District		
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Residential Facility	6.18	
Least Restrictive Environment (LRE)	6.3, 6.1	

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Facilities Construction and Alteration		
Closing the Gap	6.8	
Open-Enrollment Charter Equal Educational Opportunity	6.3, 6.1	
Administration of Equipment		
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
Special Education and Related Service Personnel		
Special Education Teacher and Related Service Provider Qualifications	6.2	
Confidentiality of Information		
Native Language	6.3, 6.9	
Consent	6.9, 6.24	
Records	6.25, 6.24	
Health and Safety	6.11, 6.24	
Disclosure of Directory Information		
Records	6.24	
Special Education Eligibility Folder		
Records	6.24	
School Personnel Access to Individualized Education Programs		
Independent Education Program (IEP)	6.3	
Retention and Destruction of Records		
Records	6.25	
Compliance with Federal Funding Requirements: IDEA	6.6	
Record of Access		
Records	6.24	
Annual Notification		
Records	6.24	
Parent of Eligible Student Access to Education Records		
Records	6.24	
Referral for Possible Special Education Services	6.15	
Procedures for Amending Education Records		

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Records	6.24	
When Consent is Not Required to Disclose Information		
Records	6.24	
Redisclosure of Information		
Records	6.24	
General and Fiscal Guidelines		
Compliance with Federal Funding Requirements: IDEA	6.17, 6.27	
Distribution of State Special Education Funds to LEAs		
State Funding: Special Allotments	6.20	
Compliance with Federal Funding Requirements: IDEA	6.17	
Use of State Special Education Funds		
State Funding: Special Allotments	6.20, 6.27	
Excess Cost		
Compliance with Federal Funding Requirements: IDEA	6.17	
Maintenance of Effort		
Compliance with Federal Funding Requirements: IDEA	6.17	
Distribution of IDEA Part B Formula Funds to LEAs		
Compliance with Federal Funding Requirements: IDEA	6.17	
Use of IDEA Part B Formula Amounts Permissive		
Compliance with Federal Funding Requirements: IDEA	6.17	
Use of IDEA Part B Formula Amounts in General		
Compliance with Federal Funding Requirements: IDEA	6.17	
Use of IDEA Part B Funds for Title I Schoolwide Programs		
Compliance with Federal Funding Requirements: IDEA	6.17	
Compliance with Federal Funding Requirements: Title I	6.17	
Proportionate Share Funding for Children Parentally-Placed in Private School	6.23	
Coordination of Funds to Purchase Instructional Materials		
Coordination of Funds to Purchase Instructional Materials	6.10	
Compliance with Federal Funding Requirements: IDEA	6.17	
Distribution of IDEA Part B Preschool Funds to LEAs		

REGION 18 LEGAL FRAMEWORK	ILTexas BOARD POLICIES	PROCEDURE TEMPLATES
Compliance with Federal Funding Requirements: IDEA	6.17	
Use of Funds for Contract Services Including Residential Placements		
Contracts for Services; Residential Placement	6.18	
Compliance with Federal Funding Requirements: IDEA	6.17	
Funding for Noneducational Services		
Noneducational Community Based Support Services	6.18	
Shared Services Arrangements		
Shared Services Arrangements	6.19	
Compliance with Federal Funding Requirements: IDEA	6.17	

Overview:

- Every 2 years the Texas Education Agency requires all LEAs to review all board policies and operating procedures to ensure alignment with all current Federal and State regulations.
- The recommended board policies are developed by Schulman, Lopez, Hoffer & Adelstein, LLP
- The framework for the Special Education Operating Procedures is developed by Schulman, Lopez, Hoffer & Adelstein, LLP with the specific daily procedures inputted by ILTexas Special Education to ensure procedures align to all Federal and State regulations.
- Once approved, the Board Policies and Operating Procedure will be uploaded to the Texas Education Agency through the Region 18 Legal Framework. Additionally, they will be located on the appropriate ILTexas websites.

The following are action items to approve:

- **Special Education Board Policies**- There are no changes to these legal policies.
- **Special Education Operating Procedures** - Prior to the 2020-2021 school year, LEAs were required to have their special education Operating Guidelines available for review, and they had the option to upload them into the Legal Framework system. Operating Guidelines are now referred to as Operating Procedures to better align with federal language. The following are addressed in the daily operating procedures of the LEA:
 1. Child Find
 2. Evaluation
 3. FAPE= Free Appropriate Public Education

OPERATING PROCEDURES	
AGES 0-5	
International Leadership of Texas Inc.	057-848
Broad Category: CHILD FIND Legal Framework: AGES 0-5	Related Resources Template update May 2020

PROCEDURES:**What's Required:**

All children with disabilities residing in the State, regardless of the severity of their disabilities who are in need of special education and related services, must be identified, located, and evaluated. In addition to children enrolled in public schools, the child find duty extends to children who are homeless or ward of the State or who are attending private schools 34 CFR 300.111.(a)(1)(i) and 20 USC 1412(a)(3)(A).

For private schools, each district must locate, identify, and evaluate all children with disabilities who are currently enrolled by their parents in private, including religious, elementary schools and secondary schools located in the district 20 USC 1412(a)(3)(A), conduct timely and meaningfully consultation with representatives of private schools; and maintain and provide to TEA the number of children evaluated, determined and served under this framework. 34 CFR 300.131(c), and 20 SC 412(a)(10)(A)(i)(V).

Board Policies for ILTexas (057-848)

Ages 0-5 6.5; State Funding: Special Allotments 6.20; Child Find Duty 6.6; Admission, Review, Dismissal (ARD) Committee Meeting 6.3; Evaluation Procedures 6.16; Eligibility 6.14; Prior Written Notice 6.9; Native Language 6.3, 6.9; Testing – Student Assessment 6.3, 6.16; Least Restrictive Environment 6.3, 6.1; Individual Education Program (IEP) 6.3.

What We Do:**Referral Process for Children Served Through ECI**

A transfer or temporary meeting will be scheduled with the parent to discuss transitioning to Kindergarten at their enrolled ILTexas campus.

Referral Process for Children Not Served Through ECI

- The child's parents or guardian should contact the home school's Diagnostician or Speech-Language Therapist to initiate a special education referral for an evaluation of the child's needs for a preschool child who is at least 2 years and 9 months of age.
- The Diagnostician or Speech-Language Therapist will provide the parent or guardian a referral packet or to provide Prior Written Notice (English, Spanish) of the school's refusal to evaluate by email or physical address.
- After the referral packet is received by the Diagnostician or Speech-Language Therapist, the parent or guardian will be contacted to schedule an evaluation date.
- The evaluation will be completed within 45 school days of receipt of written initial parent consent.
- The ARD/IEP meeting will be held within 30 calendar days of the completion of the written Full Individual Evaluation.

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Child Find Procedures for Private Schools

- Students who attend private schools, who then enroll at ILTexas are eligible for referral, evaluation and determination of eligibility for special education regardless of the child’s district of residence.
- In Texas, homeschools are considered private schools.
- For students presently attending a private school, the referral source should request an evaluation by contracting the campus Diagnostician or Speech-Language Therapist.
- The evaluation will be completed within 45 school days of receipt of written initial parent consent.
- The ARD/IEP meeting will be held within 30 days of completion of the Full Individual Evaluation.

OPERATING PROCEDURES	
CHILD FIND DUTY	
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Template update May 2020

Legal Framework: CHILD FIND DUTY

[Related Resources](#)

Broad Category: CHILD FIND

PROCEDURES:

What's Required:

All children with disabilities residing in the State regardless of the severity of their disabilities and who are in need of special education and related services, must be identified, located, and evaluated. In addition to children enrolled in public schools, the child find duty extends to children who are homeless or ward of the State or who are attending private schools 34 CFR 300.111.(a)(1)(i) and 20 USC 1412(a)(3)(A).

Child Find also must include: children who are suspected of being a child with a disability under § 300.8 and in need of special education, even though they are advancing from grade to grade; and highly mobile children, including migrant children. Nothing in the ACT requires that children be classified by their disability so long as each child who has a disability that is listed in §300.8 and who, by reason of that disability, needs special education and related services is regarded as a child with a disability under Part B of the Act. 20 USC 1401(3): 1412(a)(3).

For private schools, each district must locate, identify, and evaluate all children with disabilities who are currently enrolled by their parents in private, including religious, elementary schools and secondary schools located in the district 20 USC 1412(a)(3)(A), conduct timely and meaningfully consult with representatives of private schools; and maintain and provide to TEA the number of children evaluated, determined and served under this framework. 34 CFR 300.131(c), and 20 SC 412(a)(10)(A)(i)(V)

Board Policies for ILTexas (057-848)

State Funding: Special Allotments, 6.20; Open-Enrollment Charter Equal Education Opportunity, 6.3, 6.1; Applicability of Texas Education Code Relating to Special Education, 6.2; Compliance with Federal Funding Requirements: IDEA, 6.17; Free Appropriate Public Education, 6.1; Evaluation Procedures, 6.16; Child Find Duty, 6.6; Referral for Possible Special Education Services, 6.15; Ages 0-5, 6.5; Independent Evaluations, 6.16, Monitoring and Compliance, 6.2; Eligibility, 6.14.

What We Do:

Aiding Students Who Have Learning Difficulties or Who need Special Education or Section 504 Services

For those students who are having difficulty in the regular classroom, all school districts must consider tutorial, compensatory and other academic or behavior support services that are

OPERATING PROCEDURES	
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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 to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the individuals listed below to learn about the school’s to learn about the school’s overall general education referral or screening system for support services. The system links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine if the student needs specific aids, accommodations or services A parent may request an evaluation for special education or Section 504 services at any time.

Special Education Referrals

If a parent submits a written request to **ILTexas’s** Executive Director of Special Populations (or their designee) for a full individual and initial evaluation of a student, the **ILTexas** must, not later than the 15th school day after the date it receives the request: (1) provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 CFR § 300.503; a copy of the procedural safeguards notice required by 34 CFR § 300.504; and an opportunity to give written consent for the evaluation; or (2) provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 CFR § 300.503, and a copy of the procedural safeguards notice required by 34 CFR § 300.504. 19 TAC § 89.1011(b).

Except as otherwise provided in this section, a written report of a full individual and initial evaluation of a student must be completed as follows: (1) not later than the 45th school day following the date on which the **ILTexas** receives written consent for the evaluation from the student’s parent, except that if a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or (2) for students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or home school setting, not later than the 45th school day following the date on which the **ILTexas** receives written consent for the evaluation from the student’s parent. 19 TAC § 89.1011(c).

Upon completing the evaluation, the district must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the school district and a companion document entitled *Parent’s Guide to the Admission, Review, and Dismissal Process*.

OPERATING PROCEDURES	
CHILDREN WHO TRANSFER	
International Leadership of Texas Inc.	057-848
Broad Category: CHILD FIND Legal Framework: CHILDREN WHO TRANSFER	Related Resources Template update May 2020

PROCEDURES:

What’s Required

IEPs for children who transfer public agencies in the same State. If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child’s IEP from the previous public agency), until the new public agency either:

- Adopts the child’s IEP from the previous public agency; or
- Develops, adopts, and implements, a new IEP that meets the applicable requirements.

34 CFR §300.323

If a student was in the process of being evaluated for special education eligibility by a school district and enrolls in another school district before the previous school district completed the full individual and initial evaluation, the new school district must coordinate with the previous school district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation. The timelines in subsections of this section do not apply in such a situation if:

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

19 TAC § 89.1011

Board Policies for ILTexas (057-848)

Evaluations Procedures, 6.7,6.16; Records, 6.24; Individual Education Program (IEP), 6.7, 6.3; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.7, 6.3; Transfer of Parental Rights at Age of Majority, 6.4; Consent, 6.9.

What We Do

Upon notification that the student has previously received special services under IDEA, the Educational Diagnostician/LSSP/Speech Pathologist (as appropriate) calls the student’s previous district for verification that:

- The student has a current eligibility;
- The student was being served in special education; and
- Student records are being forwarded. Records should be sent within 10 working days. Check with your registrar about requesting records electronically through the TREX

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system. Reasonable steps must be taken and documented to promptly obtain the child’s records.

A transfer meeting is scheduled within 10 school days, including written notice requirements.

Within 30 school days from the date the child is verified as being a child eligible for special education services, an annual ARD committee meeting must be held to review all previous decisions based on new assessment data or records from the previous district and to develop a year-long IEP.

If the transfer student was being evaluated for special education eligibility in another school district before the initial evaluation was completed, the new school district will coordinate with the previous school district to ensure a prompt completion of the evaluation.

OPERATING PROCEDURES	
DYSLEXIA SERVICES	
International Leadership of Texas Inc.	057-848
Broad Category: DYSLEXIA SERVICES Legal Framework: CHILD FIND	Related Resources Template update May 2020

PROCEDURES:**What's Required**

"Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity TEC 38.003(d)(1). Because early intervention is critical, a program for early identification, intervention, and support for students with dyslexia and related disorders must be available in each district as outlined in the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders, 19 TAC 74.28(g), TEC 38.003(b) and TEC 38.003(c).

The board of trustees of a school district must ensure that procedures for identifying a student with dyslexia or a related disorder are implemented in the district 19 TAC 74.28(a) and TEC 38.003(c). A school district's strategies for screening dyslexia and related disorders must be implemented in accordance with the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders. A school district's techniques for treating dyslexia and related disorders must be implemented in accordance with the Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders. Screening should only be done by individuals/professionals who are trained to assess students for dyslexia and related disorders 19 TAC 74.28(b).

Board Policies for ILTexas (057-848)

Dyslexia Services, 6.13; Curriculum, 6.8; Public Education Information Management System (PEIMS), 6.2.

What We Do

Dyslexia's primary reading/spelling characteristics are:

- Difficulty reading words in isolation,
- Difficulty accurately decoding unfamiliar words,
- Difficulty with oral reading difficulties (slow, inaccurate, or labored without prosody) and/or
- Difficulty spelling.
- Support for students demonstrating these types of reading difficulties is provided through Response to Intervention (RTI), Section 504, and special education.
- A team of persons with knowledge of the student, instructional practices, and possible service options meets to discuss data collected and the implications of the data. If the team suspects the student has dyslexia or a related disorder, the team should consider the type of instruction that would best meet the student's needs. Schools must recommend evaluation for Dyslexia if the student demonstrates the following:
 - Poor performance in one or more areas of reading and spelling that is unexpected for the student's age/grade

OPERATING PROCEDURES	
DYSLEXIA SERVICES	
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- Characteristics and risk factors of dyslexia indicated in Chapter I: Definitions & Characteristics of Dyslexia
- A student's reading difficulties alone may warrant evaluation under IDEA. At times, students may display additional, potential learning challenges, such as oral language deficits, written expression difficulties (dysgraphia), or math difficulties (dyscalculia), which may further impact student learning. These challenges may also warrant an evaluation under IDEA.
- Students who are currently eligible under IDEA and have an individualized education program (IEP) and who are not suspected of having dyslexia or a related disorder must undergo reevaluation under IDEA.
- When formal evaluation is recommended, the school must complete an evaluation process that is outlined in IDEA or Section 504. Procedural safeguards under IDEA and Section 504 must be followed.
- Once dyslexia has been identified, there are further eligibility questions the Section 504 or ARD committee must still consider.
- If a student is found eligible for special education or Section 504 for dyslexia, appropriate reading instruction must be included in the plan to meet the individual needs of the student. Appropriate reading instruction includes the components and delivery of dyslexia instruction as outlined in the Chapter IV: Critical, Evidence-Based Components of Dyslexia Instruction.

(Texas Education Agency. *The Dyslexia Handbook Procedures Concerning Dyslexia and Related Disorders 2018 Update*, pp. 1, 22, 25, 27, 28, 32-34.)

OPERATING PROCEDURES	
REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES	
International Leadership of Texas Inc.	057-848
Broad Category: CHILD FIND Legal Framework: REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES	Related Resources Template update May 2020

PROCEDURES:

What's Required

Each public agency must conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability 34 CFR 300.301(a). The initial evaluation must be conducted within 45 school days of receiving written parental consent for the evaluation. The purpose of the evaluation is to determine if the child is a child with a disability 34 CFR 300.8(a)(1) under the Individuals with Disabilities Education Act (IDEA) and to determine the educational needs of the child 34 CFR 300.301(c)(2) Timeline | Child-Centered Special Education Process.

Board Policies for ILTexas (057-848)

Referrals for Possible Special Education Services, 6.25; Native Language, 6.3, 6.9; Consent, 6.9; Independent Educational Evaluations, 6.16; Prior Written Notice, 6.9; Child Find Duty, 6.6; Monitoring and Compliance, 6.2; Eligibility, 6.14.

What We Do

For those students who are having difficulty in the regular classroom, all school districts may 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 to meet the needs of all struggling students.

If a student is experiencing learning difficulties, his or her parent may contact the campus administrator or counselor to learn about the school's overall general education referral or screening system for support services. This process links students to a variety of support options, including making a referral for a special education evaluation or for a Section 504 evaluation to determine if the student needs specific aids, accommodations, or services. A parent may request an evaluation for special education or Section 504 services at any time.

Special Education Referrals:

If a parent makes a written request for an initial evaluation for special education services to the director of special education services or an administrative employee of the school district, the district must respond no later than 15 school days after receiving the request. At that time, the district 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 agrees to evaluate the student, it must also give the parent the opportunity to give written consent for the evaluation.

OPERATING PROCEDURES	
REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES	
International Leadership of Texas Inc.	057-848
Broad Category: CHILD FIND Legal Framework: REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES	Related Resources Template update May 2020

Please note that a request for a special education evaluation may be made verbally and does not need to be in writing. Districts 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 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 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 must give the parent a copy of the evaluation report at no cost.

Additional information regarding special education is available from the district in a companion document titled Parent's Guide to the Admission, Review, and Dismissal Process.

Section 504 Referrals:

Each school district must have standards and procedures in place for the evaluation and placement of students in the district's Section 504 program. Districts must also implement a system of procedural safeguards that includes notice, an opportunity for a parent or guardian to examine relevant records, an impartial hearing with an opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

OPERATING PROCEDURES	
DISABILITIES CATEGORIES	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: EVALUATION – Disabilities Categories	Related Resources: Autism ; Deaf-Blindness ; Deaf or Hard of Hearing ; Emotional Disturbance ; Intellectual Disability ; Multiple Disabilities ; Noncategorical Early Childhood ; Orthopedic Impairment ; Other Health Impairment ; Specific Learning Disability ; Speech or Language Impairment ; Traumatic Brain Injury ; Visual Impairment Template update May 2020

PROCEDURES:

What's Required

To assess children in all areas related to the suspected disability, including if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. For a child to be eligible for services under IDEA, the child must qualify in one or more of the thirteen areas of disability as listed below 34 CFR 300.304(c)(4) and 20 USC 1414(b)(3)(B).

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14; Autism Supplement, 6.14; Ages 0-5, 6.5; Referral for Possible Special Education Services, 6.15; Curriculum, 6.8; Dyslexia Services, 6.13.

Definitions

(1) Autism 300.8(c)(1)(i), 89.1040(c)(1), 1401(3)(A) means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child's educational performance. The characteristics of autism are generally evident before age three, but, could be appear after age three. Characteristics often associated with autism are:

- engagement in repetitive activities and stereotypical movements
- resistance to environmental change or change in daily routines
- unusual responses to sensory experiences

The child may be considered to be a child with autism if the child has a developmental disability significantly affecting verbal communication, nonverbal communication; and social interaction. Children with pervasive developmental disorders are included under the disability category of autism. The child may not be considered to be a child with autism if the child's educational performance is adversely affected primarily because the child has an emotional disturbance.

(2) Deaf-Blindness 300.8(c)(2), 89.1040(c)(2)(A), 1401(3)(A) means concomitant hearing and visual impairments, the combination of which causes such severe communication and other

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developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

(3) Deafness or Auditory Impairment TEC 29.310(c), 300.8(c)(3), 300.8(c)(5), 89.104(c)(3), 1401((3)(A) means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance.

(4) Emotional Disturbance 300.8(c)(4), 89.1040(c)(4), 1401(3)(A) means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Note: The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

(5) Intellectual Disability 300.8(c)(5), 89.1040(c)(6), 1401(3)(A) means significantly sub average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

(6) Multiple Disabilities 300.8(c)(7), 89.104(c)(6)(A), 1401(3)(A) means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities do not include deaf-blindness.

(7) Orthopedic Impairment 300.8(c)(8), 89.1040(c)(7), 1401(3)(A) means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes

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DISABILITIES CATEGORIES	
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Broad Category: EVALUATION Legal Framework: EVALUATION – Disabilities Categories	Related Resources: Autism ; Deaf-Blindness ; Deaf or Hard of Hearing ; Emotional Disturbance ; Intellectual Disability ; Multiple Disabilities ; Noncategorical Early Childhood ; Orthopedic Impairment ; Other Health Impairment ; Specific Learning Disability ; Speech or Language Impairment ; Traumatic Brain Injury ; Visual Impairment Template update May 2020

impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

(8) Other Health Impairment 300.8(c)(9), 89.1040(c)(8), 1401(3)(A) means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, and Tourette syndrome and adversely affects a child's educational performance.

(9) Specific Learning Disability 300.309(a)(1), 89.1040(c)(9)(B)(ii) means a disorder in one or more of the basic psychological process involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

Note: Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, intellectual disability, emotional disturbance, environmental, cultural factors, or environmental or economic disadvantage; or limited English proficiency on the child's achievement level.

(10) Speech or Language Impairment 300.8(c)(11), 89.1040(c)(10), 1401(3)(A) means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

(11) Traumatic Brain Injury 300.8(c)(12), 89.1040(c)(11), 1401(3)(A) means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech.

OPERATING PROCEDURES	
DISABILITIES CATEGORIES	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: EVALUATION – Disabilities Categories	Related Resources: Autism ; Deaf-Blindness ; Deaf or Hard of Hearing ; Emotional Disturbance ; Intellectual Disability ; Multiple Disabilities ; Noncategorical Early Childhood ; Orthopedic Impairment ; Other Health Impairment ; Specific Learning Disability ; Speech or Language Impairment ; Traumatic Brain Injury ; Visual Impairment Template update May 2020

Note: Traumatic Brain Injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

(12) Visual Impairment (including blindness 300.8(c)(13), 89.1040(c)(12), 1401(3)(A) means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

(13) Non categorical 89.1040(c)(13) refers to a student between the ages of three through five who is evaluated as having an intellectual disability, emotional disturbance, or autism impairments may be eligible for services as non-categorical early childhood (NCEC).

OPERATING PROCEDURES	
AUTISM	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: AUTISM	Related Resources Template update May 2020

PROCEDURES:**What's Required****Eligibility definitions:**

(1) Autism - A student with autism is one who has been determined to meet the criteria for autism as stated in 34 CFR, 300.8(c)(1). Students with pervasive developmental disorders are included under this category. The IEP team's written report of evaluation shall include specific recommendations for behavioral interventions and strategies.

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16, Eligibility, 6.14; Autism Supplement, 6.14.

What We Do

- What are the service options for students with autism?
 - General education classroom with consultative support from campus and district staff
 - General education classroom with direct instructional services from a special education teacher
 - A combination of general education and self-contained special education classes with consultative and/or direct instructional services
 - Self-contained special education classroom with direct instructional services
- How are services determined?
 - Determined by the ARD/IEP Committee
 - Based upon individual needs of student
 - May include related services as determined by the ARD/IEP Committee
 - Includes technology support as determined by the ARD/IEP Committee
 - May include strategies as determined by the ARD/IEP Committee through the autism supplement
- What type of training is needed to work with students with autism?
 - The extent to which deficits in social, communication, and behavior impact academics and progress in the educational setting
 - Specially designed instruction
 - Accommodations and modifications
 - Technology supports including communication systems
 - Social skills instruction
 - Positive behavior support strategies
 - Principles of structured teaching
 - Data collection methods and tools
 - Student work systems
 - Behavior management principles

OPERATING PROCEDURES	
DEAF BLINDNESS	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: DEAF BLINDNESS	Related Resources Template update May 2020

PROCEDURES:**What's Required****Eligibility definitions.**

Deaf-blindness. A student with deaf-blindness is one who has been determined to meet the criteria for deaf-blindness. In meeting the criteria, a student with deaf-blindness is one who:

(A) meets the eligibility criteria for auditory impairment specified in subsection (c)(3) of this section and visual impairment specified in subsection (c)(12) of this section

(B) meets the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;

(C) has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or

(D) has a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance. 19 TAC §89.1040.

Other evaluation procedures. Each public agency must ensure that—

The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; 34 CFR §300.304.

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Ages 0-5, 6.5; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

If at any time during the usual referral process anyone suspects that the student may have both a visual and auditory impairment, a representative of the appropriate program will be contacted for assistance to determine the types, levels, and procedures for assessment of the student.

Evaluation for eligibility consists of:

- A State Eye Report by a licensed ophthalmologist or optometrist
- Functional Vision Evaluation completed by a professional certified in the education of students with visual impairments or a certified orientation and mobility instructor;
- Learning Media Assessment conducted by a professional certified in the education of students with visual impairments,
- An Expanded Core Curriculum Evaluation

OPERATING PROCEDURES	
DEAF BLINDNESS	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: DEAF BLINDNESS	Related Resources Template update May 2020

- An audiological evaluation performed by a licensed audiologist and a description of the implications of the hearing loss in a variety of circumstances with or without recommended amplification
- An otological exam performed by an otologist
- An assessment to determine the child's current and potential for communication through a variety of means. This includes oral (spoken) and aural (hearing) means, fingerspelling, and sign language

Eligibility requires the student (1) be identified as a student with a deafblindness, (2) the impairment is interfering with the student's ability to progress in light of his specific condition, and (3) requires specialized instruction because of the impairment.

For students who meet eligibility for Deafblindness, the following must occur.

- The VI professional will complete the IEP supplement for students with visual impairments indicating:
 - Appropriate learning and literacy media information
 - Orientation and mobility needs
 - If Blind, the need for Braille and the student's strengths and weaknesses in Braille reading and writing
 - The benefits of Braille
 - Whether other training from the expanded core curriculum for students with visual impairments is needed to compensate for severe visual loss
 - Access to special tools
 - Provide a list of resources in the community and state
 - Plans and arrangements for continuing services beyond the school hours if needed.
- The ARD Auditory Impairment Supplement must be completed outlining the communication needs, opportunities for communication with peers and professionals, the child's academic level, and the child's full range of needs, including opportunities for direct instruction in the child's language and communication mode
- Each year, the parent will be provided information about the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired describing the program offered, eligibility and admissions, and the rights of the students.

Students with a Deafblindness may receive any services as appropriate in any setting available in the district to other students with or without disabilities.

An assessment to determine the child's current and potential for communication through a variety of means. This includes oral (spoken) and aural (hearing) means, fingerspelling, and sign language.

OPERATING PROCEDURES	
DEAF OR HARD OF HEARING	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: DEAF OR HARD OF HEARING	Related Resources Template update May 2020

PROCEDURES:**What's Required**

The local educational agency (LEA) must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled (34 CFR 300.114(a)(2)(i) and 20 USC 1412(a)(5)(A).

The LEA must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR 300.114(a)(2)(ii) and 20 USC 1412(a)(5)(A).

The LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services (34 CFR 300.115(a)).

The ARD committee must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1, Ages 0-5, 6.5; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do**Continuum of options:**

- General education classroom with consultative support from a teacher of the deaf/hard of hearing
- General education classroom with direct instructional services from a teacher of the deaf/hard of hearing
- Combination of general education and self-contained special education classes with consultative and/or direct instructional services from a teacher of the deaf/hard of hearing
- Self-contained special education classroom with the consultative and/or direct instructional services from a teacher of the deaf/hard of hearing
- Self-contained deaf education classroom at the various campuses
- Residential placement - Texas School for the Deaf

Components of services for students with Auditory Impairment:

- Determined by the ARD/IEP Committee based on assessment and classroom data
- Based upon individual needs of student
- Includes infants/toddlers as determined by the ARD/IEP Committee
- Includes services from a qualified interpreter as determined by ARD/IEP Committee
- Includes technology support including FM systems and Captioning

OPERATING PROCEDURES	
DEAF OR HARD OF HEARING	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: DEAF OR HARD OF HEARING	Related Resources Template update May 2020

Personnel have knowledge and competencies in the following areas:

- Extent to which significant hearing loss impacts access to the general education curriculum;
- Extent to which significant hearing loss impacts communication and social skills;
- Alternative methods of communication;
- Specially designed instruction;
- Accommodations and modifications
- Technology supports including FM systems, cochlear implants and closed captioning

Interpreting Services

What's Required

Interpreting services include interpreting/transliterating receptively and expressively for persons who are deaf or hard of hearing.

What We Do

- If the ARD/IEP Committee, which includes a member of the Program for the Deaf and Hard of Hearing, indicates a student needs interpreting services to benefit from instruction, a referral to the Program for the Deaf and Hard of Hearing Office will be initiated.
- Referrals may be made through a variety of sources:
 - ARD/IEP Committee,
 - parents,
 - teachers,
 - audiologists,
 - other professionals.
- Each student's need for related services is determined by the student's ARD/IEP Committee as part of the individualized education program (IEP) process.
- In addressing placement decisions, the ARD/IEP Committee should "consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode including opportunities for direct instruction in the student's language and communication mode."
- The ARD/IEP Committee should consider the student's language and communication needs when making the decision regarding which interpreting model is best for the student and in what situations an interpreter will be used and submit a request accordingly.
- Interpreting services employs a direct service model using one of several Texas Education Agency recognized options:
 - Oral Transliteration,
 - Cued Language Transliteration,
 - Sign Language Transliteration,
 - Sign Language Interpreting,
 - Communication Access Realtime Transcription (CART),
 - C-Print,
 - TypeWell, and
 - Deaf-Blind Interpreting.

OPERATING PROCEDURES	
EMOTIONAL DISTURBANCE	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: EMOTIONAL DISTURBANCE	Related Resources Template update May 2020

PROCEDURES:**What's Required**

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

- Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - An inability to learn that cannot be explained by intellectual, sensory, or health factors.
 - An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
 - Inappropriate types of behavior or feelings under normal circumstances.
 - A general pervasive mood of unhappiness or depression.
 - A tendency to develop physical symptoms or fears associated with personal or school problems.

34 CFR §300.8

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16, Eligibility, 6.14.

What We Do

A referral for an emotional disturbance evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects the behavioral characteristics of the student have been significant over time and adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data

OPERATING PROCEDURES	
EMOTIONAL DISTURBANCE	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: EMOTIONAL DISTURBANCE	Related Resources Template update May 2020

- Sociological
 - Family History
 - Educational History
- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for emotional disturbance, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
INTELLECTUAL DISABILITY	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: INTELLECTUAL DISABILITY	Related Resources Template update May 2020

PROCEDURES:**What's Required****Eligibility definitions.**

Intellectual disability. A student with an intellectual disability is one who has been determined to meet the criteria for an intellectual disability. In meeting the criteria, a student with an intellectual disability is one who:

- Has been determined to have significantly sub-average intellectual functioning as measured by a standardized, individually administered test of cognitive ability in which the overall test score is at least two standard deviations below the mean, when taking into consideration the standard error of measurement of the test; and
- Concurrently exhibits deficits in at least two of the following areas of adaptive behavior: communication, self-care, home living, social/interpersonal skills, use of community resources, self-direction, functional academic skills, work, leisure, health, and safety.

19 TAC §89.1040

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1, Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16, Eligibility, 6.14.

What We Do

A referral for an intellectual disability evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects the student is exhibiting significant intellectual and adaptive deficits that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data
- Sociological
 - Family History

OPERATING PROCEDURES	
INTELLECTUAL DISABILITY	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: INTELLECTUAL DISABILITY	Related Resources Template update May 2020

- Educational History
- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for intellectual disability, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAPF) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
MULTIPLE DISABILITIES	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: MULTIPLE DISABILITIES	Related Resources Template update May 2020

PROCEDURES:

What' Required

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

Multiple disabilities means concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.

34 CFR §300.8

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16: Eligibility, 6.14.

What We Do

A referral for a multiple disability evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects the student is exhibiting characteristics of more than one disability that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data
- Sociological
 - Family History
 - Educational History
- Test Conditions and Behavior
- Language/Communication

OPERATING PROCEDURES	
MULTIPLE DISABILITIES	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: MULTIPLE DISABILITIES	Related Resources Template update May 2020

- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for multiple disabilities, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
NONCATEGORICAL EARLY CHILDHOOD	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: NONCATEGORICAL EARLY CHILDHOOD	Related Resources Template update May 2020

PROCEDURES:**What's Required****Eligibility definitions.**

Noncategorical. A student between the ages of 3-5 who is evaluated as having an intellectual disability, an emotional disturbance, a specific learning disability, or autism may be described as noncategorical early childhood.

19 TAC §89.1040

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

The group of professionals that collects or reviews evaluation data in connection with the determination of the child's eligibility based on noncategorical must include the applicable members for intellectual disability, emotional disturbance, specific learning disability, or autism.

The evaluation data reviewed by the group of qualified professionals in connection with the determination of the child's disability based on noncategorical must comply with the applicable evaluation procedures for auditory impairment and visual impairment.

Noncategorical early childhood disability means the child:

- Is between the ages of three to five, and
- Is evaluated as having an intellectual disability, and emotional disturbance, a specific learning disability, or autism.

NCEC is for students aged 3-5 who have general delays in their physical, cognitive, communication, social, emotional, or adaptive development; and who, because of these delays, need special education and related services. A child between the ages of 3-5 may be described as "NCEC" if he or she has been diagnosed as having one of the following:

- Intellectual Delay, **NCEC-ID**
- Emotional Disturbance, **NCEC-ED**
- Specific Learning Disability, or **NCEC-SLD**
- Autism, **NCEC-AU**

ILTexas will reassess before the child's 6th birthday, remove the NCEC label, and determine the updated eligibility/disability. The assessment team will take into consideration the following items:

OPERATING PROCEDURES	
NONCATEGORICAL EARLY CHILDHOOD	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: NONCATEGORICAL EARLY CHILDHOOD	Related Resources Template update May 2020

- Educational opportunities and support given to the child since entering school and how he/she has progressed i.e.: Preschool Programs for Children with Disabilities, Related services
- Current testing data
- Parent information including private or outside evaluations the family has gotten for their child

ORTHOPEDIC IMPAIRMENT	

Template update May 2020

Legal Framework: ORTHOPEDIC IMPAIRMENT

[Related Resources](#)

Broad Category: EVALUATION

PROCEDURES:

What's Required

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

- Orthopedic impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

34 CFR §300.8

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

A referral for an orthopedic impairment evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects the student is exhibiting physical deficits characteristics of orthopedic impairment that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data
- Sociological

Operating Procedures

Date Issued/Revised: "[Insert date]"

ORTHOPEDIC IMPAIRMENT

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ORTHOPEDIC IMPAIRMENT	

- Family History
- Educational History
- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for orthopedic impairment, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
OTHER HEALTH IMPAIRMENT	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: OTHER HEALTH IMPAIRMENT	Related Resources Template update May 2020

PROCEDURES:

What’s Required

Eligibility definitions.

Other health impairment. A student with other health impairment is one who has been determined to meet the criteria for other health impairment due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette's Disorder. The multidisciplinary team that collects or reviews evaluation data in connection with the determination of a student's eligibility based on other health impairment must include a licensed physician.
19 TAC §89.1040

Board Policies for ILTexas (057-848)

Free Appropriate Public Education 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

A referral for an other health impairment evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects the student is exhibiting health problems characteristics of an other health impairment that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data
- Sociological
 - Family History
 - Educational History

OPERATING PROCEDURES	
OTHER HEALTH IMPAIRMENT	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: OTHER HEALTH IMPAIRMENT	Related Resources Template update May 2020

- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for an other health impairment, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
SPECIFIC LEARNING DISABILITY	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: SPECIFIC LEARNING DISABILITY	Related Resources Template update May 2020

PROCEDURES:

What’s Required

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

- Specific learning disability—
 - General. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.
 - Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

34 CFR §300.8

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Referral for Possible Special Education Services, 6.15; Curriculum, 6.8; Dyslexia Services, 6.13; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

A referral for a specific learning disability evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects that learning issues are a result of a deficit in psychological processes characteristic of a learning disability that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

OPERATING PROCEDURES	
SPECIFIC LEARNING DISABILITY	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: SPECIFIC LEARNING DISABILITY	Related Resources Template update May 2020

The following are required components of a full and individual evaluation:

- Reason for Referral
- Sources of Data
- Sociological
 - Family History
 - Educational History
- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for specific learning disability, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
SPEECH OR LANGUAGE IMPAIRMENT	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: SPEECH OR LANGUAGE IMPAIRMENT	Related Resources Template update May 2020

PROCEDURES:**What's Required**

In Texas, speech-language therapy is considered an instructional service. This means it can be a stand-alone service as well as a support in order to receive benefit from other special education services. However, in considering the delivery of speech services, all the same factors associated with the individual determination of related services, such as frequency, location, and duration of services, must be considered. A child may be determined to be a child with speech or language impairment if;

- The child has a communication disorder such as, stuttering, impaired articulation, a language impairment, or a voice impairment; (CFR 34 300.8(c)(11) and
- The speech or language impairment adversely affects the child's educational performance; 19 TAC89.1040(c)(10) and
- By reason of the speech or language impairment, the child needs special education and/or related services (20 USC1401(3)(A)).

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

A child who has difficulty producing speech or understanding and communicating ideas may have a speech-language impairment. When a person is unable to produce speech sounds correctly or fluently, or has problems with his or her voice, he or she has a speech disorder. Difficulties pronouncing sounds, or articulation disorders, and stuttering are examples of speech disorders. When a person has trouble understanding others (receptive language) or sharing thoughts, ideas, and feelings completely (expressive language), he or she has a language disorder.

- Prior to referral, students experiencing language difficulty in the general education classroom should be considered for the support services available to all students such as tutorials, remedial services, and/or other support services.
- If the student continues to experience difficulty in the general education classroom after the provision of interventions, the Response to Intervention (RTI) Committee must refer the student for a full and individual initial evaluation.
- Students with suspected speech and/or language impairments are evaluated using a comprehensive battery that is conducted by a professional that is licensed and/or certified as a speech-language pathologist. Professionals may maintain the Texas state license in speech-language pathology, or may hold the Texas Education Agency (TEA) Speech and Hearing Therapy certificate as previously granted by the TEA. Many speech-language pathologists also hold the American Speech, Hearing, and Language Associations Certificate of Clinical Competence in Speech and Language Pathology.

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- When a student is determined eligible for speech-language services, the service delivery, and clinical methods must focus on achieving the speech and/or language goals in the child's Individualized Education Program (IEP). These services may be provided using a direct service delivery model, and may target one or more of the following areas:
 - Articulation - Abnormal production of speech sounds.
 - Stuttering - Abnormal flow of verbal expression characterized by impaired rate/rhythm.
 - Language - Impairment or delayed development of comprehension and/or use of a spoken/written or other symbol system.
 - Voice - Absence or abnormal production of vocal quality, pitch, loudness, and/or resonance.

Direct Service Delivery Models

- Generalization of skills to the natural setting is crucial for independent communication.
- The Least Restrictive Environment should be considered in the selection of a service delivery model.
 - Least Restrictive Environment (LRE), an IDEA mandate, provides that eligible students are educated with students without disabilities to the maximum extent appropriate.
- The following is a description of speech-language service models which are available based on the individual needs of the student.
 - Classroom-Based
 - This model of speech therapy provides direct services to students within the classroom setting.
 - Team teaching by the Speech-Language Pathologist and the regular and/or special education teacher(s) can be utilized within this model.
 - Classroom-based speech-language services involve the use of curriculum content and context for determining a student's communication intervention needs and progress.
 - Intervention is provided in natural environments such as the classroom or the community to integrate communication goals with the curriculum.
 - Traditional Pull-Out Service
 - In the traditional direct service pullout model, the Speech-Language Pathologist provides services to students (individually or in small groups) in the speech room or sometimes within the physical space of the classroom setting
 - The traditional pull-out model in the special education speech therapy classroom is the most restrictive environment for speech therapy services.

Feeding and Swallowing

A fundamental educational need for students is adequate nutrition and hydration during their school day. If a student is demonstrating difficulty with feeding and/or swallowing while at school, a consultation should be requested from the Speech-Language Pathologist (SLP) on the

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Dysphagia Team. The SLP will make a campus visit to review the student files and medical records. The SLP will observe the student during feeding. Recommendations for feeding and swallowing may be made to the classroom staff and training is provided to staff when needed. The school nurse may be part of the team when additional information is needed from the parents and the child's doctor.

Speech Therapy Services for Medically Fragile Students

Some medically fragile students may require home-bound services and/or may experience a temporary period of time when they are not medically stable enough to benefit from Speech Therapy services. The ARD committee will determine if speech therapy services during this time should be direct or consultative and will determine the frequency and duration of speech therapy services while home-bound. Service time provided while the student is home-bound is determined based on each individual situation and the student's ability to participate while ill.

Dismissal Considerations

The Speech-Language Pathologist must use sound professional judgment and competency, in addition to evaluation data, in recommending that services are no longer warranted. The following factors must be considered:

- Evaluation Data - Does evaluation data indicate that the student no longer qualifies for services according to ILTexas eligibility guidelines?
- Is a Speech/Language Pathologist necessary to provide the intervention required or can services be redirected through other special education providers?
- Feedback from teachers, parents, and student is considered.
- The justification for the decision to dismiss must be documented in detail in the ARD document.
- Determination of dismissal is made by the committee during an ARD meeting.

OPERATING PROCEDURES	
TRAUMATIC BRAIN INJURY	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: TRAUMATIC BRAIN INJURY	Related Resources Template update May 2020

PROCEDURES:

What’s Required

Definitions of disability terms. The terms used in this definition of a child with a disability are defined as follows:

- Traumatic brain injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child’s educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

4 CFR §300.8

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

A referral for a traumatic brain injury evaluation may be indicated when the local education agency (LEA) and/or legal guardian of the student suspects that functional and/or psychosocial deficits are the result of a brain injury caused by an external force characteristic of traumatic brain injury that adversely affects educational performance.

The initial step in the full and individual evaluation process is for the multidisciplinary team to plan for all areas of the evaluation (sociological, physical/medical, speech/language-communication, intellectual/ developmental, adaptive behavior, education performance levels, academic achievement, emotional/behavioral/social, assistive technology, and special assessments [functional behavioral assessment, in-home/parent training, vocational/transition, etc.]). The team should identify procedures/tests to be used in each area, identify the person(s) responsible for collecting the data, set a date for a follow-up meeting to review the data, and make plans as to how the various sections of the report will be integrated. The resulting report should present a coherent rationale to either support or negate the presence of an educational disability condition and provide recommendations for the continued support of the student.

The following are required components of a full and individual evaluation:

- Reason for Referral

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- Sources of Data
- Sociological
 - Family History
 - Educational History
- Test Conditions and Behavior
- Language/Communication
- Physical/Developmental/Medical
- Academic Achievement/Educational Performance Levels
- Intellectual/Cognitive Functioning
- Adaptive Behavior
- Emotional/Behavioral/Social Functioning
- Assistive Technology
- Post-Secondary Transition
- Conclusions
- Recommendations
- Assurances
- Signatures of multidisciplinary team members

Upon completion of the full and individual evaluation, an ARD meeting will be held to review the evaluation. Based on the results of the evaluation, the ARD committee will determine whether the student meets eligibility criteria for traumatic brain injury, and if so, whether the student requires special education supports and related services. If the student qualifies and is in need of special education and related services, the following will be developed/considered by the ARD committee:

- Present levels of academic achievement and functional performance (PLAAFP) for all competency areas
- Develop/approve IEP goals and objectives, anticipating beginning and completion dates, mastery criteria, evaluation criteria, and a schedule for evaluating progress data
- Determine accommodations and/or modifications
- Address consideration for Least Restrictive Environment (LRE)
- Determine the instructional needs of the student (setting), ensuring minimal removal from instruction offered in general education
- Determine combination of instruction and related services to meet IEP needs
- Discuss state assessments and accommodations
- Extended School Year (ESY) considerations

OPERATING PROCEDURES	
VISUAL IMPAIRMENT	
International Leadership of Texas Inc.	057-848
Broad Category: EVALUATION Legal Framework: VISUAL IMPAIRMENT	Related Resources Template update May 2020

PROCEDURES:**What's Required**

The local educational agency (LEA) must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled (34 CFR 300.114(a)(2)(i) and 20 USC 1412(a)(5)(A)).

The LEA must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR 300.114(a)(2)(ii) and 20 USC 1412(a)(5)(A)).

The LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services (34 CFR 300.115(a)).

The ARD committee must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

Board Policies for ILTexas (057-848)

Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

Continuum of options:

- general education classroom with consultative support from a teacher of the visually impaired
- general education classroom with direct instructional services from a teacher of the visually impaired
- a combination of general education and self-contained special education classes with consultative and/or direct instructional services from a teacher of the visually impaired
- self-contained special education classroom with the consultative and/or direct instructional services from a teacher of the visually impaired
- residential placement - Texas School for the Blind and Visually Impaired

Components of services for students with Visual Impairment:

- determined by the ARD/IEP Committee
- based upon individual needs of student
- may Orientation and Mobility (O&M) as determined by the ARD/IEP Committee

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- may include services from a Braille specialist
- may include technology support
- expanded core curriculum

Personnel have knowledge and competencies in the following areas:

- extent to which significant visual loss impacts access to the general curriculum, social skills and skills for daily living
- specially designed instruction
- accommodations and modifications
- technology supports including use of Braille, magnification and travel training

Orientation and Mobility Services

What's Required

Orientation and Mobility (O&M) is a very important component in the spectrum of services provided to students with visual impairments. In addition to the general education that all students receive, students with visual impairments, starting at birth, also need the Expanded Core Curriculum to meet needs directly related to their vision disability (NASDSE, 1999, p. 70). O&M is one of the related services within the Expanded Core Curriculum for students with visual impairments. Movement, independent or supported, is critical for learning. Orientation & mobility (O&M) is recognized in IDEA 2004 as a related service, which may be required to assist a student with a visual impairment to benefit from special education. Orientation and mobility specialists provide instruction to students whose visual impairment has adversely affected their ability to travel. It is a necessary skill in the achievement of independence. "Orientation" is the ability to know where one is and how to get to a desired location. It includes body awareness concepts, spatial concepts, and environmental concepts. "Mobility" is the ability to safely navigate from one's present location in the environment to one's desired location in another part of the environment. It includes skills such as guide technique, self-protective techniques and cane skills 34 CFR § 300.304(c)(4) requires that "the student is assessed in all areas related to the suspected disability" and 34 CFR 300.304(c)(6) requires that "the evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs".

What We Do

Referral Process for students with vision loss

- An evaluation of orientation and mobility skills by a Certified Orientation and Mobility Specialist (COMS) must be completed, along with the evaluation by a teacher of students with visual impairment (TVI), when establishing initial eligibility as a student with a visual impairment.
 - The Eye Medical Report should indicate whether the student has no vision or a serious visual loss after correction, or a progressive medical condition that will result in no vision or serious vision loss after correction. A Functional Vision Evaluation (FVE) analyzes how a student actually performs visually in a variety of

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- environments, including familiar and unfamiliar environments, in different lighting conditions, and requiring the use of both near and distance vision.
- Input from both a TVI and a COMS ensures consideration of all aspects of functional use of vision.
 - The Functional Vision Evaluation (FVE) must include recommendations concerning the need for an Orientation and Mobility Evaluation, to determine whether there is a need for specific instruction to ensure safe and efficient movement and travel in the home, school, and community.
 - Input from a COMS during the FVE provides informed decision-making regarding the need for an O&M evaluation.
 - An Orientation and Mobility Specialist teams with the VI teacher when a functional vision evaluation is performed, thus ensuring that all students with visual impairments are appropriately screened for this related service.

Service Delivery Models

- The types of service delivery models available include:
 - Monitoring/Consultation
 - Direct
 - Integrated
- The ARD/IEP committee determines the appropriate service delivery model and the frequency and duration of services based on the evaluation and recommendation from the O&M specialist.

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PROCEDURES:**What's Required**

Either a parent of a child, or a state education agency (SEA), other State agency, or Local Education Agency (LEA) may initiate a request for an initial evaluation to determine if the child is a child with a disability 34 CFR 300.301(b)

Board Policies for ILTexas (057-848)

Evaluation Procedures, 6.16; Independent Education Evaluations, 6.16; Eligibility, 6.14.

What We Do

Federal law requires that any standardized tests given to the student must be validated for the specific purpose for which they are used and must be administered by trained personnel in conformance with the instructions supplied by their producer. The evaluator determines the degree of evaluation needed in each area depending on the eligibility criteria for the suspected disability. The area of language proficiency is evaluated first to determine the language that will be used in further evaluation.

Evaluation instruments must not be culturally or racially discriminatory and must be administered in accordance with standardized procedures in order to prevent inappropriate evaluations for specific cultural groups. A variety of evaluation instruments and strategies are used to gather relevant functional and developmental information about the student, including information provided by the parent. All data is reviewed, interpreted, and compiled into a Full and Individual Initial Evaluation (FIIE) report. All evaluation personnel are responsible for adhering to all auditable dates for initial evaluations, re-evaluations, and transfers where the student has been in special education in another district.

Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those designed to provide a single general intelligence quotient. Tests are to be selected and administered so as to ensure that the test results of a student who has impaired sensory, manual, or speaking skills, will accurately reflect his or her aptitude or achievement level or whatever other factors the test purports to measure. Only tests approved by the Special Education Department will be used for evaluations.

Evaluation of the student covers all areas related to the suspected disability, including (where appropriate):

- health
- vision
- hearing
- social and emotional status

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- general intelligence
- academic performance
- communicative status
- motor abilities

The evaluation must be sufficiently comprehensive to identify all of the student's special education and related service needs. The instruments used and strategies must provide relevant information that directly assists persons in determining the educational needs of the student.

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INDEPENDENT EDUCATIONAL EVALUATION	
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PROCEDURES:**What's Required**

A parent has the right to an Independent Educational Evaluation (IEE) at public expense if the parent disagrees with an evaluation obtained by the LEA (34 CFR 300.502(b)(1)). Public expense means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent consistent with the provisions of the Individuals with Disabilities Education Act (IDEA) regarding the use of IDEA Part B formula amounts in general. A parent is limited to only one IEE at public expense each time the LEA conducts an evaluation with which the parent disagrees (34 CFR 300.502.(b)(5)).

Board Policies for ILTexas (057-848)

Independent Educational Evaluations, 6.16.

What We Do

Parents have a right to request and obtain an Independent Educational Evaluation or IEE at any time during their child's education and to have the FIE considered by the school district in any decision made with respect to providing a free, appropriate, public education (FAPE).

- An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the student's education.
- Submit a request for an IEE if he/she disagrees with the evaluation results (a) of testing conducted by ILTexas appraisal staff or (b) because the student was not assessed in a particular area. It is typical, but not a requirement, that a request for an IEE occurs in an ARD Committee meeting following an initial evaluation or reevaluation.
- When the parent presents the school with a parent initiated evaluation or an IEE, the data is given to the diagnostician for consideration by the Admission Review and Dismissal Committee (ARD).
- After the ARD Committee has reviewed the data, the ARD committee will report and take any action deemed appropriate by the district.
- While the parent has a right to obtain an IEE at his/her own expense, federal law provides a parent with the right to one IEE at public expense if the parent disagrees with the school district's evaluation. A parent may request a publicly funded IEE for each evaluation completed by the district. When a parent notifies the district that he or she disagrees with an evaluation and requests an IEE, the district must respond within a reasonable time, either by agreeing to provide the IEE or by initiating a due process hearing to show that the school district's FIE is appropriate.

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If request for an IEE is granted, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the school uses when it initiates an evaluation. The school may not impose any other conditions or timelines related to obtaining an IEE.

Estimated rates for IEEs and required credentials are below.

- Functional Behavioral Assessments not to exceed \$1,500. **(Required credential: Licensed Specialist in School Psychology (LSSP) or Board Certified Behavior Analyst (BCBA))**
- Psycho-educational Evaluations (including bilingual) not to exceed \$3,000. **(Required credential: LSSP or Educational Diagnostician's Certificate)**
- Psychological Evaluations (including bilingual) not to exceed \$3,000. **(Required credential: (LSSP))**
- Speech and Language Evaluations (including bilingual) not to exceed \$1,200. **(Required credential: Certificate of Clinical Competence (CCC))**
- Vocational Assessments not to exceed \$1,000. **(Required credential: LSSP, Educational Diagnostician's Certificate or other education related certificate)**
- Occupational and Physical Therapy Evaluations not to exceed \$750. **(Required credential: Occupational License, Physical Therapy License)**
- Functional Vision / Learning Media Assessment not to exceed \$650. **(Required credential: Certified Teacher of Visual Impairments)**

OPERATING PROCEDURES	
REVIEW OF EXISTING EVALUATION DATA	
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PROCEDURES:**What's Required**

The LEA must ensure that a re-evaluation of each child with a disability is conducted (34 CFR 300.303(a) and 20 USC 1414(a)(2)(A)).

- If the LEA determines the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation (34 CFR 300.303(a)(1) and 20 USC 1414(a)(2)(A));
- If a re-evaluation is requested by the child's parents or teacher (34 CFR 300.303(a)(2)); or
- Before determining that the child is no longer a child with a disability (CFR 34.300.305(e) and 20 USC 1414(c)(5)(A)).
- A re-evaluation is not required (but a SUMMARY OF PERFORMANCE is required) before the termination of a child's eligibility due to (34 CFR 300.303(a)(2) and 20 USC 1414(c)(5)(B)(i)):
- Graduation from secondary school with a regular diploma (34 CFR 300.305(e)(2) and 20 USC 1414(c)(5)(B)(i)); or
- Exceeding the age eligibility for a free appropriate public education under state law (34 CFR 300.305(e)(2) and 20 USC 1414(c)(5)(B)(i)).

A re-evaluation must occur:

- Not more frequently than once a year, unless the parent and the LEA agree otherwise (34 CFR 300.303(b)(1) and 20 USC 1414(a)(2)(B)); and
- At least once every three years, unless the parent and the LEA agree that a re-evaluation is unnecessary (34 CFR 300.303(b)(2) and 20 USC 1414(a)(2)(B)).

Board Policies for ILTexas (057-848)

Evaluation Procedures, 6.16.

What We Do**BEGINNING OF THE SCHOOL YEAR**

- Each Diagnostic Specialist and Speech-Language Pathologist is responsible for compiling the list of students needing re-evaluation within the school year.
- The Diagnostic Specialist and Speech-Language Pathologist schedules a Review of Existing Evaluation Data (REED) meeting approximately one semester prior to the due date of the three-year re-evaluation date so that the evaluation can be completed within the timeline.

DATA COLLECTION

- The Diagnostic Specialist or Speech-Language Pathologist is responsible for collecting previous evaluations and information provided by the parents, current classroom-based,

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local, and/or state assessments, classroom-based observations and related service providers, and health information provided by the school nurse.

- General education and/or special education personnel forms may be completed by multiple sources.
- Any personnel with relevant information concerning the student will be asked to complete, sign, and date the form.
- The person completing the form should address those competencies about which they have direct knowledge and/or observation.
- Information from parents should be sent home for completion by the parent(s)/guardian(s).
- The school nurse completes the health information form (all relevant health information should be addressed).

REVIEW OF DATA

- The Diagnostic Specialist or Speech-Language Pathologist convenes a REED (Review of Existing Evaluation Data) meeting to review the student's current eligibilities and current progress.
- Based on the available data, the determination of the need for a formal evaluation is made by the REED committee with the same membership as an ARD committee.
- If the decision is to formally evaluate, the parent, guardian, or adult student will be provided Notice of the Evaluation and asked to sign the Consent for Evaluation.
- If the decision is to continue the current disability identification without any additional formal evaluation information, the Diagnostic Specialist or Speech-Language Pathologist will complete the REED document and it will become the new Full and Individual Evaluation Report. This information is placed in the student's special education eligibility folder.
- The Diagnostic Specialist or Speech-Language Pathologist will schedule an ARD/IEP committee meeting, at which time the Diagnostic Specialist or Speech-Language Pathologist will review the re-evaluation data.
- The FIE will need to be finalized by the FIE due date.

ARD/IEP COMMITTEE

- The ARD/IEP Committee must include persons needed to establish eligibility for specific disabilities.
- For VI students, a representative of the Programs for the Visually Impaired must be present.
- For AI, a representative from the Program for the Deaf and Hard of Hearing must be a part of the ARD/IEP Committee.
- In determining whether or not additional data is needed, the committee should consider the following:
 - The specific disability: Certain disabilities may change over time and require formal evaluation to substantiate developmental changes.

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REVIEW OF EXISTING EVALUATION DATA	
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- Every three years, the REED committee will consider whether full, partial assessment, or a documented review of existing evaluation data should be completed. Depending on the student needs, formal and full evaluations could be completed more often but not more than once a year unless parent and school agree.
- Age of the student: Each case should be considered on an individual basis.
- Emotional/behavioral factors: Behavioral considerations should be documented in various settings for all students. Specific documentation and appropriate and current evaluations will impact future decisions if a Manifestation Determination Review (MDR) is needed.
- Special education services and supports provided: Special education services and supports that are in place and the effect of eliminating, reducing, or changing those services should be considered.
- Instructional demands of grade level standards: A major consideration should be the degree to which the student is able to meet the instructional demands of grade-level standards without special education and related services.

PARENTS

- The parent/guardian's right to request a formal evaluation always overrides the committee's decision to continue the disability identification.
- The parent has the right to request a formal evaluation to determine whether the student continues to be a student with a disability.

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ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING	
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PROCEDURES:**What's Required**

The LEA must ensure that an IEP be in effect for eligible children with disabilities on their third birthday in compliance with the ARD Committee_frameworks (CFR 300.301(b) and 19 TAC 89.1035(a)). If a child's third birthday occurs during the summer, the child's ARD committee must determine the date when services will begin (CFR 300.301(b)). The ARD committee must comply with the Least Restrictive Environment (LRE)_framework. Home instruction may be used for young children (ages three through five) when determined appropriate by the ARD committee (19 TAC 89.63(c)(2)(B)).

The IEP is a written statement for each child with a disability that includes the following information:

- a statement of the child's present levels of academic achievement and functional performance (34 CFR 300.320(a));
- how the child's disability affects involvement and progress in the general education curriculum (34 CFR 300.320(b));
- measurable annual goals, including academic and functional goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum;
- a description of how the child's progress will be measured and when the progress will be provided;
- a statement of the special education and related services and supplementary aids and services, program modifications or supports that will be provided to the child (34 CFR 300.320 (a));
- an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class;
- a statement of accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments;
- if the child must take an alternate assessment instead of a regular State or district wide assessment of student achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate;
- the projected date for the beginning of the services and the anticipated frequency, location, and duration of the services;
- for students age 14 and older, appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and the transition services needed to assist the child in reaching those goals.

OPERATING PROCEDURES	
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING	
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When developing the IEP, the ARD committee must consider (34 CFR 300.324):

- The strengths of the child;
- The concerns of the parents for enhancing the education of their child;
- The results of the initial or most recent evaluation of the child;
- The academic, developmental, and functional needs of the child.

Additional information can be found here: US DOE Topical Brief on Individualized Education Plans (IEP).

Board Policies for ILTexas (057-848)

Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Native Language, 6.3, 6.9; Teacher Requested Review, 6.2; Independent Education Program (IEP), 6.3; Procedural Safeguards, 6.3, 6.9, 6.16, 6.15; Prior Written Notice, 6.9; Consent, 6.9; Foster and Surrogate Parents, 6.22; Evaluation procedures, 6.16; Least Restrictive Environment (LRE), 6.3, 6.1; Graduation, 6.3, 6.21; Independent Education Evaluations, 6.16.

What We Do

The Individualized Education Program (IEP) is developed by the ARD Committee. The IEP must include certain information about the child and the educational program designed to meet his or her unique needs.

Present Levels of Academic Achievement and Functional Performance

What We Do

Developing the IEP begins with a careful analysis of the student's present levels of academic achievement and functional performance, including:

- How the child's disability affects that child's involvement and progress in the general education curriculum
- For preschool children, as appropriate, how the disability affects the child's participation in age-appropriate activities

NOTE: There should be a direct relationship between the annual goals and the present level of academic achievement and functional performance.

Standards-Based Measurable Annual Goals

What's Required

A standards-based IEP is "a process and document that is framed by the state standards and that contains goals aligned with, and chose to facilitate, the student's achievement of state grade-level academic standards".

OPERATING PROCEDURES	
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING	
International Leadership of Texas Inc.	057-848
Broad Category: FREE APPROPRIATE PUBLIC EDUCATION Legal Framework: ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING	Related Resources Template update May 2020

What We Do

Implications for Practice:

- Continue emphasis on knowledge of enrolled grade level curriculum to ensure drafting of goals which are aligned with enrolled grade level TEKS
- Draft annual goals and short term objectives/benchmarks (when appropriate) in standards-based format aligned to enrolled grade level TEKS
- Utilize TEA Curriculum Framework and Vertical Alignment documents as a resource for enrolled grade level curriculum standards

Because students with disabilities are included in the statewide assessment system, they must have access to the general education curriculum that is tested using this system. This access may be with or without accommodations and can include alternate assessments; however, due to these requirements, all students must have standards-based goals. Standards-based goals are defined as annual, measurable goals aligned to enrolled grade level TEKS or Pre-Kindergarten Guidelines.

The IEP must include a statement of measurable annual goals, which relate to:

- Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum AND
- Meeting each of the student's other educational needs that result from the student's disability.

Each measurable annual goal must contain each of the following components:

- **Timeframe:** Identifies the amount of time in the goal period and is usually specified in the number of weeks or a certain date for completion
- **Conditions:** Describe the specific resources that must be present for a child to reach the goal. The condition of the goal should relate to the behavior being measured
- **Behavior:** Represents an action that can be directly observed, measured and monitored
- **Criterion:** Identifies how much, how often, or to what standard the behavior must occur in order to demonstrate that the goal has been met

Every student receiving special education services must have at least one measurable annual goal.

- All students whose course content is modified and/or who take alternate assessments aligned to alternate assessment standards must have both annual goals and short-term objectives/benchmarks.

In the development of standards-based measurable annual goals for a student, the ARD Committee should:

- Specify the specially designed instruction that the student requires to achieve his/her annual goal(s)
- Develop strategies that will assist the student in achieving his/her annual goal(s)
- ILTexas will draft measurable, intermediate steps (short-term objectives/benchmarks) for each annual goal to assist families, students, and educators in monitoring progress during the year, and, if appropriate, revising the IEP to address the student's instructional needs.

OPERATING PROCEDURES	
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEMBERSHIP	
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Broad Category: EVALUATION Legal Framework: ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEMBERSHIP	Related Resources Template update May 2020

PROCEDURES:

What's Required

Each local educational agency (LEA) must establish an admission, review and dismissal (ARD) committee for each eligible child with a disability and for each child for whom an initial Full and Individual Evaluation is conducted 19 TAC 89.1050. The ARD/IEP Committee is the: (1) Eligibility team defined in federal law IDEA 2004, 34 CFR 300.306. (2) Individualized education program (IEP) team defined in federal law IDEA 2004, 34 CFR 300.321. (3) Placement team defined in federal law IDEA 2004, 34 CFR 300.116. The term IEP means a written statement for each child with a disability that is developed, reviewed and revised in accordance with the ARD/IEP committee framework. The ARD committee must review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals are being achieved. The ARD committee must determine the child's placement at least annually 34 CFR 300.116(b)(1). The ARD/IEP Committee may meet more often than annually to revise the student's IEP, as appropriate, to address: (1) any lack of expected progress toward the annual goals, (2) the results of any reevaluation, (3) information about the student provided to, or by the parents, (4) anticipated needs of the student or (5) other concerns. A parent may request an ARD/IEP committee meeting (at a mutually agreeable time) at any time to discuss educational concerns such as placement, IEP goals and objectives, and the extent of services being provided to the student. The school must either grant the parent's request to have a meeting or contact the Texas Education Agency (TEA) to ask for assistance through mediation.

ARD/IEP Committee Membership: The ARD/IEP committee means a group of individuals composed of: 34 CFR 300.321; 19 TAC 89.1050

- The parents of a child with a disability
- Not less than one regular education teacher of the child
- Not less than one special education teacher
- A representative of the local education agency (LEA)
- An individual who can interpret the instructional implications of the evaluation
- Other individuals who have knowledge or special expertise regarding the child
- The child with a disability, whenever appropriate
- A teacher who is certified in the education of children with auditory impairments for a child with a suspected or documented auditory impairment including suspected or documented deaf-blindness
- A member of the language proficiency assessment committee (LPAC) when determining participation in state and district wide assessments for a child with limited English proficiency, to address the child's language needs; and
- A representative from Career and Technical Education (CTE), preferably the teacher when considering initial or continued placement of a child in CTE.

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See Legal Framework References to Attendance and Excusal: ARD Committee Membership and Legal Framework References to the: ARD/IEP Committee

Board Policies for ILTexas (057-848)

Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3.

What We Do

The ARD/IEP must be in effect at the beginning of each school year for every child with a disability. The ARD/IEP Committee includes the following participants (general composition):

- A representative from the school district who is qualified to supervise the provision of specially designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general education curriculum, and who is knowledgeable about the availability of resources in the school district
- The student's current special education teacher or special education provider who must be appropriately certified or licensed
- The appropriate general education teacher(s) who is responsible for implementing a portion of the student's IEP for those students who are receiving, or who are expected to receive, instruction in general education
- The student, the student's parent(s), and/or a designated representative participates as follows:
 - A student 18 years of age or older who has not been judged by a court of law to be incompetent to manage personal affairs or who has not relinquished rights to parents in writing will participate in his/her ARD/IEP meeting.
 - A parent participates if the student is younger than 18 years of age, if the student is 18 years of age or older and has been judged by an appropriate court of law to be incompetent to manage personal affairs, or if an adult student has relinquished rights to his/her parent(s) in writing.
 - The district must be notified of a designated representative.
- Other professional certified specialists as required:
 - Speech therapist when students with speech impairments are being considered
- An individual who can interpret the instructional implications of evaluation results
 - A professional certified in the education of students with auditory impairments when students with auditory impairments are being considered
 - A professional certified in the education of the visually impaired when students with visual impairments are being considered
 - The Career and Technical Education (CTE) teacher who will instruct the student is a member when the committee is considering placement in a CTE program.
 - The Life Skills or Work Based Learning teacher if work based learning is being proposed or discussed
 - The appropriate related services personnel (occupational and physical therapists, in-home trainer, etc.) when necessary

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- A professional representing the Language Proficiency Advisory Committee (LPAC) when a student with disabilities and limited English proficiency is being considered

Duties of the ARD/IEP Committee

The ARD/IEP Committee makes decisions concerning the educational program for students who are eligible to receive special education services. Among other responsibilities, the ARD/IEP Committee performs the following functions:

- Reviews data from the student's assessment
- Establishes eligibility for special education services
- Develops and reviews the IEP and the Functional Behavior Assessment/Behavior Intervention Plan (FBA/BIP), completes the transition information section of the ARD/IEP Committee Report document, and incorporates information in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services
- Provides an audio-taped copy of the student's ARD/IEP committee meeting in the parent's native language if the parent does not speak and understand English. Provides an interpreter in the parent's native language.
- Provide for educational placement in the least restrictive environment appropriate to meet the needs of the student
- Makes decisions regarding promotion or retention of students with disabilities receiving special education services
- Makes decisions about student participation in local and state assessments.

Duties of the Diagnostic Specialist

- Will coordinate with the case manager in scheduling of ARD/IEP committee meetings at a time mutually acceptable to the parent/adult student and other members.
- Will coordinate with the case manager to provide the parent/adult student with written notice of ARD/IEP committee meetings at least 5 school days prior to the meeting.
- Will coordinate with the case manager to ensure the Notice of Procedural Safeguards Booklet is provided to parent/adult student or guardian with the Notice of ARD/IEP committee meeting for an initial or evaluation ARD/IEP committee meeting and at least annually thereafter.
- Will coordinate with the case manager to ensure the Record the Notice of the ARD/IEP committee meeting and Notice of Procedural Safeguards booklet in the IEP/ARD software management system.
- Will ensure the campus administrator, who conducts the ARD/IEP committee meeting has the ARD Agenda.
- Will take minutes of the meeting.
- Facilitate resolution of problematic ARD/IEP committee meetings.
- Monitor the input of information in an ARD/IEP data management system (Frontline).
- Ensure that proceedings of the ARD/IEP committee meetings are recorded (written/audio).
- Ensure all issues are followed up.

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ARD/IEP Committee Training

A representative of the central special education support staff will provide training for administrators in how to take effective deliberations at ARD/IEP Committee meetings and Public Agency Representative in an ARD/IEP meeting.

Guidelines for ARD/IEP Meetings

- ARD/IEP meetings should be conducted efficiently.
- ARD/IEP meetings will have a clear agenda.
- A copy of the draft IEP will be sent to parents, particularly the PLAAFP, goals, and accommodations, two weeks prior to the ARD.
- The campus staff, along with the Diagnostic Specialist will need to determine if there is a need for a staffing prior to the ARD. The purpose of the staffing is to review any new assessments, the PLAAFP, proposed goals and objectives and discuss proposals for schedule of services, state assessment, transition, appropriate ARD supplements and any other items relevant to the student.
- Parents have a right to bring advocates to ARD/IEP meetings. All participants are expected to exhibit professional conduct during the meeting. Rudeness and abusive language cannot be tolerated and such behavior can be cause for discontinuing the meeting. When the parent notifies the staff that they are bringing an advocate to the meetings, please ensure the Confidentiality of Information Form is completed and sent to the parent for signature prior to meeting.

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AMENDMENT WITHOUT A MEETING	
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PROCEDURES:**What's Required:**

Amendments §300.324(a)(4) - Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

Board Policies for ILTexas (057-848)

Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Independent Education Program (IEP), 6.3.

What We Do**WHAT IS AN ARD/IEP AMENDMENT?**

An ARD/IEP amendment is a change to a student's IEP without holding a full ARD committee meeting. According to law, after the annual admission, review and dismissal (ARD) meeting, changes to the individualized education program (IEP) may be made by either:

- the entire ARD committee, or
- amending the IEP rather than redrafting the entire IEP.

WHEN AN ARD/IEP AMENDMENT IS APPROPRIATE:

There are special circumstances under which an ARD/IEP Amendment is appropriate, which include:

- Fix clerical errors in the ARD/IEP
 - incorrectly noted goal and objective dates
 - missing checkbox that should have been checked based on ARD meeting discussion (ex. interpreter was used but checkbox was not selected)
 - incorrectly identified accommodations based on the ARD Committee discussion and decision
- Addition of an IPI or AIP that does not constitute a change of service to the Schedule of Services
- Adjustments to the Co-teach minutes outlined in the Schedule of Services page

ARD/IEP amendments are not appropriate in the following circumstances:

- Eligibility determination (review completed assessments)
- Changes of placement and special education services
- Manifestation Determination Reviews

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COMPONENTS OF A LEGALLY COMPLIANT AMENDMENT:

To amend an IEP without an ARD meeting, the parent of a child with a disability and ILTexas must agree not to convene an ARD committee meeting for the purpose of making changes to the IEP; and ILTexas must develop a written document to amend or modify the child’s IEP (§ 300.324(a)(4)(i)). If the IEP is amended without an ARD committee meeting, the ARD committee membership must be informed of those changes. A parent must be provided with a revised copy of the IEP with the revised changes.

There are two persons who are always required to sign and date the IEP Amendment Report:

- The parent, or when appropriate a guardian, surrogate parent, or an adult student. This individual may agree for the change over the phone, but a copy of the signature page should still be sent home with a request of return.
- A Special Education Support Staff member completing the IEP Amendment and/or an administrative representative, such as the principal or an assistant principal.

This is the only instance in which all ARD committee members are not required to attend a meeting. These staff members sign agreement to the proposed change with agreement from the parent.

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PROCEDURES:

Free Appropriate Public Education (FAPE) – Special education and related services that have been provided at public expense, under public supervision and direction and without charge; meet the standards of the Texas Education Agency (TEA); include an appropriate preschool, elementary school, or secondary school education in the State involved; and are provided in conformity with the individualized education program (IEP).

Eligibility Determination and Documentation

What's Required

Upon completion of the administration of assessments and other evaluation measures a group of qualified professionals and the parent of the child determines whether the child is a child with a disability and the educational needs of the child 34 CFR 300.306(a)(1).

What We Do

There is a two-part test for determining whether a student is eligible for special education services: (1) a student must have a disability, and (2) as a result of the disability, the student must need special education services to benefit from education. In Texas, an ARD/IEP Committee makes decisions about eligibility. Within 30 calendar days of completing the Full Individual Evaluation (FIE), the ARD/IEP Committee must meet to review the written report and determine whether the student is eligible for special education services. A copy of the evaluation report must be provided to the parent at no cost.

A child must not be determined by the ARD/IEP Committee to be a child with a disability if the determinant factor for such determination is:

- Lack of appropriate instruction in reading, including in the essential components of reading instruction as defined in the Elementary and Secondary Education Act (IDEA) which means

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explicit and systematic instruction in (a) Phonemic awareness, (b) Phonics, (c) Vocabulary development, (d) Reading fluency, including oral reading skills, and (e) Reading comprehension strategies

- Lack of appropriate instruction in math
- Limited English proficiency

Not all struggling learners have a disability. In these situations, the campus-based support team may meet and recommend other services or programs in general education to help the student. In the Response to Intervention (RTI) process, the campus-based support team may recommend additional interventions available to non-disabled students.

If the evaluation shows that the student has a disability, the ARD/IEP Committee must then decide whether the student needs special education services to benefit from education. If the student does not have an educational need for special education services, he or she is not eligible for any such services.

If it is determined, through an appropriate evaluation under the full and individual evaluation frameworks, that a child has one of the disabilities but only needs a related service and not special education, the child is not a child with a disability under the Individuals with Disabilities Education Act.

Individualized Education Program
What’s Required

The Individualized Education Program (IEP) is developed by the ARD Committee. The IEP must include certain information about the child and the educational program designed to meet his or her unique needs.

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Present Levels of Academic Achievement and Functional Performance

What We Do

Developing the IEP begins with a careful analysis of the student's present levels of academic achievement and functional performance, including:

- How the child's disability affects that child's involvement and progress in the general education curriculum
- For preschool children, as appropriate, how the disability affects the child's participation in age-appropriate activities

NOTE: There should be a direct relationship between the annual goals and the present level of academic achievement and functional performance.

Standards-Based Measurable Annual Goals

What's Required

A standards-based IEP is "a process and document that is framed by the state standards and that contains goals aligned with, and chose to facilitate, the student's achievement of state grade-level academic standards".

What We Do

Implications for Practice:

- Continue emphasis on knowledge of enrolled grade level curriculum to ensure drafting of goals which are aligned with enrolled grade level TEKS
- Draft annual goals and short term objectives/benchmarks (when appropriate) in standards-based format aligned to enrolled grade level TEKS
- Utilize TEA Curriculum Framework and Vertical Alignment documents as a resource for enrolled grade level curriculum standards

Because students with disabilities are included in the statewide assessment system, they must have access to the general education curriculum that is tested using this system. This access may be with or without accommodations and can include alternate assessments; however, due to

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these requirements, all students must have standards-based goals. Standards-based goals are defined as annual, measurable goals aligned to enrolled grade level TEKS or Pre-Kindergarten Guidelines.

The IEP must include a statement of measurable annual goals, which relate to:

- Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum AND
- Meeting each of the student's other educational needs that result from the student's disability.
- Each measurable annual goal must contain each of the following components:
 - Timeframe: Identifies the amount of time in the goal period and is usually specified in the number of weeks or a certain date for completion
 - Conditions: Describe the specific resources that must be present for a child to reach the goal. The condition of the goal should relate to the behavior being measured
 - Behavior: Represents an action that can be directly observed, measured and monitored
 - Criterion: Identifies how much, how often, or to what standard the behavior must occur in order to demonstrate that the goal has been met

Every student receiving special education services must have at least one measurable annual goal.

- All students whose course content is modified and/or who take alternate assessments aligned to alternate assessment standards must have both annual goals and short-term objectives/benchmarks.
- In the development of standards-based measurable annual goals for a student, the ARD Committee should:
- Specify the specially designed instruction that the student requires to achieve his/her annual goal(s)
- Develop strategies that will assist the student in achieving his/her annual goal(s)

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- KISD will draft measurable, intermediate steps (short-term objectives/benchmarks) for each annual goal to assist families, students, and educators in monitoring progress during the year, and, if appropriate, revising the IEP to address the student's instructional needs.

Special Factors

Behavior

What's Required

34 CFR 300.530 (f), IDEA states, the determination that behavior was a manifestation. If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must—

1. Either—
 - a. Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
 - b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and
2. Except as provided in paragraph (g) of this section, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

What We do

Functional Behavior Assessment (FBA)

Functional Behavioral Assessment (FBA) The purpose of the FBA is to operationalize the behavior problem and determine the contingencies maintaining the behavior in order to develop a function based intervention plan. According to IDEA, it is required only "as appropriate" except when a problem behavior is found to be a manifestation of a disability and an FBA has not been done previously.

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As a best practice, the FBA is recommended for developing Behavior Intervention Plans.

1. Use a variety of data sources that will provide information about the student and all factors impacting his/her behavioral functioning when conducting a Functional Behavioral Assessment such as:
 - Review of behavior history, conduct grades, discipline records, etc.
 - Observations of the student in multiple settings and in interactions with adults and peers
 - Interviews with teachers
 - Interview with parents – may include information about presence or absence of behavior at home, history of any behavior concerns, medications prescribed, involvement in any kind of therapy, etc.
 - Available information from outside agencies
 - Review of psychological reports, previous Behavior Intervention Plans, etc.
 - Interview with the student
2. Identify specific behaviors of concern to school staff and to parents, keeping the list to no more than three high priority behaviors to be addressed. Provide an operational definition of each behavior.
3. Consider the antecedents to the occurrence of the problem behaviors including distal and/or proximal events. Include the most likely settings, situations, and/or times the problem behaviors might occur.
4. Consider the consequences that typically follow the problem behavior and may be maintaining the behavior.
5. Identify reinforcers and negative consequences that have been used with the student over the previous year to address the problem behavior and consider the effectiveness of each of those. Consider any new information that has been obtained that might suggest a potential reinforcer or consequence that has not yet been tried.
6. Formulate a hypothesis as to what the function of each identified problem behavior is likely to be, i.e. attempts to gain control, attention, revenge, or sensory stimulation; attempts to

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escape responsibilities or activities such as classwork, social situations, etc.; efforts to communicate, etc.

7. Consider any additional information provided by the student that helps explain the purpose for the problem behavior.
8. Identify the student’s behavioral strengths to assist with identification of prosocial or replacement behaviors.

Behavior Intervention Plan (BIP)

Behavior Intervention Plan (BIP) The Behavior Intervention Plan (BIP) is designed to provide options for interventions when specifically identified problem behaviors interfere with the student’s learning or the learning of others. Typically, a Functional Behavioral Assessment will have been conducted prior to the development of the BIP. This will provide information about the antecedents and consequences that may be underlying and/or maintaining the behavior, a hypothesized function of each behavior, and results of efforts used previously to address the behavior concerns.

The BIP includes specific, individualized methods designed to prevent the occurrence of problem behaviors while promoting pro-social replacement behaviors. This forms the basis of positive behavior interventions and supports to meet the specific needs of an individual student.

1. List the target behaviors to be addressed in the BIP including an operational definition of each.
2. List the hypothesized function of each behavior.
3. Identify any antecedent strategies to be used that might prevent the occurrence of the behavior.
4. Identify any consequence strategies that might be used and/or put in place to discourage the occurrence of the behavior.
5. Identify any behavior management techniques or situations to be avoided with the student.

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6. Keeping in mind the hypothesized function of the behaviors, identify any special skills that should be taught to facilitate development and demonstration of prosocial behaviors. Consider any training for staff, student, or the parent that will be necessary to support the demonstration of pro-social behaviors.
7. Specify any necessary adaptations to the setting or any actions, prompting, or cuing to be used as antecedents to promote the pro-social behaviors.
8. Specify any classroom strategies and/or reinforcement or reward systems to be used to increase or maintain pro-social behaviors. It is important to remember that reinforcement or rewards may or may not be tangible items.
9. Specify consequences to be used following the target behaviors that are reasonably calculated to decrease frequency, duration, and/or intensity of target behavior.

**Limited English Proficiency
What's Required**

The LEA must ensure that assessments and other evaluation materials used to assess the child are selected and administered so as not to be discriminatory on a racial or cultural basis; Provided and administered:

- In the child's native language or other mode of communication; and
- In the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or administer;
- Used for the purposes for which the assessments or measures are valid and reliable;
- Administered by trained and knowledgeable personnel; and
- Administered in accordance with any instructions provided by the producer of the assessments

**What We Do
Referral**

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The campus review team facilitates all campus referrals for Special Education evaluations, including evaluation referrals involving students that are limited English proficient. The purpose of the review team is to collect informal data to distinguish if the student's learning deficits are likely caused by a language difference or a suspected disability. In order for the review team to suspect a disability may exist for a limited English speaking student, the learning deficits must be evident in the native language as well as in English. Common campus assessments available to distinguish a language difference versus a possible disability could include, but not limited to:

- Running records; fluency probes (English, Spanish, or other language)
- Assessments associated with Esperanza
- Istation probes (English and/or Spanish)
- Texas English Language Proficiency Assessments System (TELPAS)
- STAAR L (Linguistically Accommodated)
- STAAR (English and/or Spanish)
- Formative assessments (English and/or Spanish)
- Writing samples (English, Spanish, or other language)
- School attendance history
- Teacher observations
- Home Language Survey (HLS)
- Parent information

Evaluation

All Special Education evaluations are managed by the campus Diagnostician, LSSP, or Speech Therapist (if the suspected disability is for a speech impairment only). If based on the referral information, there is any influence of a language other than English a request is made through use of an AP1 for a bilingual Diagnostician, LSSP, or Speech Therapist to be assigned as an ancillary evaluator. The bilingual Diagnostician, LSSP, or Speech Therapist will determine the extent to which the Special Education evaluation will be conducted in the student's native language and English. In order for the evaluation team to determine if a disability exists, the academic need caused by the disability must be evident in the student's native language and in

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English. In the event a bilingual Diagnostician, LSSP, or Speech Therapist is not available for languages other than English or Spanish, the evaluation will be conducted with the support of a trained translator.

Bilingual Program and Services

For those ELLs being considered for special education, schools must ensure that each campus LPAC coordinates with the ARD/IEP committee in determining the most appropriate placement of ELLs with disabilities. When a student needs both language and disability related services, the LPAC administrator must participate in the ARD/IEP meetings.

The LPAC is required to offer the required bilingual or ESL program to ELL students who also qualify for Special Education services. If a campus does not have bilingual certified/Special Education teachers, the campus is required to find the means to provide both services either through a model where the Special Education teacher provides instructional support in the bilingual classroom or provide other options for serving the student's needs.

Students cannot be denied the required language services when they also qualify for Special Education services. A parent shall not be asked to choose between a language or Special Education program.

Participation in Dual Language Program

Benefits of the Dual Language bilingual program extends to students with disabilities. It is often thought that an ELL who is identified as having a disability, should only be instructed in English, so as not to confuse the student. Emerging evidence shows that children with speech, language, or learning impairment can become fully bilingual (Genesee, Paradis, & Crago, 2004; Perozzi, 1985; Perozzi & Sanchez, 1992) and will benefit from participation in the Dual Language program.

Benefits of Dual Language for Students with Disabilities

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Students who are dual language learners with disabilities and receive interventions in their home language and English fair as well or better than children who receive services in English alone (Paradis, et al 2011).

There are no regulations that prohibit a student from participating in both special education and Dual Language programs. Once a child qualifies for special education services, the ARD/IEP committee, in conjunction with the LPAC, must look at his or her specific social, language, and academic needs and select the appropriate instructional program that best meets those needs.

**Blind or Visually Impaired
What’s Required**

The local educational agency (LEA) must ensure that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled (34 CFR 300.114(a)(2)(i) and 20 USC 1412(a)(5)(A).

The LEA must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR 300.114(a)(2)(ii) and 20 USC 1412(a)(5)(A).

The LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services (34 CFR 300.115(a)).

The ARD committee must specify the appropriate instructional arrangement/setting as set forth in 19 TAC 89.63(c).

Board Policies:

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Free Appropriate Public Education, 6.1; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Evaluation Procedures, 6.16; Eligibility, 6.14.

What We Do

Continuum of options:

- general education classroom with consultative support from a teacher of the visually impaired
- general education classroom with direct instructional services from a teacher of the visually impaired
- a combination of general education and self-contained special education classes with consultative and/or direct instructional services from a teacher of the visually impaired
- self-contained special education classroom with the consultative and/or direct instructional services from a teacher of the visually impaired
- residential placement - Texas School for the Blind and Visually Impaired

Components of services for students with Visual Impairment:

- determined by the ARD/IEP Committee
- based upon individual needs of student
- may Orientation and Mobility (O&M) as determined by the ARD/IEP Committee
- may include services from a Braille specialist
- may include technology support
- expanded core curriculum

Personnel have knowledge and competencies in the following areas:

- extent to which significant visual loss impacts access to the general curriculum, social skills and skills for daily living
- specially designed instruction
- accommodations and modifications
- technology supports including use of Braille, magnification and travel training

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Orientation and Mobility Services

What's Required

Orientation and Mobility (O&M) is a very important component in the spectrum of services provided to students with visual impairments. In addition to the general education that all students receive, students with visual impairments, starting at birth, also need the Expanded Core Curriculum to meet needs directly related to their vision disability (NASDSE, 1999, p. 70). O&M is one of the related services within the Expanded Core Curriculum for students with visual impairments. Movement, independent or supported, is critical for learning. Orientation & mobility (O&M) is recognized in IDEA 2004 as a related service, which may be required to assist a student with a visual impairment to benefit from special education. Orientation and mobility specialists provide instruction to students whose visual impairment has adversely affected their ability to travel. It is a necessary skill in the achievement of independence. "Orientation" is the ability to know where one is and how to get to a desired location. It includes body awareness concepts, spatial concepts, and environmental concepts. "Mobility" is the ability to safely navigate from one's present location in the environment to one's desired location in another part of the environment. It includes skills such as guide technique, self-protective techniques and cane skills 34 CFR § 300.304(c)(4) requires that "the student is assessed in all areas related to the suspected disability" and 34 CFR 300.304(c)(6) requires that "the evaluation is sufficiently comprehensive to identify all of the student's special education and related services needs".

What We Do

Referral Process for students with vision loss

- An evaluation of orientation and mobility skills by a Certified Orientation and Mobility Specialist (COMS) must be completed, along with the evaluation by a teacher of students with visual impairment (TVI), when establishing initial eligibility as a student with a visual impairment.
 - The Eye Medical Report should indicate whether the student has no vision or a serious visual loss after correction, or a progressive medical condition that will result in no vision or serious vision loss after correction. A Functional Vision Evaluation

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(FVE) analyzes how a student actually performs visually in a variety of environments, including familiar and unfamiliar environments, in different lighting conditions, and requiring the use of both near and distance vision.

- Input from both a TVI and a COMS ensures consideration of all aspects of functional use of vision.
- The Functional Vision Evaluation (FVE) must include recommendations concerning the need for an Orientation and Mobility Evaluation, to determine whether there is a need for specific instruction to ensure safe and efficient movement and travel in the home, school, and community.
- Input from a COMS during the FVE provides informed decision-making regarding the need for an O&M evaluation.
- An Orientation and Mobility Specialist teams with the VI teacher when a functional vision evaluation is performed, thus ensuring that all students with visual impairments are appropriately screened for this related service.

Service Delivery Models

- The types of service delivery models available include:
 - Monitoring/Consultation
 - Direct
 - Integrated
- The ARD/IEP committee determines the appropriate service delivery model and the frequency and duration of services based on the evaluation and recommendation from the O&M specialist.

**Communication
What’s Required:**

School-based speech-language pathologists (SLPs) provide services within the context of public education. Decisions regarding speech-language pathology services, including assessment and evaluation, are made within the framework of the mandates of this

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social institution. [IDEA 2004](#) defines speech or language impairment as relevant to the context of schooling.

The child has a communication disorder such as, stuttering, impaired articulation, a language impairment, or a voice impairment; ([CFR 34 300.8\(c\)\(11\)](#) and

- The speech or language impairment adversely affects the child's educational performance; [19 TAC89.1040\(c\)\(10\)](#) and
- By reason of the speech or language impairment, the child needs special education and/or related services.

What We Do

A child who has difficulty producing speech or understanding and communicating ideas may have a speech-language impairment. When a person is unable to produce speech sounds correctly or fluently, or has problems with his or her voice, he or she has a speech disorder. Difficulties pronouncing sounds, or articulation disorders, and stuttering are examples of speech disorders. When a person has trouble understanding others (receptive language), or sharing thoughts, ideas, and feelings completely (expressive language), difficulty in social situations (pragmatic language) he or she has a language disorder.

- Prior to referral, students experiencing language difficulty in the general education classroom should be considered for the support services available to all students such as tutorials, remedial services, and/or other support services.
- If the student continues to experience difficulty in the general education classroom after the provision of interventions, the student should be considered for a full individual and initial evaluation.
- Students with suspected speech and/or language impairments are evaluated using a comprehensive speech battery that is conducted by a professional that is licensed and/or certified as a Speech-Language Pathologist. Some professionals

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may hold Speech and Hearing Therapy certificates as previously granted by the [Texas Education Agency](#). Legal Framework [9.1131\(b\)\(81\)](#)

- When a student is determined eligible for speech-language services, the service delivery and clinical methods must focus on achieving the speech and/or language goals in the child’s Individualized Education Program (IEP). These services are provided using a direct service delivery model, and may target one or more of the following areas:
 - Articulation – Abnormal production of speech sounds.
 - Stuttering – Abnormal flow of verbal expression characterized by impaired rate/rhythm.
 - Language – Impairment or delayed development of comprehension and/or use of a spoken/written or other symbol system.
 - Voice – Absence or abnormal production of vocal quality, pitch, loudness, and/or resonance.

Direct Service Delivery Models

Generalization of skills to the natural setting is crucial for independent communication. Issues that should be considered in the selection of a service delivery model are the Least Restrictive Environment and the Regular Education Initiative.

Least Restrictive Environment (LRE), an IDEA mandate, provides that eligible students are educated with students without disabilities to the maximum extent appropriate. LRE should be considered in the selection of a service delivery model as the ability to generalize skills to the natural setting is crucial for independent communication. It should be noted that all educators address communication development throughout the student’s day.

Service Delivery Models – The following is a description of speech-language service delivery models that are available based on the individual needs of the student.

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1. Direct Pull Out – Speech-language services occur with students in the speech room or sometimes within the physical space of the classroom setting. This is the most restrictive environment for speech therapy services.
2. Direct Push In – Speech-language services occur within the classroom setting. Team teaching with the classroom teacher (General Education or Special Education) can be utilized to support the curriculum content and communication intervention needs in a natural environment such as the classroom or community.

Dismissal Considerations

The Speech-Language Pathologist must use sound professional judgment and competency, in addition to evaluation data, in recommending that services are no longer warranted. The following factors must be considered:

Evaluation Data- Does evaluation data indicate that the student no longer qualifies for services according to KISD’s eligibility guidelines? (see above three bullet points “What is Required”)

Duration of Services- How long has the student been receiving speech therapy services?

Capacity of student for change- Is the student receiving meaningful benefit from services? What is the Speech-Language Pathologist’s reasonable statement of prognosis? Does the student’s primary disability limit their ability to benefit from the specialized services of the SLP?

The following are situations in which a student who continues to have a speech impairment may be dismissed from speech therapy:

1. Progress is no longer made towards goals?

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2. Lack of motivation and interest prevents them from benefiting from the specialized services?
3. The primary disability limits their ability to benefit from the specialized services of the SLP?

Determination of dismissal is made by the ARD committee during an ARD meeting.

Feeding and Swallowing

A fundamental educational need for students is adequate nutrition and hydration during their school day. To notify support staff of a student who is having difficulty with feeding and/or swallowing while at school, please contact the campus SLP.

Speech Therapy Services for Medically Fragile Students

Medically Fragile Students who require Homebound Services may experience a temporary period of time when they are not medically stable enough to benefit from Speech Therapy services. During this time, the Speech-Language Pathologist's role would be to consult with the student's nurse and Homebound teacher periodically to determine when the student is stable enough to benefit from services. The ARD/IEP committee will determine the frequency and duration of the consultative speech therapy services during this time.

Assistive Technology

What's Required

CFR §300.324(a)(2)(v) According to federal regulations each public agency must ensure that an assistive technology device and or an assistive technology service is made available to a student with a disability if such device or service is required as a part of the student's IEP. All ARD/IEP Committees are required by federal regulation to consider the student's need for assistive technology (AT) devices and services in the development of the IEP. This does not mean that the AT needs of a child with a disability must be considered in every ARD/IEP Committee meeting,

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but it does mean that the AT needs of a child with a disability must be considered every time the IEP is being developed.

The first step in considering a student’s need for assistive technology is to understand that assistive technology is defined under federal and state legislation as both a device and a service.

Assistive technology device means any item, piece of high and low technology equipment or product system, whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities or increase the independence of a student with a disability so that he or she can participate more fully in all settings. On a case-by-case basis, the use of a school-purchased assistive technology device in a student’s home or in other settings is required if the ARD/IEP Committee determines that the student needs access to those devices in order to receive FAPE. The term, assistive technology, does not include a medical device that is surgically implanted or the replacement of such device.

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- the evaluation of the needs of a student with a disability, including a functional evaluation of the student in the student’s customary environment;
- purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children/adult students with disabilities;
- selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- training or technical assistance for a student with a disability or, if appropriate, that student’s family; and

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- training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that student.

Assistive technology devices and services are provided when necessary to assist a student with a disability to participate in and benefit from his/her educational program.

What We Do

The ILTexas AT Team is made up of a group of individuals (speech language pathologists, occupational therapists, physical therapists, diagnosticians, special education teachers, etc.) who have participated in training specifically in the area of assistive technology and are equipped to conduct evaluations, make recommendations regarding assistive technology in their specific area of expertise, and plan implementation of assistive technology.

AT evaluations for communication are conducted by a speech language pathologist with a minimum of 3 years’ experience in public school speech therapy and 30 hours of AT specific training. A multidisciplinary team approach (SLP, OT, PT, classroom teacher, other personnel) is used if the student has both communication impairment and motor access issues.

The goals of the ILTexas AT Team include:

- Providing tools for campus teams to informally evaluate special education student’s needs for assistive technology and/or need for an evaluation from the district team
- Evaluate special education student needs for assistive technology when referred to the district team
- Provide interpretation of evaluation results to parents and staff members who work with the student
- Coordinate the purchase, maintenance, and replacement of assistive technology devices
- Provide training and assistance to parents and professionals in the use of assistive devices with students
- Provide training about Assistive Technology topics to campus staff members

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- Provide consultation to professionals and parents in integrating assistive technology into student’s IEPs
- Treat assistive technology assessments as an ongoing process
- Remain current regarding technology and trends in assistive technology

ASSISTIVE TECHNOLOGY CONSULT PROCEDURES

An AT consultation is done by a member of the District AT Team when a campus team needs more information, ideas, and solutions for a particular student regarding AT. An AT consult precedes an AT assessment. A consult does not have to go through an ARD committee. An AT consult does not require parent permission. A consult generally involves discussion between the district AT team member and the campus team to brainstorm ideas. Decisions are generally made as a result of these discussions and observation of the student in his environment and often without the District AT Team member directly working with the student.

An AT consult or training may be requested when:

- the campus team needs additional input regarding assistive technology for a student due to the student’s lack of progress with current methods in place
- the campus team needs additional input regarding assistive technology for a student because he is unsuccessful with the current level of AT and a higher level of AT might be considered
- the parents or campus team need additional information or training regarding the types of AT available for a particular student and implementation of that AT

Steps to request and complete an AT consult are as follows:

- To request an AT consult for communication, contact the Lead Assistive Technology Specialist
- For communication AT consults, the campus team completes the top of the AT Speech Collaboration form.

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- To request AT consult for reading, writing, or math contact the Lead Occupational Therapist

AT CONSULT RESULT

- The AT Team member visits the student’s campus to observe, talk to the teacher and others as needed. Some direct work may or may not be done with the student.
- A written summary of the consultation is given to the campus personnel and provided for the review by the ARD-Committee at the next ARD.

ASSISTIVE TECHNOLOGY ASSESSMENT PROCEDURES

An AT assessment is done to identify the need for AT, especially use of a high tech device. An assessment is done for the purpose of making recommendations for the type of AT the student needs, a plan for implementing the AT, and defining measurable expected outcomes of the use of AT. An AT assessment is done if a high tech device is in place and there is consideration for discontinuing use of the device.

An AT assessment must be initiated by an ARD committee (ARD) and requires parent permission. An assessment consists of gathering information about the student, environment, tasks expected of him, and tools currently used and those tools or devices to be considered. An assessment requires the student to be assessed in his natural environment and for data to be collected by the assessor and the campus team over time. The parents and the teachers are considered to be part of the team approach to AT assessment.

An assessment not only looks at the student’s abilities, but also his level of interest and motivation to use assistive technology. Furthermore, an assessment considers the level of knowledge, training, and motivation to use technology on the part of adults in the student’s environment.

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All of this information is gathered and trials using different devices and strategies may be implemented with data collection used as the basis of decision making.

An AT assessment is requested when:

- A student moves into the district with a privately owned Assistive Technology device or an AT report from a previous district stating that he/she was using an AT device
- An ILTexas student obtains a dedicated AT device through funding or parent purchase and the parent wants the student to use the device at school
- An AT consult has been done and consideration is being given to a high tech communication device for the student
- Consideration is being given to remove a device from a student
- It is determined that the campus team needs additional support for a student beyond a consult

When an AT assessment is completed, an ARD meeting will be held to review the evaluation and recommendations. If a decision is made for a specific type of device and/or strategies, the team will formulate a plan which includes training, an implementation schedule, ongoing modifications and accommodations, as well as plans for device maintenance and repair.

Steps for initiating a request for AT assessment and completing the assessment process are as follows:

1. A Pre-assessment ARD is held for an AT assessment. The timelines for completion of the AT assessment are variable based on the needs of the student and the AT considerations. The AT consult will help determine how long will be needed to set up adequate trials and a data collection period in order to complete the assessment.
2. Parent is given the AT Parent Questionnaire.
3. The AT Team member visits the student’s campus to observe, talk to the teacher and staff and assess the student’s need for AT. The campus team will be given tasks to do in order to implement trials and collect data during the assessment process.

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4. The District AT team and campus team will use data to discuss recommendations to be made to the ARD committee and the assessor will write the AT report.
5. The District AT team will contact the parent and review the results and recommendations of the AT assessment.
6. The ARD committee will meet. The District AT Team member may or may not be present depending on the circumstances. If the District AT Team member is not present, she will be notified after the ARD regarding acceptance of the recommendations.
7. The District AT Team member will notify the District AT Team Leader if an AT device is recommended, as well as no tech and low tech recommendations.
8. The District AT Team Leader will notify the Director of Special Education regarding the need for ordering AT equipment by submitting a purchase order request and documentation of need.
9. When the AT device is received by the district, the District AT Team assessor will set up training with the campus team and all relevant persons as outlined in the ARD.
10. The campus team will be responsible for implementing the use of the recommended assistive technology, contacting the District AT Team when help is needed or the device is not working, or any issues regarding the recommended AT come up which cannot be handled at the campus level.
11. The campus team will be responsible for collecting ongoing data to determine measurable outcomes of the use of AT.

DOCUMENTING USE OF AT IN THE ARD

The Individuals with Disabilities Education Act (IDEA) requires that the ARD/IEP team consider AT needs in the development of **every** Individualized Education Program (IEP). Once the ARD/IEP team has reviewed assessment results and determined that AT is needed for provision of a free, appropriate, public education (FAPE), it is important that the IEP document reflects the team’s determination in as clear a fashion as possible.

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The following indicators for AT in the IEP help the team describe the role of AT in the child’s education program.

1. The education agency has guidelines for documenting assistive technology needs in the IEP and requires their consistent application.
2. All services that the ARD/IEP team determines are needed to support the selection, acquisition, and use of assistive technology devices are designated in the IEP.
3. The IEP illustrates that assistive technology is a tool to support achievement of goals and progress in the general curriculum by establishing a clear relationship between student needs, assistive technology devices and services, and the student’s goals and objectives.
4. IEP content regarding assistive technology use is written in language that describes how assistive technology contributes to the achievement of measurable and observable outcomes.
5. Assistive technology is included in the IEP in a manner that provides a clear and complete description of the devices and services to be provided and used to address student needs and achieve expected results.

Autism
What We Do

Development of Autism Supplement Texas regulations require that ARD committees consider 11 strategies for students with autism. An “autism supplement” may be used to address these strategies. While all 11 strategies, at least 1 must be considered, TEA does not require that all be implemented. The ARD committee determines which strategies should be included in a child’s IEP. If it is decided that services are not needed in one or more area, the IEP must include a statement to that effect and the “basis upon which the determination was made.” “The statement may address the services collectively or individually.” It is important that this document support and not contradict other parts of the IEP. The autism supplement can help ensure the unique needs mentioned of students with autism are addressed in the student’s goals and objectives. Yearly training of staff working with students with autism should be conducted, and autism supplements should be completed for all students with autism.

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**State Assessment
What's Required**

Federal law requires that schools be held accountable for educational results so that each student can meet his/her academic potential. State assessments are to be given to determine whether schools have been successful in teaching students the knowledge and skills for their enrolled grade as defined by the state content standards (the Texas Essential Knowledge and Skills or TEKS). In determining which assessment is appropriate the ARD committee should refer to the State and District wide Assessment Framework.

**What We Do
Participation in State/District Assessments**

Decisions regarding assessments should be made by the ARD Committee and should be based on the instruction the student is receiving and the accommodations/modifications the student requires in order to be successful. Assessment decisions should not be made solely on the disability category or placement.

The IEP must include a statement of any individual appropriate and allowable accommodations in the administration of state-wide assessment instruments or district-wide assessments of student achievement (if the district administers such optional assessments) that are necessary to measure academic achievement and functional performance of the child on the assessments.

ILTexas will propose accommodations that are appropriate to the needs of each student and that accurately reflect student achievement.

The ARD Committee should also include in the IEP, if appropriate, documentation regarding a student's current interpersonal skills level and preferred functional communication system/modes (i.e., sign, oral language, picture exchange system, etc.) when considering alternate assessments and accommodations.

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It should be noted that students receiving special education services are no longer permitted to be exempted from the state assessment program required to graduate and must take at least the first attempt of the assessment instrument that the ARD/IEP Committee has determined is appropriate. The student’s ARD committee determines whether the student is required to achieve satisfactory performance on the EOC assessments. If the ARD committee determines that a student is not required to achieve satisfactory performance on the EOC assessments, the student is considered to be in compliance with assessment requirements under TEC §39.025. Information regarding the state assessment instrument and the alternate assessment instruments is available on the TEA website.

Document the appropriate assessment and all allowable or approved accommodations that the student will need during testing.

Prior to selecting an assessment instrument, the student's ARD Committee must be knowledgeable regarding all assessment options, including the characteristics of each assessment and the potential implications of each assessment choice. **STAAR** (paper and online).

The student is accessing the grade-level TEKS curriculum with or without allowable accommodations. Information regarding currently allowable accommodations is available at: [http://tea.texas.gov/student.assessment/accommodations/STAAR Alternate 2](http://tea.texas.gov/student.assessment/accommodations/STAAR%20Alternate%202)

If STAAR Alternate 2 is being considered, the student's ARD Committee must review the five criteria below and provide evidence that the student meets each criterion:

- The student's ARD Committee has determined that, based on evaluation information performed by a qualified evaluation team, the student has a significant cognitive disability. The significant cognitive disability must affect the student's intellectual potential and be documented as such in the student's IEP. A student with a significant cognitive disability has limited potential to reach grade-level expectations whereas a student with a learning

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disability has the potential to reach grade-level expectations, but has difficulty doing so due to his or her disability.

- The student requires specialized supports to access the state-mandated grade-level curriculum and environment. The student needs specialized academic instruction as well as support throughout the day in areas such as expressing his or her needs, getting from place to place, eating lunch, negotiating social situations and/or taking care of personal needs.
- The student requires intensive, individualized instruction in a variety of instructional settings. The student needs specialized academic instruction and techniques over a period of time to ensure that he or she can learn, retain information and transfer skills to other settings.
- The student accesses and participates in the grade-level TEKS through prerequisite skills that are linked to the grade level curriculum. A student with a significant cognitive disability requires a highly specialized educational program with intensive supports and modifications to the curriculum to access the TEKS through prerequisite skills that are significantly below grade-level instruction. For instance, an elementary student may be 3-4 levels below grade-level instruction while a student in high school may be 7-9 levels below.
- The STAAR ALT 2 determination is based on the student’s significant cognitive disability and NOT on any other factor. The decision to administer STAAR Alternate 2 is NOT based on the student’s racial or economic background, English learner status, excessive or extended absences, location of service delivery, anticipated disruptive behavior or emotional distress, or any other such factors.

Under 34 Code of Federal Regulations (CFR) § 300.320(a)(6) and 19 Texas Administrative Code (TAC) §89.1055, if the ARD committee determines that the student will take STAAR Alternate 2, the IEP must provide a statement of why the student cannot participate in the general assessment (STAAR) with or without allowable accommodations, and why the alternate assessment is appropriate for the student, including that all five eligibility criteria are met.

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- Under 34 Code of Federal Regulations (CFR) § 300.320(a)(6) and 19 Texas Administrative Code (TAC) §89.1055, if the ARD committee determines that the student will take STAAR Alternate 2, the IEP must provide a statement of why the student cannot participate in the general assessment (STAAR) with or without allowable accommodations, and why the alternate assessment is appropriate for the student, including that all five eligibility criteria are met.
- The decision to administer STAAR Alternate 2 is made by the ARD committee based solely on the student’s educational need, not administratively based on the federal accountability requirements, which limit the number of students assessed with an alternate assessment to no more than 1.0% of the total number of students in the State who are assessed in a subject.
- For a student who the ARD committee deems eligible to take STAAR Alternate 2, the committee understands that instructional and assessment decisions made may impact a student’s graduation plan in high school, as described in 19 Texas Administrative Code (TAC) §89.1070.
- According to 19 (TAC) §101.27(b), school districts are required to follow the procedures specified in the applicable test administration materials. If the ARD committee determines that the student will take STAAR Alternate 2, justification that is based on the information in this form and the student’s individual allowable accommodations must be documented in the student’s IEP.

The student’s ARD committee must also provide one of the following assurances.

- Students in grades 3-8 who are eligible for STAAR Alternate 2 should be assessed only in the grade/subjects in which they are enrolled and should NOT be assessed in above-grade enrolled curriculum.
- For a student in high school, the student is enrolled in a course that has a Public Education Information Management System (PEIMS) course number indicating that the coursework is accessed through prerequisite skills.

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NOTE: High school students are required to participate in all STAAR Alternate 2 assessments at some time during high school. The ARD Committee can determine which courses and corresponding assessments will be taken in a given year.

No Authentic Academic Response Eligibility Requirements

If the ARD Committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a No Authentic Academic Response (NAAR) designation, the ARD Committee must determine that the student meets at least one of the two eligibility criteria below.

- Because of multiple impairments, the student is unable to receive information during instruction and assessment. For example, the student may have a combination of visual, auditory and/or tactile impairments or
- The student is consistently unable to provide an authentic academic response during instruction. The student exhibits one or more of the following characteristics.
 - Is unable to demonstrate any observable reaction to a specific stimulus
 - Exhibits only startle responses
 - Tracks or fixates on objects at random and not for a purpose
 - Moves or responds only to internal stimuli
 - Vocalizes intermittently regardless of changes in the environment around him/her
- If the student's ARD Committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.
- The student is unable to receive information during instruction and assessment and/or the student is unable to provide an authentic academic response.
- The NAAR designation is based on educational records and describes the student in all settings.

The student's ARD Committee must ensure that the NAAR designation is documented in his/her IEP.

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Medical Exception Eligibility Requirements

Students qualifying for a medical exception will not be required to participate in the administration of STAAR Alternate 2 for any course or subject for which they are enrolled in the current year. A score code of 'M' must be recorded for all tests the student would have taken.

The ARD Committee must ensure the medical exception of documented in the student's IEP.

If the ARD Committee has previously determined that a student meets the eligibility requirements for STAAR Alternate 2 and the student is being considered for a medical exception designation, the ARD Committee must determine that the student meets at least one of the two eligibility criteria below.

- The student is unable to respond to test questions due to a chronic illness.
- The student is receiving extensive short-term medical treatment due to a medical emergency or serious injury in an accident.
- The student is unable to interact with peers or educators without risk of infection or contamination to himself/herself or others.
- The student is unable to receive sufficient or consistent homebound services due to medial issues.
- If the student's ARD Committee agrees that the student meets at least one of the criteria described above, each of the following assurances must be initialed by district personnel.
- The medical incident or condition must prevent the student from participating in sufficient instruction offered at school, at home, at a hospital, or at a residential facility.
- The information used to make the medical exception determination must reflect the student’s situation just prior to and throughout the testing window.
- The medical incident or condition must be identified and verified in writing by a licensed physician and kept on file by the local district.

Accelerated Instruction

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For students in grades 5 and 8 who do not perform satisfactorily on STAAR™, the ARD student's Committee will determine the manner in which the student will participate in an accelerated instruction program.

For students receiving special education services, the ARD Committee determines the accelerated instruction plan. When determining the type of accelerated instruction needed, the ARD Committee must compare a student's test results with his or her IEP to make sure areas of weakness identified on the test align with the goals and objectives in the IEP. A continuation of the student's current IEP goals and areas of need may be an appropriate type of accelerated instruction.

NOTE: The AIP must be put in place through the ARD process. An ARD Committee meeting must be convened if the accelerated instruction plan involves a change in placement or decisions regarding retention.

In determining the most appropriate accommodations for statewide assessments, the student's ARD Committee must determine which of the classroom accommodations currently provided for the student are allowable for use on statewide assessments. The Committee must then determine if the student meets eligibility requirements, if any, for the proposed accommodation. Information is available on the TEA website below.

**Supplementary Aids and Services, Special Education, Related Services
What's Required**

Supplementary aids and services, special education, and related services must be based on peer-reviewed research to the extent practicable. The admission, review, and dismissal (ARD) committee must determine needed supplementary aids and services to be provided to the child, or on behalf of the child (34 CFR 300.320(a)(4), 20 USC 1414(d)(1)(A)(i)(IV)19, TAC 89.1050(a)(1)).

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The term "supplementary aids and services " means aids, services, and other supports that are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable the child with a disability to be educated with nondisabled children to the maximum extent appropriate (34 CFR 300.42 and 20 USC 1401(33)).

The ARD committee must determine needed program modifications or supports for school personnel that will be provided to the child to enable the child to: advance appropriately toward attaining the annual goals; be involved in and make progress in the general education curriculum, and be afforded an equal opportunity to participate in extracurricular and other nonacademic activities including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities; special interest groups or clubs sponsored by the local educational agency (LEA), referrals to other agencies that provide assistance to individuals with disabilities, and employment of children, including both employment by the LEA and assistance in making outside employment available (34 CFR 300.117, [34](#) CFR 300.107, 20 USC 1414(d)(1)(A)(i)(IV)).

The LEA is required to provide training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the IEP developed for the child receiving instruction from the educator (TEC 21.451(e) and TEC 21.451(d)(2)).

What We Do
Accommodations/Modifications:
Accommodations

An accommodation is a change in the teaching or testing procedures in order to provide students access to information and to create an equal opportunity to demonstrate content knowledge and skills.

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An instructional accommodation does not change what the student is expected to master; therefore, curriculum content remains intact.

In Texas, an accommodation is defined as practices and procedures that are "intended to reduce or even eliminate the effects of student's disability, but do not reduce learning expectations".

Modifications

A modification is a change in what the student is expected to learn and/or demonstrate.

An instructional modification indicates what is being taught the - curriculum content - is altered.

As an example, students may not be required to learn all of the course objectives but only targeted objectives.

A curriculum modification reduces content and skills the student is required to learn. In Texas, a modification is defined as "practices and procedures that change the nature of the task or target skill".

Accommodations and modifications should be individualized and routinely used during classroom instruction and testing. Data regarding the use of accommodations and modifications, such as observational reports and/or assignment/test scores with/without the use of accommodations should be collected and analyzed on a regular basis to determine (a) if the accommodations are being implemented as specified by the student's ARD Committee and (b) if the student is benefitting from the use of the accommodations and modifications.

Supplementary Aids and Services:

Supplementary aids and services are provided in general education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

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Frequency, Duration, and Location of Services:

The student's IEP must include information about the amount of services that will be provided so that the level of ILTexas's commitment of resources will be clear to parents and other ARD Committee members. The ARD Committee is responsible for documenting in the student's IEP the projected date for the beginning of services and the anticipated frequency, location, and duration of those services. Requirements for documenting the provision of related services include:

- **Frequency:** Describes how often the child will receive the service(s), e.g., number of times per day or week. If the services is provided less than daily then the conditions for the provision of services must be clearly specified within the ARD documents using a weekly reference (ex: 1 hour per week, 30 minutes every two weeks)
- **Duration:** Describes how long each "session" will last (number of minutes) and when the services will begin and end (starting and ending dates)
- **Location:** Describes where the services will be provided (in the general education classroom or another setting such as a special education resource room)

Students with disabilities must have available an instructional day commensurate with that of students without disabilities. The ARD Committee will determine the appropriate instructional setting and length of day for each student.

**ESY Services
What's Required**

"Extended school year services (ESY) services" means special education and related services that (34 CFR 300.106(b)) are provided to a child with a disability (34 CFR 300.106(b)(1)) beyond the normal school year of the public agency (CFR 300.106(b)(1)(i)) in accordance with the child's individualized education program (IEP) (CFR 300.106(b)(1)(ii)) at no cost to the child (CFR 300.106(b)(1)(iii)).

The provision of ESY services is limited to the educational needs of the child and must not supplant or limit the responsibility of other public agencies to continue to provide care and

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<p>Broad Category: FREE APPROPRIATE PUBLIC EDUCATION</p> <p>Legal Framework: FREE APPROPRIATE PUBLIC EDUCATION COMPOSITE</p>	<p>Related Resources:</p> <p>DETERMINATION OF ELIGIBILITY; PRESENT LEVELS; ANNUAL GOALS</p> <p>SPECIAL FACTORS:</p> <p>Assistive Technology; Autism; Behavior</p> <p>Blind or Visually Impaired; Deaf or Hard of Hearing;</p> <p>Limited English Proficiency</p> <p>STATE AND DISTRICTWIDE ASSESSMENTS</p> <p>SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, AND RELATED SERVICES</p> <p>EXTENDED SCHOOL YEAR SERVICES</p> <p>Template update May 2020</p>

treatment services pursuant to policy or practice, even when those services are similar to, or the same as, the services addressed in the child's IEP (19 TAC 89.1065(8)).

No child will be denied ESY services because the child receives care and treatment services under the auspices of other agencies (19 TAC 89.1065(8)).

In determining the need for and in providing ESY services, the local educational agency (LEA) may not (CFR 34 300.106(a)(3)) and (19 TAC 89.1065(1)) limit ESY services to particular categories of disability (CFR 300.106(a)(3)(i) and 19 TAC 89.1065(1)(A)) or unilaterally limit the type, amount, or duration of ESY services (CFR 300.106(a)(3)(ii) and TAC 89.1065(1)(B)).

The need for ESY services must be determined on an individual basis by the admission, review and dismissal (ARD) committee (19 TAC 89.1065(1)). Each LEA must ensure that ESY services are available as necessary to provide free appropriate public education (FAPE) (CFR 300.106(a)(1)) and ESY services must be provided only if a child's ARD committee determines, on an individual basis, that the services are necessary for the provision of FAPE (34 CFR 300.106(a)(2)). If the LEA does not propose ESY services for discussion at the annual review of a child's IEP, the parent may request that the ARD committee discuss ESY services (19 TAC 89.1065(5)).

The ARD committee must determine the need for ESY from formal and/or informal evaluations provided by the district or the parents (19 TAC 89.1065(2)). For a child enrolling in the LEA during the school year, information obtained from the prior LEA as well as information collected during the current year may be used to determine the need for ESY services (19 TAC 89.1065(7)).

The ARD committee must identify the critical areas addressed in the current IEP objectives, if any, in which the child has exhibited, or reasonably may be expected to exhibit, severe or

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substantial regression that cannot be recouped within a reasonable period of time (19 TAC 89.1065(2)).

- A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences during the first eight weeks of the next regular school year (19 TAC 89.1065(4)): Placement in a more restrictive instructional arrangement (19 TAC89.1065(4)(A)); Significant loss of acquired skills necessary for the child to appropriately progress in the general curriculum (19 TAC89.1065(4)(A)); Significant loss of self-sufficiency in self-help skill areas as evidenced by an increase in the number of direct service staff and/or amount of time required to provide special education or related services (19 TAC89.1065(4)(A)); Loss of access to community-based independent living skills instruction or an independent living environment provided by non-educational sources as a result of regression in skills (19 TAC89.1065(4)(D)); or Loss of access to on-the-job training or productive employment as a result of regression in skills (19 TAC89.1065(4)(E)); and
- "Severe or substantial regression" means that the child has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services (19 TAC89.1065(2)).

What We Do

Extended School Year (ESY) services are considered for all students with disabilities. The need for ESY must be determined on an individual student basis by the ARD Committee.

Components of ESY Services:

- The student qualifies for ESY services if, in one or more critical areas addressed in the student's current IEP, that he or she has exhibited, or reasonably may be expected to exhibit, severe or substantial regression that cannot be regained within a reasonable period of time.
- The term "severe or substantial regression" means that the student has been, or will be, unable to maintain one or more acquired critical skills in the absence of ESY services.

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- A skill is critical when the loss of that skill results, or is reasonably expected to result, in any of the following occurrences to the student during the six weeks of the next regular school year:
 1. placement in a more restrictive instructional arrangement,
 2. a significant loss of skills needed to progress in the general curriculum,
 3. a significant loss of self-help skills, and therefore requires more direct services and support,
 4. loss of access to non-educational community-based independent living skill instruction or an independent living environment as a result of losing skills, or
 5. loss of access to on-the-job training or productive employment due to losing skills.
- If the loss of acquired critical skills would be particularly severe or substantial, or if such loss results may be expected to result in immediate physical harm to the student or to others, ESY services may be justified without consideration of the period of time for regaining such skills.
- In any case, the period of time for regaining a critical skill shall not exceed six weeks. If the ARD/IEP Committee determines that the student is in need of ESY services, then the IEP must include goals and objectives for ESY services from the student's current IEP in the ARD/IEP Extended School Year Supplement.
- For students who qualify under Autism Spectrum Disorders, ESY is included as one of the possible services offered through the Autism Supplement that is reviewed by the ARD committee.

NOTE: If an ARD Committee believes that a situation warrants an exception to these guidelines, guidance should be sought from the appropriate Special Education Director and/or the Executive Director for Special Education.

OPERATING PROCEDURES	
LEAST RESTRICTIVE ENVIRONMENT COMPOSITE	
International Leadership of Texas Inc.	057-848
Broad Category: FREE APPROPRIATE PUBLIC EDUCATION Legal Framework: LEAST RESTRICTIVE ENVIRONMENT COMPOSITE	Related Resources: Least Restrictive Environment Placement in a Residential Facility Template update May 2020

PROCEDURES:

What's Required

The IDEA guarantees that a student with a disability will be educated in the Least Restrictive Environment (LRE).

This means that to the maximum extent appropriate, student with a disability must be educated with students who do not have disabilities. Therefore, removal of a student from the regular educational environment may only occur if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Federal law requires that a school district must ensure a continuum of placements is available to meet the needs of students with disabilities (34 CFR 300.115I(b)).

Board Policies for ILTexas (057-848)

Least Restrictive Environment, 6.3, 6.1; Curriculum, 6.8; Extracurricular Activities, 6.3; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3; Independent Education Program (IEP) 6.3; Residential Treatment, 6.18; Free Appropriate Public Education, 6.1

What We Do

When developing the IEP, the ARD/IEP Committee must determine the placement of a student served through special education. Placement considerations:

- placement must be in the least restrictive environment (LRE), which means to the maximum extent appropriate, the student will be educated with students who do not have disabilities;
- placement is not the specific physical location or site where the services will be delivered.

Special education services are provided on a continuum as follows:

- general education with consultation services from special education
- general education with instructional modifications and/or accommodations with supplementary aids and services from special education
- special education instructional services less than 21 percent of the school day
- special education instructional services at least 21 percent of the school day and less than 50 percent of the school day
- special education instructional services at least 50 percent and no more than 60 percent of the school day
- special education instructional services more than 60 percent of the school day.

OPERATING PROCEDURES	
PARENT PARTICIPATION	
International Leadership of Texas Inc.	057-848
Broad Category: FREE APPROPRIATE PUBLIC EDUCATION Legal Framework: PARENT PARTICIPATION	Related Resources Template update May 2020

PROCEDURES:**What's Required**

The school district must take steps to ensure that one or both parents or legal guardian are present at each ARD committee meeting or are afforded the opportunity to participate, including notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. Additionally, a school district must allow parents who cannot attend an ARD committee meeting to participate in the meeting through other methods such as through telephone calls or video conferencing. The school district must provide the parents with written notice of the ARD committee meeting at least five school days before the meeting unless the parents agree to a shorter time frame.
19 TAC §89.1050

Board Policies for ILTexas (057-848)

Prior Written Notice, 6.9; Native Language, 6.3, 6.9; Consent, 6.9; Foster and Surrogate Parents, 6.22; Procedural Safeguards, 6.9, 6.15; Referral for Possible Special Education Services, 6.15; Transfer of Parental Rights at Age of Majority, 6.4; Admission, Review, and Dismissal (ARD) Committee Meeting, 6.3.

What We Do

ILTexas has a distinct responsibility to ensure parent participation. District staff will make multiple attempts (to include but not limited to the following: emails, phone calls, certified letter, home visit) to ensure parent participation which includes an option to participate by phone.

District staff will make phone contact with the parent attempting to schedule a meeting at a mutually agreeable time and place. If the parent's request for a specific time is reasonable, it will be honored. A written notice will be sent at least 5 days before the scheduled ARD.

If the parent responds to the notice indicating that he/she plans to attend but fails to appear, the ARD committee meeting will be rescheduled once. If the parent fails to appear at the rescheduled time, the meeting may be held without the parent and the ARD/IEP committee report will be sent to the parent.

NOTE: The parent may request an ARD committee meeting at any time. The campus should accommodate the parent's request for an ARD within a reasonable amount of time, and at a mutually agreeable time and place.

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PROCEDURES:

What is Transition for a Student with Special Needs

"Transition refers to a change in status from behaving primarily as a student to assuming emergent adult roles in the community. These roles include employment, participating in post-secondary training/education, maintaining a home, becoming appropriately involved in the community, and experiencing satisfactory personal and social relationships. The process of enhancing transition involves the participation and coordination of school programs, adult agency services and natural supports within the community.

The foundation for transition should be laid during the elementary and middle school years, guided by the broad concept of career development. Transition planning should begin no later than age 14, and students should be encouraged, to the full extent of their capabilities, to assume a maximum amount of responsibility for such planning." (Halpern, 1994)

Transition and Employment Guide

ILTexas must:

- Post the Texas Transition and Employment Guide on the district's website.
- Provide written information and, if necessary, assistance to the parent regarding how to access the electronic version of the guide at
 - The ARD Committee meeting at which transition is discussed or
 - The first ARD Committee meeting that occurs after the guide becomes available if the student's ARD Committee has already met previously to discuss transition.

What's Required

Federal Requirements

Transition services and activities must be included in the development of the IEP no later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP Team, and must include appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.

State Requirements (note the main difference between Federal and state requirements is the age a full Transition Plan development is required)

Texas requirements for transition services are aligned to the federal requirements included in IDEA 2004. However, state law and guidance include additional requirements for the provision of transition services for students receiving special education services in Texas. A new state law passed in the summer of 2011 requires that "appropriate state transition planning must begin for

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a student not later than when the student reaches 14 years of age" (*SB 1788, 06/17/2011*). The Texas Administrative Code (TAC) describes the following nine issues important to the development of the Individualized Education Program (IEP) for students receiving special education services.

- Appropriate student involvement in the student's transition to life outside the public school system
- If the student is younger than 18 years of age, appropriate parental involvement in the student's transition
- If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled
- Any postsecondary education options
- A functional vocational evaluation
- Employment goals and objectives
- If the student is at least 18 years of age, the availability of age-appropriate instructional environments
- Independent living goals and objectives
- Appropriate circumstances for referring a student or the student's parents to a governmental agency for services

What We Do

- Transition services means working as a team with the student, parent, school staff and outside agencies or community service to develop a coordinated set of activities for a student with a disability that is based on the individual student's needs, taking into account:
 - the student's strengths,
 - preferences,
 - interests,
 - which includes instruction,
 - related services,
 - community experience,
 - the development of employment and other post school adult living objectives, and
 - if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
- All of these activities will be considered for each student, however specific activities will be determined by the needs of each student.
- Transition is a results oriented process that is focused on improving the academic and functional achievement of a child with disabilities to facilitate the movement from school to post-school activities.
- These activities, through state guidelines, begins on or before the student turns 14 years old with postsecondary goals in education or training, employment and if appropriate,

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independent living skills based on age-appropriate transition assessments and, an examination of transition issues including the appropriate courses of study based on transition goals.

- The IEP will include transition services which are needed to assist the student in reaching those post-secondary goals.
- The Case Manager is responsible for providing, when appropriate, parent, teacher and student input forms for transition planning and/or as a portion of transition assessment.
- Although transition planning must be in place by age 14, it can be completed earlier, depending on the needs of the student.
 - Earlier transition planning, when appropriate, can be considered for students with moderate to severe disabilities who may need additional services from outside agencies with long waiting lists.
- Appropriate student involvement in the student's transition to life outside the public school system includes student's participation in the ARD\IEP committee.
 - Best practices would indicate that to the extent possible, the student should lead a portion of the ARD/IEP meeting taking into consideration his or her capabilities.
- The student will be invited to the ARD/IEP Committee meeting when transition services will be discussed.
- The ARD/IEP Committee will make decisions regarding transition goals and services based on age-appropriate transition assessments.
 - The transition goals and services in the student's IEP will be updated annually.
- An ARD/IEP Committee will consider, and if appropriate, address the issue of a formal functional vocational evaluation.
 - A formal functional vocational evaluation is an assessment process that provides information about job or career interests, aptitudes, and skills. Information is gathered through situational assessments in the setting where the job is performed and takes ARD Committee input and parent permission.
 - The ARD/IEP Committee identifies students who will benefit from services in a vocational program such as Community Based Instruction (CBI). Community Based Vocational Instruction (CBVI) or Work Based Learning (WBL).
 - The informal or formal functional vocational evaluation can be a useful tool in assessing progress for these students. The informal functional vocational evaluation is an ongoing data collection process and is part of a student in special education services ongoing data collection process.
- Age-appropriate instructional environments will be available for students who are 18 years of age and older.
 - The ARD/IEP committee must determine the appropriate environment for each student in this age category on a case-by-case basis, but decisions should be made by taking into consideration what typical students in general education are doing at that age (e.g. college, technical school, employment, volunteer positions, etc.) and the comparable environments available.

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- Formal transition planning is completed during the ARD/IEP committee meeting and focuses on assisting students with disabilities to become independent within the community, to the greatest extent possible.
- For students with Autism Spectrum Disorders (ASD), IEP goals and objectives will address the skills necessary to function in current and future environments.
 - Transition (or futures) planning for students with ASD, at any age, includes ARD/IEP Committee determination of need, and establishment of a plan, if appropriate, to support the student's successful transition from current to next environment(s).
 - Such support might also include assisting students to transition from elementary to middle school level, from middle to high school, and/or across instructional settings.
- Prior to the student's 17th birthday the Notice of Transfer of Parental Rights must be completed. Refer to current the Individuals with Disabilities Education Act (IDEA) for more detailed information regarding this subject.
- Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- By age 17, inform student/parent of transfer of rights to student when students reach age 18 and complete the transfer of rights statement in the ARD/IEP Supplement: Personal Graduation Plan Addressing Needed Transition Services. (This is not the purpose of a Personal Graduation Plan)
- If a student's goal is to be employed after graduation from high school, the appropriate courses should be included in the IEP and addressed on the Graduation Options supplement; this begins documentation of the student's goals after graduation.
- Adult service providers (agencies) should be included at the transition meeting prior to graduation, depending upon services needed by the individual student. If an agency commits to providing a service and that service is never provided, the ARD/IEP committee must reconvene to determine how that need will be met.

A Report for Students Exiting Public School or Graduating Seniors: The Summary of Performance (SOP)

- For all graduating seniors or students exiting public school because of age eligibilities, a Summary of Performance will be provided to the student, which includes the student's: postsecondary goals, academic achievement, functional performance, recommendations on how to assist the student in achieving his or her postsecondary goals, written recommendations of the agencies, and views of the parents and students.
- If the student graduates under option "c" or b3" (depending upon the year, the student entered ninth grade) an evaluation will be included.
- Best practices include the student in creating the SOP when possible and making the student aware of its contents.

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- The SOP will be provided to the student for use with agency and post-secondary educational environments to facilitate the student's post-secondary transition success.
- The Summary of Performance should include the following:
 - Demographics: Enter campus, year of graduation, student's name, date of birth, primary and other disabilities, dominant language and date of most recent ARD/IEP committee meeting in the appropriate spaces.
 - Student's Interest: Select the student's post-secondary interest. Both employment and education may apply. If the student is interested in employment, select part time or full time. Complete career interest section. "College" is not acceptable, because this section requires a career goal. If the student is identified as MR or MI and will not be attending college or seeking employment complete this section with "day activities" and proceed accordingly.
 - Student's Strengths: Review PLAAFPs, also ask the student in what course he/she does best. (i.e. What are your favorite courses?). Attendance can also be included. Prompt the student if he/she cannot answer the question. If the student will be seeking employment, relate his/her strengths to the post-secondary career goal. This is more specific than student strengths and can include extra-curricular/community activities and other student accomplishments.
 - Recommendations/modifications/accommodations to consider for meeting post-secondary education/training goals and/or employment goals: Ask the student what supports have worked for him/her in the past? (i.e. extended time, assignment notebook, etc.) and relate to the student's goal. If the student will be working with a job coach, place in this section.
 - Agency Information: Indicate how the student was linked to an agency, e.g. student is a client with (DARS, MHIDD), Student has completed an application with, student has met with a counselor at, student/parent received information about DARS on, etc.
- The school will ensure all graduating seniors have a graduation option identified and a Summary of Performance completed.

STATE PERFORMANCE PLAN INDICATORS:

State Performance Plan Indicator 13

"Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.

There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any

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participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority."

State Performance Plan Indicator 14

"Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were: enrolled in higher education within one year of leaving high school, enrolled in higher education or competitively employed within one year of leaving high school or enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school."

SPP Indicator 14 - Definitions

- Enrolled in higher education - the student has been enrolled on a full-time or part-time basis in a community college (2-year) or college/university (4 or more years) for at least one complete term, at any time in the year since leaving high school.
- Competitive employment - the student has worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.
- Enrolled in other postsecondary education or training - the student has been enrolled on a full-time or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a 2-year program).
- Some other employment - the student has worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family.

Grade Placement Committee and Graduation

What's Required

Senate Bill (SB) 673 (Scooter's Law) and TEC 28.025 (f) ensures that students who receive special education services but who have not yet completed the requirements of their IEPs have the opportunity to participate in a graduation ceremony upon completion of four years of high school. Upon completion of IEP graduation requirements, a student may participate in a second ceremony if the district's local graduation policy allows a student to participate in two graduation ceremonies.

What We Do

- Graduation requirements vary depending upon the year that the student entered ninth grade.
- Make sure to take the ninth grade entry date into consideration when determining the student's graduation option (for specifics, see Graduation Options for Students with Disabilities Entering Ninth Grade Before 2011-2012).

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- It should be noted that students receiving special education services are no longer permitted to be exempted from the state assessment program required to graduate and must take at least the first attempt of the assessment instrument that the ARD/IEP Committee has determined is appropriate. The student’s ARD committee determines whether the student is required to achieve satisfactory performance on the EOC assessments. If the ARD committee determines that a student is not required to achieve satisfactory performance on the EOC assessments, the student is considered to be in compliance with assessment requirements under TEC §39.025. Information regarding the state assessment instrument and the alternate assessment instruments is available on the TEA website.
- A student who is dismissed from special education services must perform satisfactorily on the required state assessment, as only students receiving special education are eligible to participate in the Accommodated or Alternate versions of the assessment instruments.
- ARD/IEP Committees should carefully consider whether a student is capable of passing the statewide exit-level assessment before dismissing the student from special education services.
- An ARD/IEP Committee should have confidence that a student who is dismissed from special education will be able to successfully complete all of the requirements for high school graduation, including satisfactory performance on the statewide exit-level assessment.

The state's goal is that all Texas children finish high school with the skills designed to meet their unique needs and prepare them for further education, employment, and independent living. Because graduation is a change of placement, the ARD/IEP Committee decides whether a student has met graduation criteria.

- Graduation ends the school's obligation to provide services to the student with the exception of graduation under Option (b)(3) (Option C).
- When a student graduates under Option (b)(3)(Option C), the ARD committee will determine needed educational services upon the request of the student or parent(s) to resume services, as long as the student meets the age eligibility requirements.
- Under this option an evaluation is not required, but the school must give the student a summary of performance to include an evaluation or Review of Existing Evaluation Data (REED).

A student receiving special education services who is 21 on September 1 of a school year will be eligible for services through the end of that school year or until graduation, whichever comes first. The student who graduates due to aging out and meeting his or her IEP requirements must be given a summary of performance.

Sec. 1. NONDISCRIMINATION POLICY

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any service, program, or activity provided or offered by International Leadership of Texas (ILTexas). 42 U.S.C. 12132; 29 U.S.C. 794(a); 34 CFR 104.4(a).

Sec. 2. FREE APPROPRIATE PUBLIC EDUCATION

Eligible students with disabilities shall enjoy the right to a free appropriate public education (“FAPE”), which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. Education Code 29.003(a).

FAPE means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by Texas Education Agency (“TEA”);
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student’s individualized education program (IEP).

20 U.S.C. 1401(9); 34 CFR 300.13, 300.17, 300.36.

Sec. 3. LEAST RESTRICTIVE ENVIRONMENT

ILTexas shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child’s disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. 20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).

Sec. 4. DISCIPLINE

All disciplinary actions regarding students with disabilities shall be determined in accordance with applicable federal regulations, Education Code Chapter 37, and 19 Administrative Code 89.1053. 19 TAC 89.1050(g).

Sec. 5. INSTRUCTIONAL ARRANGEMENTS AND SETTINGS

Instructional arrangements and settings shall be based on the individual needs and IEPs of eligible students receiving special education services. Instructional arrangements and settings include:

1. Mainstream: services provided in the regular classroom in accordance with the student's IEP;
2. Homebound: services provided at home or hospital bedside;
3. Hospital class: services provided in a classroom, hospital facility, or residential care and treatment facility not operated by ILTexas;
4. Speech therapy: speech therapy services provided, whether in a regular education classroom or other setting;
5. Resource room/services: services provided in a setting other than the regular classroom for less than 50% of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus: services provided to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus;
7. Off home campus: services provided in an interdistrict program, through ILTexas personnel in a non-ILTexas facility, or at a ILTexas campus that provides only special education and related services.
8. Nonpublic day school: services provided through a contractual agreement with a nonpublic school;
9. Vocational adjustment class/program: services provided to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
10. Residential care and treatment facility (not ILTexas resident): services provided to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of ILTexas;
11. State supported living center: services provided to a student who resides at a state supported living center when the services are provided at the state supported living center location;
or
12. Other program options, including contracts with other districts and programs approved by TEA.

19 TAC 89.63(c), (f).

Sec. 6. RELATED SERVICES

“Related services” means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

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The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device. 20 U.S.C. 1401(26); 34 CFR 300.34.

Sec. 1. APPLICABILITY OF TEXAS EDUCATION CODE

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code relating to special education programs. (TEC §12.104(b)(2)(F))

INTERNATIONAL LEADERSHIP OF TEXAS, INC. shall comply with the requirements for monitoring compliance with federal and state laws relating to special education pursuant to Texas Education Code Section 29.010.

Sec. 2. ASSURANCE

Open-enrollment charter schools must submit a plan to the Texas Education Agency that provides assurances that the charter school has in effect policies, procedures and programs that are consistent with the State and Federal policies and procedures governing special education. (20 USC §1413(a); 34 CFR §§300.200-.201)

Sec. 3. PUBLIC EDUCATION INFORMATION MANAGEMENT SYSTEM (PEIMS)

“Most of the data TEA requests from school districts and charter schools are gathered using the Public Education Information Management System (“PEIMS”). PEIMS data are used for the Academic Excellence Indicator System (“AEIS”), Foundation School Program (“FSP”), statistical purposes, federal reporting, legislative requests, and audit purposes. Through PEIMS, schools report data including student demographic and academic performance, student attendance, personnel information, financial data, and organizational information.” *Texas Open-Enrollment Charter School Handbook* (TEA, Division of Charter School Administration, September 2011).

Sec. 4. APPLICABILITY OF TITLE RELATING TO THE PEIMS

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to the PEIMS to the extent necessary to monitor compliance with Subchapter D (Open-Enrollment Charter School), Chapter 12, Texas Education Code. (TEC §12.104(b)(2)(A))

The Superintendent or designee shall prepare required PEIMS submissions in accordance with PEIMS Data Standards and Module 10 of the Financial Accountability System Resource Guide. The Superintendent or designee may collaborate with the regional education service center in preparing and timely submitting PEIMS reports.

Sec. 5. CONTRACTS FOR SERVICES; RESIDENTIAL PLACEMENT

International Leadership of Texas (ILTexas) may contract with a public or private facility, institution, or agency inside or outside of this State for the provision of services to students with disabilities. Each contract for residential placement must be approved by the Commissioner. The Commissioner may approve a residential placement contract only after at least a programmatic evaluation of personnel qualifications, adequacy of physical plant and equipment, and curriculum content. The Commissioner may approve either the whole or a part of a facility or program. (TEC §29.008(a))

When a student, including one for whom the State is managing conservator, is placed primarily for care or treatment reasons in a private residential facility that operates its own private education program, none of the costs may be paid from public education funds. If a residential placement primarily for care or treatment reasons involves a private residential facility in which the education program is provided by the open-enrollment charter school, the portion of the costs that includes appropriate education services, as determined by the admission, review, and dismissal (“ARD”) committee, shall be paid from State and Federal education funds. (TEC §29.008(c))

If ILTexas contracts for the provision of education services rather than providing the services, ILTexas shall oversee the implementation of the student’s individualized education program (“IEP”) and shall annually reevaluate the appropriateness of the arrangement. An approved facility, institution, or agency with whom ILTexas contracts shall periodically report to ILTexas on the services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that ILTexas requires in order to fulfill its obligations under Subchapter A (Special Education), Chapter 29, Texas Education Code. (TEC §29.008(d))

Sec. 6. FACILITIES

Any construction of new facilities or alteration of existing facilities with authorized Individuals with Disabilities Education Act (“IDEA”) program funds must comply with the requirements of:

- Appendix A of Part 36 of Title 28, Code of Federal Regulations (commonly known as the *Americans with Disabilities Accessibility Guidelines for Buildings and Facilities*); and
- Appendix A of Subpart 101-19.6 of Title 41, Code of Federal Regulations (commonly known as the *Uniform Federal Accessibility Standards*).

Sec. 7. ADMINISTRATION OF EQUIPMENT

The ARD committee must consider whether the student needs assistive technology devices (“ATDs”) as part of the student’s special education, related services, or supplementary aids and services. On a case-by-case basis, the use of school-purchased ATDs in the student’s home or in other settings is required if the student’s ARD committee determines that the student needs access to those devices in order to receive free appropriate public education. (34 CFR §§300.105; 300.324(a)(2)(v); 20 USC §1414(d)(3)(B)(v))

Assistive technology means any device or equipment used to improve or maintain the function capabilities of a student with a disability. Assistive technology does not include a medical device that is surgically implanted. (34 CFR §§300.5-300.6)

ILTexas may transfer an ATD in accordance to TEC, §30.0015. The transfer agreement must include the standards in TEC §30.0015, including the following:

- 1) The transferor and transferee must represent and agree that the terms of the transfer are based on the fair market value of the ATD, determined in accordance with generally accepted accounting principles.
- 2) The informed consent of the parent of the student with a disability, or the adult student, for whom the ATD is being transferred must be obtained before the transfer of an ATD pursuant to TEC, §30.0015. The procedures employed by ILTexas in obtaining informed consent shall be consistent with the procedures employed by the school to obtain parental consent under 34 CFR §300.300. Consistent with 34 CFR, §300.505(c), informed parental or adult student consent need not be obtained if the school can demonstrate that it has taken reasonable measures to obtain that consent, and the student’s parent or the adult student has failed to respond. To meet the reasonable measures requirement, the school must use procedures consistent with those described in 34 CFR, §300.322(d).
- 3) If the transfer is a sale, then the sale of the ATD shall be evidenced by a “Uniform Transfer Agreement” which includes the following:
 - a. the names of the transferor and the transferee (which may be any individual or entity identified in TEC, §30.0015(b));
 - b. the date of the transfer;
 - c. a description of the ATD being transferred;
 - d. the terms of the transfer (including the transfer of warranties, to the extent applicable); and
 - e. the signatures of authorized representatives of both transferor and transferee.

(19 TAC 89.1056)

Sec. 8. SPECIAL EDUCATION TEACHER DEFINED (20 U.S.C. §1401(10)(B)(i))

When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that—the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State’s public charter school law.

Sec. 9. COMPLIANCE WITH FEDERAL AND STATE PERSONNEL STANDARDS FOR INDIVIDUALS SERVING CHILDREN WITH DISABILITIES

ILTexas shall ensure that personnel standards for all individuals serving children with disabilities are met in accordance with the IDEA and its procedures.

ILTexas recognizes that both the Every Student Succeeds Act and the IDEA provide that charter school teachers must meet the requirements set forth in the State’s public charter school law. 20 U.S.C. § 6311(g)(2)(J); 20 U.S.C. §1401(10)(B)(i). In Texas, that means that the charter school special education teacher must be certified.

ILTexas shall make an ongoing good-faith effort to recruit and hire appropriately and adequately certified and/or licensed personnel to provide a wide range of special education and related services to students with disabilities who are eligible for special education services. Special education staffing needs come from the individualized decisions made by the ARD committee.

ILTexas shall ensure that all personnel necessary to carry out the requirements of the IDEA 2004 are appropriately and adequately certified and/or licensed, prepared and assigned.

ILTexas adopts as policy the provisions under State and Federal law concerning personnel, including:

Charter school teachers must only meet the requirements of the State’s public charter school law, which differ from the requirements for Texas teacher certification. In Texas, State law does not require a teacher employed by an open-enrollment charter school to be certified unless the teacher is assigned to teach in special education or bilingual education programs, in which case the appropriate State certification is required. The minimum qualification under State law for a teacher at an open-enrollment charter school, other than a special education or bilingual education teacher, is a bachelor’s degree. However, the governing body of ILTexas may set the qualifications for teachers at a standard above what State law requires.

The open-enrollment charter school shall not employ a person as a teacher unless that person holds a bachelor's degree. (TEC §12.129(a)). In an open-enrollment charter school that serves youth referred to or placed in a residential trade center by a local or state agency, a person may be employed as a teacher for a noncore vocational course without holding a baccalaureate degree if the person has demonstrated subject matter expertise related to the subject taught, such as professional work experience, formal training and education, holding a relevant active professional industry license, certification, or registration, or any combination of work experience, training and education, and industry license, certification, or registration, and received as least 20 hours of classroom management training as determined by the governing body of the open-enrollment charter school. (TEC §12.129(b))

All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 CFR §300.156; TEC §§21.002, 21.003, and 29.304; or appropriate state agency credentials. (19 T.A.C. §89.1131(a))

Sec. 10. NOTICE TO PARENTS – QUALIFICATIONS

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in ILTexas written notice of the qualifications of each teacher employed by ILTexas.

Additionally, the Superintendent or designee shall, at the beginning of each school year, notify the parents of each student attending ILTexas that the parents may request, and ILTexas shall provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

ILTexas shall also provide to each individual parent timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification standards or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Sec. 1. ADMISSION, REVIEW AND DISMISSAL COMMITTEES

INTERNATIONAL LEADERSHIP OF TEXAS, INC. shall establish an admission, review and dismissal (“ARD”) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted. The ARD committee shall be the individualized education program (“IEP”) team defined at 34 CFR 300.321.

Sec. 2. ARD COMMITTEE RESPONSIBILITIES

The ARD committee and International Leadership of Texas (ILTexas) are responsible for:

1. Evaluating, reevaluating, and determining eligibility for special education and related services;
2. Placement of students with disabilities, including disciplinary changes in placement;
3. Development of student IEPs;
4. Development and implementation of service plans for students who have been placed by their parents in private schools and who have been designated to receive special education and related services;
5. Compliance with the least restrictive environment standard;
6. Compliance with state requirements for reading diagnosis and state assessments;
7. Development of personal graduation plans;
8. Development of accelerated instruction under Education Code 28.0211 and intensive programs of instruction under Education Code 28.0213;
9. Evaluation, placement, and coordination of services for students who are deaf, hard of hearing, blind, or visually impaired; and
10. Determining eligibility for extracurricular activities, under Education Code 33.081.

19 TAC 89.1050(a); 34 CFR 300.116(a), 300.321(a).

Sec. 3. COMMITTEE MEMBERS

ILTexas shall ensure that each ARD committee meeting includes all of the following:

1. The parents of a child with a disability;
2. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student’s IEP;
3. At least one special education teacher, or where appropriate, at least one special education provider of the child;
4. A representative of ILTexas who:

- a. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of ILTexas's resources;
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the ARD committee (who may be a member of the committee listed in items 2–5);
 6. At the discretion of the parent or ILTexas, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
 7. The child, whenever appropriate;
 8. A representative from career and technical education, preferably the teacher, when considering initial or continued placement of a student in a career and technical education program;
 9. For a child with limited English proficiency, a member of the child's language-proficiency assessment committee ("LPAC") when deciding upon the selection of assessments and appropriate accommodations;
 10. For a child with an auditory impairment, including deaf-blindness, a teacher who is certified in the education of children with auditory impairments; and
 11. For a child with a visual impairment, including deaf-blindness, a teacher who is certified in the education of children with visual impairments.

20 U.S.C. 1414(d)(1)(B); 34 CFR 300.321; 19 TAC 75.1023(d)(1), 89.1131(b)(3)–(4), 101.1009.

A ILTexas member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and ILTexas agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

A ILTexas member of the ARD committee may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and ILTexas consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

20 U.S.C. 1414(d)(1)(C); 34 CFR 300.321(e).

a) *Transition Meeting Membership*

If the ARD committee is meeting to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, ILTexas shall invite:

1. The student. If the student does not attend, ILTexas shall take other steps to ensure that the student's preferences and interests are considered.
2. To the extent appropriate, and with the consent of the parent or student who has reached the age of majority, a representative of any other agency that is likely to be responsible for providing or paying for transition services.

34 CFR 300.321(b).

Sec. 4. PARENTAL INVOLVEMENT

ILTexas shall take steps to ensure that one or both of the parents of a student with a disability are present at each ARD committee meeting or are afforded the opportunity to participate, including:

1. Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend (the notice shall include all information required by applicable regulation); and
2. Scheduling the meeting at a mutually agreed time and place.

34 CFR 300.322(a)–(b); 19 TAC 89.1050.

Sec. 5. ALTERNATIVE PARTICIPATION METHODS

If neither parent can attend an ARD committee meeting, ILTexas must use other methods to ensure parent participation, including individual or conference telephone calls. 20 U.S.C. 1414(f); 34 CFR 300.322(c).

An ARD committee meeting may be conducted without a parent in attendance if ILTexas is unable to convince the parents that they should attend. In such event, ILTexas must keep a record of its attempts to arrange a mutually agreed time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received; and
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

34 CFR 300.322(d).

Sec. 6. ARD COMMITTEE MEETINGS

ILTexas shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a student with a disability. The committee shall review each

student's IEP periodically, and, if appropriate, revise the IEP. A meeting must be held for this purpose at least once a year. The ARD committee must also determine the child's placement once per year.

A meeting does not include informal or unscheduled conversations involving ILTexas personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that ILTexas personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting. 20 U.S.C. 1414(d)(4); 34 CFR 300.116(b)(1), 300.324(b), (c)(1); 300.501(b)(3).

a) *Meeting at Parent Request*

Upon request of a written request for an ARD committee meeting from a parent, the ILTexas must (1) schedule and convene a meeting; or (2) within five school days, provide the parent with written notice explaining why the district refuses to convene a meeting. 19 TAC 89.1050(e).

b) *Transfer Students*

If a student transfers to ILTexas, and the student had a previous IEP in place, ILTexas shall provide the student with a free appropriate public education ("FAPE"), including services comparable to those described in the previous IEP, in consultation with the parents, until:

1. In the case of a student who transfers within the state, ILTexas adopts the previous IEP or develops, adopts, and implements a new IEP.
2. In the case of a student who had an IEP in effect in another state, ILTexas conducts an evaluation, if determined necessary by ILTexas, and develops, adopts, and implements a new IEP, if appropriate.

20 U.S.C. 1414(d)(2)(C)(i); 34 CFR 300.323(e), (f).

c) *Transfer of Records*

ILTexas shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the child's previous district. 20 U.S.C. 1414(d)(2)(C)(ii); 34 CFR 300.323(g).

d) *Military Dependents*

ILTexas shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude ILTexas from performing subsequent evaluations to ensure appropriate placement of the student. Education Code 162.002 art. V, § C.

Sec. 7. ELIGIBILITY DETERMINATIONS

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.

ILTexas shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent. 20 U.S.C. 1414(b)(4)(B); 34 CFR 300.306(a).

The ARD committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, IEP and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year ("ESY") services during that summer.

When a report is provided to a parent not later than June 30 as described at Timeframe for Completion of Written Report, above, the ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, an evaluation indicates that a student will need ESY services, the ARD committee must meet as expeditiously as possible. 19 TAC 89.1011(d), (e).

Sec. 8. INDIVIDUALIZED EDUCATION PROGRAM

ILTexas shall develop, review, and revise an IEP for each child with a disability. 20 U.S.C. 1412(a)(4); 34 CFR 300.320(a).

ILTexas shall have an IEP in effect for each child with a disability at the beginning of each school year. 20 U.S.C. 1414(d)(2)(A); 34 CFR 300.323(a).

The term "individualized education program" means a written statement for each child with a disability that includes:

1. A statement of the child's present levels of academic achievement and functional performance;
2. A statement of measurable annual goals, including academic and functional goals;

3. A description of how the child's progress toward the annual goals will be measured and when periodic reports on the progress of the child will be provided;
4. A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child;
5. A statement of the program modifications or supports for school personnel that will be provided for the child;
6. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of these services and modifications;
8. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state or system-wide assessments;
9. If the ARD committee determines that the child must take an alternative assessment instead of a particular regular state or system-wide assessment, a statement of why the child cannot participate in the regular assessment and why the particular assessment selected is appropriate for the child;
10. Beginning not later than the first IEP to be in effect when the child is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate, measurable postsecondary goals and transition services needed to assist the child in reaching those goals; and
11. Beginning not later than one year before the child reaches the age of 17, a statement that the child has been informed of the rights that will transfer to the child upon reaching the age of majority.

20 U.S.C. 1414(d); 34 CFR 300.320; 19 TAC 89.1055

Sec. 9. TRANSLATING IEPs

If the child's parent is unable to speak English, ILTexas shall:

1. Provide the parent with a written or audio-taped copy of the child's IEP translated into Spanish if Spanish is the parent's native language; or
2. If the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's IEP translated into the parent's native language.

TEC § 29.005(d).

Sec. 10. AUTISM/PERVASIVE DEVELOPMENTAL DISORDERS

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For students with autism/pervasive developmental disorders, the following strategies shall be considered by the ARD committee, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time and active engagement in learning activities;
3. In-home training and community-based training or viable alternatives that assist the student with the acquisition of social/behavioral skills;
4. Positive behavior support strategies based on relevant information;
5. Beginning at any age, futures planning for integrated living, work, community, and educational environments that considers skills necessary to function in current and post-secondary environments;
6. Parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (“ASD”);
7. Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the child’s developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence;
8. Communication interventions, including language forms and functions that enhance effective communication across settings;
9. Social skills supports and strategies based on social skills assessment/curriculum and provided across settings;
10. Professional educator/staff support; and
11. Teaching strategies based on peer-reviewed, research-based practices for students with ASD.

If the ARD committee determines that services are not needed in one or more of the areas in 1–11 above, the IEP shall include a statement reflecting that decision and the basis upon which the determination was made. 19 TAC 89.1055(e)–(f).

Sec. 11. VISUAL IMPAIRMENT

ILTexas shall adopt written procedures as required in Education Code 30.002(c)(10) for providing special education services to students with visual impairments, if such services are necessary. 19 TAC 89.1075(b).

An IEP for a student with a visual impairment must include instruction in braille unless the student’s ARD committee determines and documents that braille is not an appropriate literacy

medium for the student, based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs. Tex. Educ. Code § 30.002.

Sec. 12. STUDENTS WHO ARE DEAF OR HARD OF HEARING

ILTexas must develop an IEP for students who are deaf or hard of hearing in which the students have an education in which their unique communication mode is respected, used, and developed to an appropriate level of proficiency. Tex. Educ. Code § 29.303.

Sec. 13. COLLABORATIVE PROCESS

All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. Decisions concerning the required elements of the IEP shall be made by agreement of the required members, if possible. The ARD committee may agree to an annual IEP or an IEP of shorter duration.

a) *Recess*

When agreement about all required elements of the IEP is not achieved, the parent or adult student who disagrees shall be offered a single opportunity to have the ARD committee recess for a period not to exceed ten school days. This recess is not required when:

1. The student's presence on campus represents a danger of physical harm to the student or others;
2. The student has committed an expellable offense; or
3. The student has committed an offense that may lead to placement in a disciplinary alternative education program.

These requirements do not prohibit the members of the ARD committee from recessing an ARD committee meeting for reasons other than failure of the parents and ILTexas to reach agreement about all required elements of an IEP.

During the recess, the ARD committee members shall consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons to enable the ARD committee to reach agreement.

The date, time, and place for continuing the ARD committee meeting shall be determined by agreement before the recess.

b) *No Agreement Reached*

If, after the ten-day recess, the ARD committee still cannot reach agreement, ILTexas shall implement the IEP that it has determined to be appropriate for the student. A written statement of the basis for the disagreement shall be included in the IEP. The ARD committee members who disagree shall be offered the opportunity to write their own statements.

When ILTexas implements an IEP with which the parents, or an adult student disagree, it shall provide prior written notice in compliance with applicable regulations and ILTexas policy.

19 TAC § 89.1050.

Sec. 14. IEP MODIFICATION

Changes to an IEP may be made either by the entire ARD committee or by amending the IEP by agreement, rather than redrafting the entire IEP.

After the annual IEP meeting for a school year, the parent and ILTexas may agree not to convene an IEP meeting for the purposes of making changes to the IEP and instead may develop a written document to amend or modify the child's current IEP.

Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated.

To the extent possible, ILTexas shall encourage the consolidation of reevaluation meetings for the child and other ARD committee meetings for the child. 20 U.S.C. 1414(d)(3)(D)–(F); 34 CFR 300.324(a)(4)–(a)(6).

Sec. 15. LEAST RESTRICTIVE ENVIRONMENT

ILTexas shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. 20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).

Sec. 16. EXTENDED SCHOOL YEAR SERVICES

ILTexas shall ensure that ESY services are available as necessary to provide a student with a disability with a FAPE.

ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for a FAPE. ILTexas may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services. 34 CFR 300.106; 19 TAC 89.1065.

Sec. 17. GRADUATION

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. 19 TAC 101.3023(a).

Sec. 18. STATE ASSESSMENTS

The TEA shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's ARD committee, including assessment instruments approved by the Commissioner that measures growth. The assessment instruments developed or adopted, including the assessment instruments approved by the Commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

The TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required end-of-course ("EOC") assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

Sec. 19. TRANSPORTATION

ILTexas shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. 19 TAC 89.1096(e).

Sec. 20. TRANSITIONING SERVICES

a) Definitions

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes:
 - a. Instruction;
 - b. Related services;
 - c. Community experiences;
 - d. The development of employment and other post-school adult living objectives; and
 - e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

20 U.S.C. 1401(34); 34 CFR 300.43.

b) Individual Transition Planning

In accordance with Education Code 29.011 and 29.0111, not later than when a student reaches 14 years of age, the ARD committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate parental involvement in the student's transition;
3. If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or ILTexas;
4. Any postsecondary education options;
5. A functional vocational evaluation;
6. Employment goals and objectives;
7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments;
8. Independent living goals and objectives; and
9. Appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under paragraph (1) of this subsection.

20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.0111; 19 TAC 89.1055(h), (j).

ILTexas shall post the transition and employment guide on the ILTexas website if ILTexas maintains a website; provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at: (A) the first meeting of the student's ARD committee at which transition is discussed; and (B) the first committee meeting at which transition is discussed that occurs after the date on which the guide is updated. Upon request, ILTexas shall provide a printed copy of the guide to a student or parent. *Tex. Educ. Code § 29.0112.*

c) Graduation

Graduation with a regular high school diploma under 19 TAC 89.1070(b)(1), (b)(2)(D), (f)(1), (f)(2), or (f)(3)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 TAC 89.1070(b)(2)(A), (B), or (C) or (f)(3)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

ILTexas is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under state law.

ILTexas shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

20 U.S.C. 1414(c)(5); 34 CFR 300.102(a)(3), 300.305(e)(2); 19 TAC 89.1070.

Sec. 1. AGE OF MAJORITY – TRANSFER OF RIGHTS

Not later than one year before the 18th birthday of a student with a disability, International Leadership of Texas (ILTexas) shall:

1. Provide to the student and the student’s parents:
 - a. Written notice regarding the transfer of rights; and
 - b. Information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Estates Code, Chapter 1357, and other supports and services that may enable the student to live independently; and
2. Ensure that the student’s individualized education program (“IEP”) includes a statement that ILTexas provided the required notice, information, and resources.

When a student reaches the age of majority (18 years of age), ILTexas shall provide written notice to the student and the student’s parents of the transfer of parental rights. The notice must include the information required above.

This notice is separate and distinct from the requirement that, beginning at least one year before the student reaches the age of 18, the student’s IEP include a statement regarding transfer of parental rights.

If a student with a disability or the student’s parent requests information regarding guardianship or alternatives to guardianship, ILTexas shall provide the student or parent information and resources on supported decision-making agreements under Estates Code, Chapter 1357.

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make educational decisions as a student without a disability. All other rights accorded to parents under Chapter 29, Subchapter A of the Education Code or 20 U.S.C. 1415 transfer to the student.

(34 CFR 300.520; Education Code 29.017(a), (c), (c-1), (c-2); 19 TAC 89.1049(c))

Sec. 1. PREKINDERGARTEN PROGRAMS

a) *Tuition-Free Program*

INTERNATIONAL LEADERSHIP OF TEXAS, INC. shall offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least four years of age. INTERNATIONAL LEADERSHIP OF TEXAS, INC. may offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least three years of age.

i. Exemption

INTERNATIONAL LEADERSHIP OF TEXAS, INC. may apply to the Commissioner of Education for an exemption from the requirement that it provide a free prekindergarten program if INTERNATIONAL LEADERSHIP OF TEXAS, INC. would be required to construct classroom facilities in order to provide the program.

ii. Half-Day Basis

A tuition-free prekindergarten class shall be operated on a half-day basis.

iii. Program Eligibility

A child is eligible for enrollment in free prekindergarten if the child is at least three years of age and:

1. Is unable to speak and comprehend the English language;
2. Is educationally disadvantaged;
3. Is homeless, as defined by federal law, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control;
4. Is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;
5. Is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or
6. Is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Family Code 262.201.
7. Is the child of a person eligible for the Star of Texas Award as:
 - a. A peace officer under Section 3106.002, Government Code;
 - b. A firefighter under Section 3106.003, Government Code; or
 - c. An emergency medical first responder under Section 3106.004, Government Code.

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A child who is eligible for enrollment under items 4 or 5 above remains eligible if the child's parent leaves the armed forces, or is no longer on active duty, after the child begins the prekindergarten class.

iv. Public Notice

The Superintendent shall develop a system to notify the population in the community with children eligible or enrollment of the availability of the program. The system must include public notices issued in English and Spanish.

Sec. 2. PRESCHOOL-AGED CHILDREN

If INTERNATIONAL LEADERSHIP OF TEXAS, INC. offers preschool, INTERNATIONAL LEADERSHIP OF TEXAS, INC. must provide a free appropriate public education ("FAPE") in the least restrictive environment to preschool-aged students even if INTERNATIONAL LEADERSHIP OF TEXAS, INC. does not provide free preschool programs to all preschool-aged children. (34 C.F.R. §§300.101(a)-(b) and §300.116)

INTERNATIONAL LEADERSHIP OF TEXAS, INC. may provide opportunities for the participation of the preschool students with disabilities in other preschool programs operated by public agencies or by locating classes for preschool students with disabilities in regular elementary schools. However, INTERNATIONAL LEADERSHIP OF TEXAS, INC. is not required to initiate preschool programs or to establish extensive contact programs with private schools which serve both students with disabilities and students without disabilities solely to satisfy the requirements regarding placement in the least restrictive environment. (OSEP Policy Memo 89-23; 34 C.F.R. §300.102(a))

INTERNATIONAL LEADERSHIP OF TEXAS, INC. shall develop a system to notify residents within INTERNATIONAL LEADERSHIP OF TEXAS, INC.'s boundaries with children who are at least three but younger than six and who are eligible for enrollment in a special education program of the availability of such programs. (TEC §29.009)

Sec. 3. TRANSITION OF CHILDREN FROM PART C

By the third birthday of a child participating in early intervention programs the INTERNATIONAL LEADERSHIP OF TEXAS, INC. must ensure that an individualized education program ("IEP") or an individualized family service plan ("IFSP"), has been developed and is being implemented for the child.

In the case of a child with a disability aged three through five the ARD committee must consider an IFSP that contains the IFSP content (including the natural environments statement, educational

component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures. 34 C.F.R. § 300.323(b).

Sec. 6.4.4 COMMUNICATION MODE OF DEAF OR HARD OF HEARING CHILD

The comprehensive statewide plan for the education of children with visual impairments must:

1. Adequately provide for comprehensive diagnosis and evaluation of each school-age child with a serious visual impairment;
2. Include the procedures, format, and content of the IEP for each child with a visual impairment;
3. Emphasize providing educational services to children with visual impairments in their home communities whenever possible;
4. Include methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement: (A) evaluation of the impairment; and (B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in: (i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum; (ii) orientation and mobility; (iii) social interaction skills; (iv) career planning; (v) assistive technology, including optical devices; (vi) independent living skills; (vii) recreation and leisure enjoyment; (viii) self-determination; and (ix) sensory efficiency;
5. Provide for flexibility on the part of school districts to meet the special needs of children with visual impairments through: (A) specialty staff and resources provided by the district; (B) contractual arrangements with other qualified public or private agencies; (C) supportive assistance from regional education service centers or adjacent school districts; (D) short-term or long-term services through the Texas School for the Blind and Visually Impaired or related facilities or programs; or (E) other instructional and service arrangements approved by the agency;
6. Include a statewide admission, review, and dismissal (“ARD”) process;
7. Provide for effective interaction between the visually impaired child's classroom setting and the child's home environment, including providing for parental training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the IEP for the child;
8. Require the continuing education and professional development of school district staff providing special education services to children with visual impairments;
9. Provide for adequate monitoring and precise evaluation of special education services provided to children with visual impairments through school districts; and

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10. Require that school districts providing special education services to children with visual impairments develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through: (A) cooperating agencies in the area; (B) the Texas School for the Blind and Visually Impaired; (C) the Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments; (D) sheltered workshops participating in the state program of purchases of blind-made goods and services; and (E) related sources.

Each eligible blind or visually impaired student is entitled to receive educational programs according to an IEP that:

1. Is developed in accordance with federal and state requirements for providing special education services;
2. Is developed by a committee composed as required by federal law;
3. Reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;
4. Provides a detailed description of the arrangements made to provide the student with the evaluation and instruction; and
5. Sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the required instruction.

In the development of the IEP for a student with a visual impairment, proficiency in reading and writing is a significant indicator of the student's satisfactory educational progress.

The IEP for a student with a visual impairment must include instruction in braille and the use of braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy medium for the student.

The ARD committee's determination must be based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs.

Braille instruction may be used in combination with other special education services appropriate to the student's educational needs and shall be provided by a teacher certified to teach students with visual impairments.

Education Code § 30.002)

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Sec. 1. CHILD FIND

INTERNATIONAL LEADERSHIP OF TEXAS, INC. shall ensure that all children residing within International Leadership of Texas (ILTexas)'s boundaries who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to all children with disabilities, including:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 CFR 300.111(a)(1)(i), (c).

Sec. 2. PRIVATE SCHOOL STUDENTS

ILTexas shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools within ILTexas's boundaries.

ILTexas shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within ILTexas's boundaries. 20 U.S.C. 1412(a)(10)(A)(ii)-(iv).

Sec. 3. PRESCHOOL STUDENTS

ILTexas shall develop a system to notify residents within ILTexas's boundaries with children who are at least three but younger than six and who are eligible for enrollment in a special education program of the availability of such programs. Education Code 29.009.

Sec. 4. STUDENT RECORDS

After each student is enrolled in ILTexas, ILTexas will promptly request all student records from the student's previous school.

Sec. 1. STUDENTS WHO TRANSFER WITH AN IEP

When a student transfers to International Leadership of Texas (ILTexas) from another school within Texas, ILTexas shall provide a free appropriate public education (“FAPE”) to the student. ILTexas shall provide comparable services as those described in the individualized education program (“IEP”) the student transferred with until ILTexas adopts the student’s IEP from the previous school, or develops, adopts and implements a new IEP.

If the student with a disability transfers to from a school outside of Texas, ILTexas shall provide the student with FAPE, including comparable services, until ILTexas conducts an evaluation and develops, adopts, and implements a new IEP. (34 CFR §300.323)

A new IEP must be implemented within 30 school days from the date the student is verified as being a student eligible for special education services.

If a student transfers from ILTexas, ILTexas will furnish the student’s special education records to the student’s new school not later than the 10th working day after the date a request for the information is received by ILTexas. (19 TAC §89.1050(j)(3))

Sec. 1. PREKINDERGARTEN PROGRAMS

The education of students with disabilities can be made more effective by providing incentives for whole-school approaches, scientifically-based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label students as disabled in order to address the learning and behavioral needs of such students. (20 USC §1400(c)(5)(F))

In implementing coordinated, early intervening services, International Leadership of Texas (ILTexas) may carry out activities that include:

1. professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
2. providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

(20 USC §1413(f)(2); 34 CFR §300.226(b))

An early intervening service (including a response-to-intervention or (RTI)) process cannot delay the initial evaluation for special education services of a student suspected of having a disability. A parent may request an evaluation at any time to determine whether the student is a student with a disability. If a parent requests an evaluation and ILTexas agrees that the student may be eligible for special education, ILTexas must evaluate the student. If ILTexas denies the parent's request for evaluation, ILTexas shall provide notice to the parent explaining the basis for the refusal. The parent may challenge the refusal to evaluate through the impartial hearing process. (20 USC §1413(f)(3); 34 CFR §300.226(c))

Sec. 2. BILINGUAL EDUCATION PROGRAM

ILTexas shall identify Limited English Proficient (LEP) students based on state criteria. ILTexas shall provide an appropriate Bilingual Education (BE) or English as a Second Language (ESL) program conducted by teachers certified for such courses. (Texas Education Code Chapter 29, Subchapter B; 19 TAC §§89.1201-1265)

Sec. 3. STUDENT WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY

ILTexas shall ensure that a student with limited English proficiency who also qualifies for special education services as a student with a disability under the Individuals with Disabilities Education Act (IDEA) is not refused services in a bilingual education or English as a second language program solely because the student has a disability. (19 TAC §89.1230)

Sec. 4. APPLICABILITY OF TITLE RELATING TO BILINGUAL EDUCATION

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to bilingual education under Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code. (TEC §12.104(b)(2)(G)). ILTexas adopts the requirements of Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code pursuant to TEC §12.104(b)(2)(G).

Sec. 5. ESTABLISHMENT OF BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM

ILTexas shall establish a BE or ESL program as required by TEC §29.053 (Establishment of Bilingual Education and Special Language Programs) and in accordance with the procedures established by the Texas Education Agency (“TEA”), unless otherwise excepted under TEC §29.054 (Exception). (TEC §29.053)

Sec. 6. LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES

ILTexas shall further establish a Language Proficiency Assessment Committee (“LPAC”) that complies with TEC §29.063. The LPAC shall select the appropriate assessment option for each English language learner (ELL) in accordance with this subchapter. For each ELL who receives special education services, the student's admission, review, and dismissal (“ARD”) committee in conjunction with the student’s LPAC shall select the appropriate assessments. The LPAC shall document the decisions and justifications in the student's permanent record file, and the ARD committee shall document the decisions and justifications in the student’s individualized education program. Assessment decisions shall be made on an individual student basis and in accordance with administrative procedures established by the TEA. 19 Tex. Admin. Code § 101.1005(a).

Sec. 7. PROGRAM CONTENT; METHOD OF INSTRUCTION

ILTexas’s bilingual education program’s content and instruction shall comply with TEC §29.055. (TEC §29.055)

Sec. 8. ENROLLMENT OF STUDENTS IN PROGRAM

ILTexas shall comply with the TEA criteria for identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. (TEC §29.056(a))

The student's parent must approve a student's entry into the program, exit from the program, or placement in the program. The open-enrollment charter school or parent may appeal the decision under TEC §29.064. (TEC §29.056(a))

ILTexas, through its LPAC, shall evaluate and consider reenrollment of students who have transferred out of a bilingual education or special language program under TEC §29.056(h) as required by TEC §29.0561.

Sec. 9. FACILITIES; CLASSES

ILTexas shall ensure that bilingual education and special language programs are located in the regular public charter school rather than in separate facilities. (TEC §29.057)

Sec. 10. ENROLLMENT OF STUDENTS WHO DO NOT HAVE LIMITED ENGLISH PROFICIENCY

ILTexas ensures that enrollment of students who do not have limited English proficiency may occur only if the requirements of TEC §29.058 are met. (TEC §29.058)

Sec. 11. COOPERATION AMONG SCHOOLS

ILTexas may cooperate with other schools to provide a bilingual education or special language program. (TEC §29.059)

Sec. 12. PRESCHOOL, SUMMER SCHOOL, AND EXTENDED TIME PROGRAMS

Each open-enrollment charter school that is required to offer a bilingual education or special language program shall offer a voluntary program for students of limited English proficiency who will be eligible for admission to kindergarten or the first grade at the beginning of the school year. A school that operates on a system permitted by the Texas Education Code other than a semester system shall offer 120 hours of instruction on a schedule the governing board establishes. The program shall meet the requirements of TEC §29.060. (TEC §29.060(a))

Enrollment of a student in the program is optional with the parent of the student. (TEC §29.060(b))

The program must be an intensive bilingual education or special language program that meets standards established by the Texas Education Agency. The student/teacher ratio for the program may not exceed 18/1. (TEC §29.060(c))

ILTexas may establish on a full- or part-time basis summer school, extended day, or extended week bilingual education or special language programs for students of limited English proficiency and may join with other schools or schools in establishing the programs. (TEC §29.060(d))

The programs required or authorized by TEC §29.060 may not be a substitute for programs required to be provided during the regular school year. (TEC §29.060(e))

The legislature may appropriate money from the foundation school fund for support of a program under TEC §29.060(a). (TEC §29.060(f))

Sec. 13. BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM TEACHERS

ILTexas shall ensure that bilingual education and special language program teachers are properly certified. (TEC §29.061)

Sec. 14. APPEALS

A parent of a student enrolled in a bilingual education or special language program may appeal to the Commissioner of Education if ILTexas fails to comply with the requirements established by law or by the TEA. If the parent disagrees with the placement of the student in the program, the parent may appeal that decision to the Board. Appeals shall be conducted in accordance with procedures adopted by the Commissioner of Education under Chapter 157 of the Texas Administrative Code. (TEC §29.064; 19 TAC §89.1240)

Sec. 15. PEIMS REPORTING REQUIREMENTS

ILTexas shall meet Public Education Information Management System (PEIMS) Reporting Requirements with respect to its bilingual education or special language programs. (TEC §29.066)

Sec. 1. PROCEDURAL SAFEGUARDS

The Superintendent shall establish and maintain procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education (“FAPE”). 20 U.S.C. 1415(a)–(b).

These procedures shall include:

1. An opportunity for the parents to review all education records and to participate in meetings relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. 34 CFR 300.501.
2. An opportunity for the parents to obtain an independent educational evaluation of the child. 34 CFR 300.502.
3. Assignment of an individual to act as a surrogate for the parent when no parent can be identified, International Leadership of Texas (ILTexas) cannot locate the parents, or the child is a ward of the state. 34 CFR 300.519.
4. Prior written notice to the parents whenever ILTexas proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. 34 CFR 300.503.
5. Procedures to allow parties to resolve disputes through a mediation process. 34 CFR 300.506.
6. An opportunity for any party to file a due process complaint on any matter relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. 34 CFR 300.507.
7. Procedures that require either party, or the attorney representing a party, to provide to the other party a due process complaint (which shall remain confidential). 34 CFR 300.508.

Sec. 2. CONSENT

Consent means that:

1. The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
2. The parent understands and agrees in writing to the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
3. The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. A revocation of consent is not retroactive.

If the parent revokes consent in writing for his or her child’s receipt of services after the child is initially provided special education and related services, ILTexas is not required to amend the

child's education records to remove any references to the child's receipt of services because of the revocation of consent.

34 CFR 300.9

Sec. 3. LANGUAGE OF NOTICES

The procedural safeguards and prior notices described below must be written in a language understandable to the general public. The notice must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. 34 CFR 300.503(c), 300.504(d).

a) *Electronic Delivery of Notices*

A parent of a child with a disability may elect to receive required notices by electronic mail, if ILTexas makes that option available. 34 CFR 300.505.

Sec. 4. NOTICE OF PROCEDURAL SAFEGUARDS

ILTexas shall provide a copy of the procedural safeguards to parents only once per year, except that a copy also shall be given to the parents:

1. Upon initial referral or parental request for evaluation;
2. Upon receipt of the first state complaint and upon receipt of the first due process complaint in a school year;
3. On the date of a decision to make a disciplinary removal that is a change in placement; and
4. Upon request by a parent.

ILTexas may also place a current copy of the procedural safeguards notice on its Internet website.

a) *Contents of Notice*

The notice shall include a full explanation of the procedural safeguards relating to:

1. Independent educational evaluations;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. Opportunity to present and resolve complaints through the due process complaint and state complaint procedures, including:
 - a. The time period in which to file a complaint,

- b. The opportunity for ILTexas to resolve the complaint; and
 - c. The difference between the due process complaint and the state complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
6. The availability of mediation;
 7. The child's placement during pendency of any due process proceedings;
 8. Procedures for children who are subject to placement in an interim alternative educational setting;
 9. Requirements for unilateral placement by parents of children in private schools at public expense;
 10. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
 11. Civil actions, including the time period in which to file such actions; and
 12. Attorneys' fees.

20 U.S.C. 1415(a)–(b), (d); 34 CFR 300.504(c).

Sec. 5. PRIOR NOTICE AND CONSENT

Whenever ILTexas proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education to the student, ILTexas must provide prior written notice as required in 34 CFR, §300.503, including providing the notice in the parent's native language or other mode of communication. This notice must be provided to the parent at least five school days before the school district proposes or refuses the action unless the parent agrees to a shorter timeframe. 19 T.A.C. § 89.1050(h).

a) *Contents of Notice*

The notice must include:

1. A description of the action proposed or refused by ILTexas;
2. An explanation of why ILTexas proposes or refuses to take the action;
3. A description of each evaluation procedure, assessment, record, or report ILTexas used as a basis for the proposed or refused action;
4. A statement that the parents have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the IDEA rules;
6. A description of other options the admission, review and dismissal (“ARD”) committee considered and the reasons why those options were rejected; and
7. A description of other factors relevant to ILTexas’s proposal or refusal.

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34 CFR 300.503(b)

Sec. 6. CONSENT TO INITIAL EVALUATION

Before ILTexas conducts an initial evaluation, it shall provide prior written notice, including a description of any evaluation ILTexas proposes to conduct, and obtain informed consent for the evaluation from the parents. 20 U.S.C. 1414(a)(1)(D), (E); 34 CFR 300.304(a).

Sec. 7. CONSENT TO SERVICES

ILTexas shall seek informed consent from the parent before providing special education and related services to a child. 20 U.S.C. 1414(a)(1)(D).

Sec. 8. CONSENT TO REEVALUATION

ILTexas shall obtain informed parental consent before conducting any reevaluation of a child with a disability, except that such informed parental consent need not be obtained if ILTexas can demonstrate that it has taken reasonable measures to obtain such consent and the parent has failed to respond. 20 U.S.C. 1414(c)(3).

Sec. 9. CONSENT TO EXCUSE MEMBER FROM ATTENDING ARD COMMITTEE MEETING

A ILTexas member of the ARD committee may be excused from attending an individualized education program (“IEP”) meeting, in whole or in part, when the meeting involves a modification to or discussion of the member’s area of curriculum or related services if the parent, in writing, and ILTexas consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

Sec. 10. PSYCHOLOGICAL EXAMINATIONS AND TESTS

On request of a child’s parent, before obtaining the parent’s consent for the administration of any psychological examination or test to the child as part of the evaluation of the child’s need for special education, ILTexas shall provide to the child’s parent:

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child.

If ILTexas determines that an additional examination or test is required for the evaluation of a child’s need for special education, ILTexas shall provide the information above to the parent

regarding the additional examination or test and shall obtain additional consent for the examination of test. Education Code 29.0041(a), (b).

Sec. 11. PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS

ILTexas shall obtain informed consent from the parent each time that access to a parent's private insurance proceeds or to public benefits or an insurance program is sought. (34 CFR §300.154(d)(2)(iv)(A))

Sec. 12. PARENTAL CONSENT FOR TRANSFER OF ASSISTIVE TECHNOLOGY DEVICES

ILTexas shall obtain informed consent from the parent, or the adult student if the adult student has the legal capacity to enter into a contract before transferring an assistive technology device through a transfer agreement that incorporates the standards of the state.

Sec. 13. OTHER CONSENT REQUIREMENTS

Parental consent is not required before ILTexas may:

1. review existing data as part of the student's evaluation or a reevaluation; or
2. give the student a test or other evaluation that is given to all students unless, before that test or evaluation, consent is required from parents of all students. 34 CFR 300.300(d)

Instructional materials adopted by International Leadership of Texas (ILTexas) must be provided to students at no cost.

If ILTexas chooses to coordinate with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials, it must acquire the print instructional materials in the same manner and subject to the same conditions as the Texas Education Agency acquires print instructional materials.

If ILTexas chooses not to coordinate with the NIMAC when purchasing print instructional materials, it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner and shall provide assurance of compliance with this policy to the Texas Education Agency.

Sec. 1. SPECIAL EDUCATION STUDENTS

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (“ARD”) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations.

Sec. 2. REMOVAL FOR TEN DAYS OR LESS

A student with a disability who violates the International Leadership of Texas (ILTexas) Student Code of Conduct may be moved from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those alternatives are applied to children without disabilities.

a) Services During Removal

ILTexas is required to provide services during the period of removal if ILTexas provides services to a child without disabilities who is similarly removed.

Sec. 3. SUBSEQUENT REMOVALS OF TEN DAYS OR LESS

ILTexas personnel may remove the student for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement.

b) Services During Removal

After a student has been removed from his or her current placement for ten school days in the same school year, during any subsequent removal of ten consecutive school days or less, school personnel, in consultation with at least one of the student’s teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s individualized education program (“IEP”).

Sec. 4. NOTICE OF PROCEDURAL SAFEGUARDS

Not later than the date on which the decision to take the disciplinary action is made, ILTexas shall notify the student’s parents of the decision and of all procedural safeguards.

Sec. 5. CHANGES IN PLACEMENT

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review.

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than ten school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
 - c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

ILTexas determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. ILTexas's determination is subject to review through due process and judicial proceedings.

ILTexas personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates the Student Code of Conduct.

Sec. 6. MANIFESTATION DETERMINATION

Within ten school days of any decision to change the placement of a student because of a violation of the Student Code of Conduct, ILTexas, parents, and relevant members of the ARD committee (as determined by the parent and ILTexas) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of ILTexas's failure to implement the IEP.

If ILTexas, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

a) *Not a Manifestation*

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting.

i. *Services During Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

b) *Manifestation*

If ILTexas, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment ("FBA"), unless ILTexas had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan ("BIP") for the student; or
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at SPECIAL CIRCUMSTANCES, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent, and ILTexas agree to a change in placement as part of the modification of the BIP.

i. *Special Circumstances*

ILTexas personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of Texas Education Agency (the “TEA”) or ILTexas; or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the TEA or ILTexas;
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the TEA or ILTexas.

The ARD committee shall determine the interim alternative education setting.

c) *Services During Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student’s IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

Sec. 7. APPEALS

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. Additionally, ILTexas may request a hearing if it believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others.

a) *Placement During Appeals*

When an appeal has been requested by a parent or ILTexas, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student’s assignment to the alternative setting, whichever occurs first, unless the parent and ILTexas agree otherwise.

Sec. 8. REPORTING CRIMES

Federal law does not prohibit ILTexas from reporting a crime committed by a student with a disability to appropriate authorities. If ILTexas reports a crime, ILTexas shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration

by the appropriate authorities to whom ILTexas reported the crime. ILTexas may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (“FERPA”).

Sec. 9. STUDENTS NOT YET IDENTIFIED

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated the Student Code of Conduct may assert any of the protections provided for in the Individuals with Disabilities Education Act if ILTexas had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred.

a) *School Knowledge*

ILTexas shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to ILTexas supervisory or administrative personnel, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student’s teacher, or other ILTexas personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other ILTexas supervisory personnel.

b) *Exception*

ILTexas shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

If ILTexas does not have knowledge, before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until

the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

Sec. 10. BEHAVIOR MANAGEMENT TECHNIQUES

It is ILTexas's policy to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

a) *Exceptions*

Education Code 37.0021 (regarding use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties; and
2. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in a ILTexas educational program.

Further, Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1).

Sec. 11. CONFINEMENT

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.

Sec. 12. SECLUSION

A ILTexas employee or volunteer or an independent contractor of ILTexas may not place a student in seclusion. "Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Sec. 13. RESTRAINT

A ILTexas employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

a) *Training*

Training for ILTexas employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 TAC 89.1053(d).

b) *Documentation*

In a case in which restraint is used, ILTexas employees, volunteers, or independent contractors shall implement the documentation requirements set forth at 19 TAC 89.1053(e).

Sec. 14. TIME-OUT

A ILTexas employee, volunteer, or independent contractor may use time-out with the following limitations.

1. Physical force or threat of physical force shall not be used to place a student in time-out.

2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.
3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

a) *Training*

Training for ILTexas employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 TAC 89.1053(h).

b) *Documentation*

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

**POLICY GROUP 6 - SPECIAL EDUCATION
DISTRICT AND CAMPUS IMPROVEMENT PLANS**

It is the policy of International Leadership of Texas (ILTexas) to annually conduct a comprehensive needs assessment and to conduct district and campus improvement plans, if required by state and federal funding requirements.

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Sec. 1. DYSLEXIA AND RELATED DISORDERS

The Board shall ensure that procedures for identifying and providing appropriate instructional services to students for dyslexia and related disorders are implemented by International Leadership of Texas (ILTexas). These procedures shall be implemented in accordance with the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* (*Dyslexia Handbook*).

Sec. 2. IDENTIFICATION AND TESTING

Screening and further evaluation should be done only by individuals or professionals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.

Before an identification or assessment procedure is used selectively with an individual student, ILTexas must notify the student's parent or guardian or another person standing in parental relation to the student.

A process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available, as outlined in the *Dyslexia Handbook*. The program must include a screening at the end of each school year for all kindergarten and first grade students.

ILTexas may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

Sec. 3. TREATMENT

ILTexas shall provide each identified student access at his or her campus to instructional programs and to the services of a teacher trained in dyslexia and related services. ILTexas may, with the approval of each student's parents or guardians, offer additional services at a centralized location, so long as such centralized services do not preclude each student from receiving services at his or her campus.

a) *Reading Program*

ILTexas shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components described in the *Dyslexia Handbook*. The professional development activities

specified by each school and/or campus planning committee shall include these instructional strategies.

b) *Reassessment*

Unless otherwise provided by law, a student determined to have dyslexia during testing or accommodated because of dyslexia may not be retested for dyslexia for the purpose of reassessing the student's need for accommodations until ILTexas reevaluates the information obtained from previous testing of the student.

Sec. 4. PARENTAL NOTIFICATIONS

ILTexas shall inform parents and guardians of students eligible under Section 504 of all services and options available to the student under that law. The notice must be in English, or to the extent practicable, the individual's native language and must include the following:

1. A reasonable description of the evaluation procedure to be used with the individual student;
2. Information related to any instructional intervention or strategy used to assist the student prior to evaluation;
3. An estimated time frame within which the evaluation will be completed; and
4. Specific contact information for the campus point of contact, relevant parent training and information projects, and other appropriate parent resources.

Parents and guardians of students with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support modules as required by Education Code §26.0081.

Sec. 5. PARENT EDUCATION PROGRAM

ILTexas shall develop and provide a parent education program for parents and guardians of students with dyslexia and related disorders. This program should include:

- Awareness of characteristics of dyslexia and related disorders;
- Information on testing and diagnosis of dyslexia;
- Information on effective strategies for teaching dyslexic students; and
- Awareness of information on modification, especially modifications allowed on standardized testing.

Education Code 38.003; 19 TAC 74.28.

Sec. 1. ELIGIBILITY CRITERIA

A student that is at least three years old but not more than 21 years of age may be eligible for special education services. Through an evaluation, if a student is found to have a disability in one of the following categories, and has an educational need, they may be found eligible for special education:

1. Intellectual Disability;
2. Hearing impairment;
3. Visual Impairment;
4. Speech or Language impairment;
5. Emotional disturbance;
6. Orthopedic impairment;
7. Other health impairment;
8. Traumatic brain injury;
9. Deaf-blindness;
10. Specific Learning Disability;
11. Autism;
12. Developmental delay; or
13. Multiple Disabilities.

(34 CFR § 300.008)

Additionally, a student is eligible to participate in International Leadership of Texas (ILTexas)'s special education program if the student is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in public school without the provision of special services. (TEC §29.003)

Sec. 2. DETERMINING ELIGIBILITY

Following the completion of the full and individual initial evaluation, the student's admission, review, and dismissal ("ARD") committee must make an eligibility determination. The ARD committee members reviewing evaluations and date to determine eligibility must include a licensed specialist in school psychology ("LSSP"), an educational diagnostician, or other appropriately certified or licensed practitioner with experience, and a licensed or certified professional for a specific eligibility category defined below. (19 TAC §89.1040)

When interpreting evaluation data for the purpose of determining if a student is a student with a disability under § 300.8, and the educational needs of the student, ILTexas shall:

1. Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and
2. Ensure that information obtained from all of these sources is documented and carefully considered.

If a student is determined to be a student with a disability and needs special education and related services, an individualized education program ("IEP") must be developed for the student in accordance with §§ 300.320 through 300.324. (34 CFR §300.306)

A student is not eligible for special education services through the evaluation, if a student is found to only need related services. A student cannot be found eligible for services if the determinant factor for that determination is lack of appropriate instruction in reading, including in the essential components of reading instruction, lack of appropriate instruction in math, or limited English proficiency. (34 CFR §300.306(b))

For children aged three through nine, or any subset of that age range, may be a child with a disability if the student is:

1. experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and
2. needs special education and related services.

(34 CFR §300.8(b))

Sec. 3. INTELLECTUAL DISABILITY

A student qualifies as a student with an intellectual disability if the student has significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance. (34 CFR §300.8(c)(6); 19 TAC §89.1040(c)(5))

Sec. 4. SPEECH OR LANGUAGE IMPAIRMENT

A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance. The evaluation team shall include a certified speech and hearing therapist, a certified speech and language therapist, or a licensed speech/language pathologist. (34 CFR §300.8(c)(11); 19 TAC 89.1040(c)(10))

Sec. 5. EMOTIONAL DISTURBANCE

A student may be eligible for services as a student with an emotional disturbance if they exhibit one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance includes schizophrenia, but does not include children who are socially maladjusted, unless it is determined that they have an emotional disturbance. A written evaluation must include recommendations for behavior intervention strategies. (34 CFR §300.8(c)(4); 19 TAC §89.1040(c)(4))

Sec. 6. ORTHOPEDIC IMPAIRMENT

A severe orthopedic impairment, including impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). If the impairment adversely impacts a student's educational performance, the student is eligible under this category. (34 CFR §300.8(c)(8); 19 TAC §89.1040(10))

The multidisciplinary team determining eligibility must include a licensed physician. (19 TAC §89.1040(10))

Sec. 7. OTHER HEALTH IMPAIRMENT (OHI)

A student with limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli caused by chronic or acute health problems such as:

1. Asthma;
2. Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder;
3. Diabetes;
4. Epilepsy;
5. Heart Condition;
6. Hemophilia;

7. Lead poisoning;
8. Leukemia;
9. Nephritis;
10. Rheumatic Fever;
11. Sickle Cell Anemia; or
12. Tourette Syndrome.

If the health condition limits alertness in the educational environment and adversely impacts a student's learning, he or she is eligible for OHI. In determining eligibility, ILTexas shall must include a licensed physician on the multidisciplinary team.

Sec. 8. TRAUMATIC BRAIN INJURY

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

ILTexas shall include a licensed physician, and a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in this area to review the data and determine eligibility. (19 TAC §89.1040(11))

Sec. 9. HEARING OR AUDITORY IMPAIRMENT AND DEAFNESS

A student with an impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance but is not included under the definition of deafness.

The student's evaluation must include an otological examination performed by an otologist or by a licensed medical doctor, with documentation that an otologist is not reasonably available. ILTexas shall also conduct an audiological evaluation by a licensed audiologist. The evaluation must include a description of the implications of the hearing loss for the student's hearing in a variety of circumstances with or without recommended amplification. (34 CFR §300.8(c)(5); 19 TAC 89.1040(c)(3))

Sec. 10. DEAFNESS

Deafness is a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a student's educational performance. (34 CFR §300.8(c)(3))

Sec. 11. VISUAL IMPAIRMENT INCLUDING BLINDNESS

An impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness. (34 CFR 300.8(c)(13).

A student with a visual impairment is one who:

1. has been determined by a licensed ophthalmologist or optometrist to have no vision or to have a serious visual loss after correction; or to have a progressive medical condition that results in no vision or a serious visual loss after correction.
2. has been determined by the following evaluations to have a need for special services, including:
 - a. a functional vision evaluation by a professional certified in the education of students with visual impairments or a certified orientation and mobility instructor. The evaluation must include the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation and an orientation and mobility evaluation; or
 - b. a learning media assessment by a professional certified in the education of students with visual impairments. The learning media assessment must include recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area.

(19 TAC 89.1040(12)(A))

Through evaluation, ILTexas should state the student's visual loss in exact measures of visual field and corrected visual acuity at a distance and at close range in each eye by a licensed ophthalmologist or optometrist. The report should also include prognosis whenever possible. If exact measures cannot be obtained, the eye specialist must so state and provide best estimates.

A student that qualifies as a student with a visual impairment is considered functionally blind if, based on the preceding evaluations, the student will use tactual media (which includes Braille) as a primary tool for learning to be able to communicate in both reading and writing at the same level of proficiency as other students of comparable ability. (19 TAC §89.1040(12)(B))

Sec. 12. DEAF-BLINDNESS

A student is eligible under deaf-blindness if identified with hearing and visual impairments, 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 students with deafness or students with blindness. (34 CFR §300.8(c)(2))

In addition to the Individuals with Disabilities Education Act (“IDEA”) requirements, a student may be eligible if a student is found to:

1. meet the eligibility criteria for auditory impairment specified in subsection 19 TAC §89.1040(c)(3) and visual impairment specified in subsection 19 TAC §89.1040 (c)(12);
2. meet the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;
3. have documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or
4. have a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

(19 TAC §89.1040(c))

Sec. 13. SPECIFIC LEARNING DISABILITY

Specific learning disability includes a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. (34 CFR §300.8(c)(10))

In addition to being identified as having a disorder that impacts a basic psychological process, ILTexas shall also show that the student does not achieve adequately for the student’s age or meet state-approved grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving when provided appropriate instruction, as indicated by performance on multiple measures such as in-class tests; grade average over time (e.g. six weeks, semester); norm- or criterion- referenced tests; statewide assessments; or a process based on the child's response to scientific, research-based intervention.

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ILTexas's evaluation must also show that the student:

1. does not make sufficient progress when provided a process based on the student's response to scientific, research-based intervention (as defined in 20 USC, §7801(37)), as indicated by the student's performance relative to the performance of the student's peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or
2. the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, such as working memory and verbal comprehension, or between specific areas of cognitive function and academic achievement.

(19 TAC §89.1040(c)(9))

A specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage. (34 CFR §300.8(c)(10))

Prior to identifying a student as one with a learning disability, ILTexas shall ensure that the suspected disability is not due to lack of educational opportunity or lack of appropriate instruction. ILTexas shall consider data that shows the student has received appropriate instruction in math and reading in the general education setting. ILTexas shall also consider documentation of repeated assessments of achievement at reasonable intervals, reflecting formal evaluation of student progress during instruction. This may include, but is not limited to, RTI progress results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program. (19 TAC §89.1040(c)(9))

Sec. 14. AUTISM

A student with autism is one that meets the criteria outlined in 34 CFR §300.8(c)(1) of the IDEA. It also includes students with pervasive developmental disorders. (19 TAC 89.1040(c)(1))

Under IDEA, autism is a developmental disability significantly affecting a student's verbal and nonverbal communication and social interactions that adversely affects a student's educational performance. Engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences are often associated with autism. Characteristics of autism are generally evident before age three.

A child who manifests the characteristics of autism after age three could be identified as having autism if the student meets the above criteria also defined in 34 CFR §300.8(c)(1)(i).

A student does not meet the eligibility category for autism if a student's educational performance is adversely affected primarily because the student has an emotional disturbance, as defined above and in 34 CFR §300.8(c)(4). (34 CFR §300.8(c)(1)).

The written evaluation determining eligibility under autism must include recommendations for behavior interventions. (19 TAC 89.1040(c)(1))

Sec. 15. MULTIPLE DISABILITIES

A student may qualify as a student with multiple disabilities if they are identified to have a combination of impairments (such as mental retardation-blindness or mental retardation-orthopedic impairment) and the combination causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness. (34 CFR §300.8(c)(7))

The impairments must be expected to continue indefinitely and the impairments must severely limit performance in two or more of the following:

1. psychomotor skills;
2. self-care skills;
3. communication;
4. social and emotional development, or
5. cognition.

A student that qualifies for more than one impairment, but does not severely impair performance in one of the above categories, or is not expected to continue indefinitely, does not qualify as a student with multiple disabilities. (19 TAC §89.1040(c)(6))

Sec. 1. REFERRAL FOR FULL AND INDIVIDUAL INITIAL EVALUATION

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of International Leadership of Texas (ILTexas)'s overall general education referral or screening system. Either a parent, the Texas Educational Agency ("TEA"), another state agency, or ILTexas may initiate a request for an initial evaluation.

a) *Obligation to Refer*

Before referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students. If a student continues to experience difficulty in the general classroom after the provision of interventions, ILTexas personnel must refer the student for a full and individual initial evaluation. 20 U.S.C. 1414(a)(1); 34 CFR 300.301; 19 TAC 89.1011.

b) *Parent Request*

If a parent submits a written request for a full individual and initial evaluation of a student, ILTexas shall, not later than the 15th school day after the date ILTexas receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 CFR 300.503, a copy of the procedural safeguards notice required by 34 CFR 300.504, and an opportunity to give written consent for the evaluation; or
2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 CFR 300.503, and a copy of the procedural safeguards notice required by 34 CFR 300.504.

20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301; 19 TAC 89.1011(a), (b); Education Code 29.004(c).

Sec. 2. NOTICE OF RIGHTS

ILTexas shall provide written notice to a student's parent or guardian within a reasonable time before proposing or refusing to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education ("FAPE"). 20 U.S.C. 1415(b)(3); 34 CFR 300.503(a).

Sec. 3. INITIAL EVALUATION

ILTexas shall conduct a full and individual initial evaluation before the initial provision of special education and related services. 20 U.S.C. 1414(a)(1)(A).

ILTexas shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. 20 U.S.C. 1414(b)(3)(D).

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. 20 U.S.C. 1414(a)(1)(E).

a) *Consent for Initial Evaluation*

ILTexas shall make reasonable efforts to obtain informed parental consent before conducting an initial evaluation.

If the parent does not provide consent for an initial evaluation or fails to respond to a request to provide consent, ILTexas may—but is not required to—pursue the initial evaluation by utilizing due process procedures, except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services. 20 U.S.C. 1414(a)(1)(D)(i)(1); 34 CFR 300.300.

b) *Wards of the State*

If the child is a ward of the state and is not residing with the child's parent, ILTexas shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. ILTexas cannot discover the whereabouts of the parent, despite reasonable efforts to do so;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

20 U.S.C. 1414(a)(1)(D)(iii); 34 CFR 300.300(a)(2).

Sec. 4. PROVIDING ASSISTANCE TO STUDENTS WHO HAVE LEARNING DIFFICULTIES OR NEED SPECIAL EDUCATION SERVICES

If a student is experiencing learning difficulties, the parent may contact their child's campus principal to learn about ILTexas's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for

a special education evaluation. Students having difficulty in the regular classroom should be considered for 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 ILTexas’s ability to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services by presenting a written request to the Executive Director of Special Populations or to a ILTexas administrative employee. ILTexas must, within 15 school days of receiving the request, either (1) give the parent an opportunity to give written consent for the evaluation or (2) refuse to provide the evaluation and provide the parent with written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights if they disagree with ILTexas. Additionally, the parent will receive a copy of the *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*.

If consent for evaluation is obtained, ILTexas must generally complete the evaluation and report within 45 school days of the date ILTexas receives the written consent. ILTexas must give a copy of the evaluation report to the parent.

Sec. 5. NOTIFICATION TO PARENTS REGARDING INTERVENTION STRATEGIES

Each school year, ILTexas shall notify a parent of each child, other than a child enrolled in a special education program, who receives assistance from the ILTexas for learning difficulties, including through the use of intervention strategies that ILTexas provides to the child. The notice must:

1. Be provided when the child begins to receive the assistance for that school year;
2. Be written in English or, to the extent practicable, the parent’s native language; and
3. Include:
 - a. A reasonable description of the assistance that may be provided to the child, including any intervention strategies that may be used;
 - b. Information collected regarding any intervention in the base tier of a multi-tiered system of supports that has previously been used with the child;
 - c. An estimate of the duration for which the assistance, including through the use of intervention strategies, will be provided;
 - d. The estimated time frames within which a report on the child’s progress with the assistance, including any intervention strategies used, will be provided to the parent; and
 - e. A copy of a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an

evaluation of the parent's child for special education services or for aids, accommodations, or services under Section 504 of the Rehabilitation Act.

The notice under this policy may be provided to a child's parent at a Section 504 meeting.

A parent is entitled to access to all written records of ILTexas concerning the parent's

child, including attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and school counselor evaluations, reports of behavioral progress, and records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child.

Sec. 1. FULL AND INDIVIDUAL EVALUATION (FIE)

International Leadership of Texas (ILTexas) shall ensure that upon completion of the administration of such tests and other evaluation materials administered according to the evaluation procedures of the Individuals with Disabilities Education Act (“IDEA”), and preparation of the written report, the admission, review and dismissal (“ARD”) committee determines if the student is a student with a disability under state and federal standards.

ILTexas shall conduct a full and individual initial evaluation (“FIE”) prior to providing special education and related services to any student. All students must be evaluated in accordance with the IDEA and the Texas Education Code (“TEC”).

ILTexas shall have procedures in place to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of students with disabilities are selected and administered so as to not be racially, culturally, or gender discriminatory. Assessment and procedures shall be provided and administered in the student’s native language or most proficient mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so. (34 CFR §300.301; TEC §29.310)

All implementing assessment procedures must differentiate between language proficiency and handicapping condition. Additionally, placement procedures must ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability. (19 TAC §89.1230)

No single procedure shall be the sole criterion for determining whether a student is a student with a disability or for determining an appropriate education program for a student with a disability. The evaluation must be sufficiently comprehensive to identify all of the student’s special education and related services’ needs. Each student must be evaluated in all suspected areas of disability. (34 CFR §§300.301 and 300.304; TEC §29.310)

All assessments must be administered in accordance with the instructions provided and by a trained and knowledgeable person. (34 CFR §§300.301 and 300.304)

Sec. 2. TIMELINE

If a student’s parent provides a written request for an evaluation to the school’s director of special education services or to a district administrative employee, ILTexas shall, within 15 school days, (1) provide the parent with prior written notice of its proposal to conduct an evaluation, a copy of the procedural safeguards, and an opportunity to give written consent for the evaluation, or (2)

provide prior written notice and procedural safeguards if the school is denying the request for evaluation. (TEC §29.004(c)).

A written FIE report must be completed not later than the 45th school day following the date on which ILTexas receives written consent for the evaluation, signed by the student's parent. If the student is absent for more than three days in that time period, the timeline must be extended by the number of days the student was absent. (TEC §29.004(a))

This time frame shall not apply if:

1. A student enrolls in the current school after the relevant time frame has begun and before the previous school made a determination as to whether the student has a disability, but only if the current school is making sufficient progress to ensure a prompt completion of the evaluation and the parent and current school agree to a specific time for completion of the evaluation; or
2. The parent repeatedly fails or refuses to produce the student for the evaluation.

(34 CFR §300.301(d))

Following the completion of the FIE, the ARD committee must meet within 30 calendar days from the date of completion to review and determine eligibility. (TEC 29.004). If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, individualized education program ("IEP"), and placement, unless the full individual and initial evaluation indicates that the student will need extended school year services during that summer.

If the student is an English language learner, the language proficiency assessment committee (LPAC) must also attend the meeting to determine services. (19 TAC §89.1050(c)(J))

If ILTexas receives written consent for an FIE from a student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report of the evaluation must be provided to the parent not later than June 30 of that year. The ARD committee must meet by the 15th school day of the following school year to consider the evaluation.

If ILTexas receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if the school receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the FIE must be completed not later than the 45th school day after receiving consent.

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School days do not include days following the last instructional day of the spring term and before the first day of the fall term.

(TEC 29.004)

Sec. 3. SPECIFIC LEARNING DISABILITY EVALUATION

The Texas Education Agency (“TEA”) cannot require ILTexas to use the severe discrepancy between intellectual ability and achievement for determining whether a student has a specific learning disability. TEA must permit the use of a process based on the child’s response to scientific, research-based intervention; and may permit the use of other alternative research-based procedures for determining whether a student has a specific learning disability.

(34 CFR §300.307)

The evaluation process for specific learning disability includes an observation of the child in the learning environment, including the regular classroom setting, to document academic performance and behavior in the areas of difficulty. 34 CFR § 300.310 (a).

Sec. 4. FUNCTIONAL BEHAVIOR ASSESSMENT (FBA)

A functional behavior assessment (“FBA”) may be necessary for a student whose behavior impedes their education. Prior to completing an FBA, ILTexas shall get consent from the parent. (34 CFR §§300.9)

If an ARD committee determines a change of placement is necessary due to the student’s behavior, it must conduct an FBA and implement a behavioral intervention plan (“BIP”). If an FBA was already completed, the ARD committee must review and update the BIP. (34 CFR §300.350(f))

Sec. 5. REVIEW OF EXISTING EVALUATION DATA (REED)

A Review of Existing Evaluation Data (REED) is required as part of an initial evaluation, if appropriate, and as part of any reevaluation. The REED must be conducted by the admission, review, and dismissal (“ARD”) committee members and other qualified professionals, as appropriate. The ARD committee members may conduct the review without a meeting.

The REED must include a review of the following:

- Evaluations and information provided by the parents of the student;
 - Current classroom-based, local, or State assessments, and classroom-based observations;
- and

- Observations by teachers and related services providers.

On the basis of that review, and input from the student’s parents, the ARD committee members must identify what additional data, if any, are needed to determine:

- Whether the student is a student with a disability, and the educational needs of the student, or, in case of a reevaluation of a student, whether the student continues to have such a disability and the educational needs of the student;
- Whether the student needs special education and related services, or in the case of a reevaluation of a student, whether the student continues to need special education and related services;
- The present levels of academic achievement and related developmental needs of the student; and
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

ILTexas shall administer any assessments or other evaluation measures needed to produce the data identified by the REED in accordance with applicable procedural requirements regarding notice and consent.

If additional data is not needed, the ARD committee must notify the parent of the determination decision and provide information about the parent’s right to request additional assessments to determine student needs and eligibility. (34 CFR §300.305)

ILTexas shall conduct a reevaluation of the student if the school determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child’s parent or teacher requests a reevaluation. A reevaluation may not occur more than once per year, unless agreed to by the school and the parent. A reevaluation must occur at least every three years, unless the school and parent agree the evaluation is unnecessary. (34 CFR §300.303).

Sec. 6. CHANGE IN ELIGIBILITY

ILTexas shall evaluate a student with a disability before determining a student is no longer eligible for special education and related services.

An evaluation is not required if a student is no longer eligible due to graduation or exceeding the age eligibility in Texas. ILTexas shall create a summary of performance and include recommendations on how to assist the student in meeting postsecondary goals. (34 CFR §300.305(e))

Sec. 7. CONSIDERATION OF SERVICES PROVIDED IN REGULAR EDUCATION SETTING

To ensure that underachievement in the student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group of qualified professionals, as part of a full and individual evaluation, must consider:

- Data that demonstrate that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of progress during instruction, which was provided to the student's parents. (34 CFR 300.309(b))

Sec. 8. COORDINATION OF EVALUATIONS WITH PRIOR AND SUBSEQUENT SCHOOLS

The school shall ensure that evaluations of students who transfer from one local education agency to another in the same academic year are coordinated with the student's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. (20 U.S.C. 1414(b)(3)(D))

Sec. 9. PSYCHOLOGICAL EXAMINATIONS AND TESTS

On request of a child's parent, before obtaining the parent's consent for the administration of any psychological examination or test to the child as part of the evaluation of the child's need for special education, ILTexas shall provide to the child's parent:

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child.

If ILTexas determines that an additional examination or test is required for the evaluation of a child's need for special education, ILTexas shall provide the information above to the parent regarding the additional examination or test and shall obtain additional consent for the examination of test. Education Code 29.0041(a), (b).

If ILTexas determines that an additional examination or test is required for the evaluation, ILTexas shall provide the information required by Education Code 29.0041(a) and shall obtain parental consent. If a parent does not give consent within 20 calendar days after the School provides the information, the parent's consent is considered denied.

The time required for ILTexas to provide information and seek consent may not be counted toward the timeframe for completion of an evaluation. Education Code 29.0041.

Sec. 10. EXTENSION OF TIMELINES

For a specific learning disability, the timelines for evaluation under this policy may be extended by mutual written agreement of the student’s parents and the ARD committee. (34 CFR 300.309(c))

Sec. 11. EVALUATION CONDUCTED PURSUANT TO A SPECIAL EDUCATION DUE PROCESS HEARING

A special education hearing officer in an impartial due process hearing brought under 20 U.S.C. §1415 may issue an order or decision that authorizes one or more evaluations of a student who is eligible for, or who is suspected as being eligible for, special education services. Such an order or decision authorizes the evaluation of the student without parental consent as if it were a court order for purposes of any State or federal law providing for consent by order of a court. (TEC §29.016)

Sec. 12. INDEPENDENT EDUCATIONAL EVALUATIONS

The parent of a student with a disability has the right to obtain an independent educational evaluation (“IEE”) of the parent’s child if the parent disagrees with the evaluation of the student that was obtained by ILTexas.

If the parent requests an IEE, ILTexas must provide the parent with information about where the parent may obtain an IEE and about ILTexas’s criteria that apply to IEE.

Sec. 13. DEFINITIONS

An IEE means an evaluation conducted by a qualified examiner who is not employed by the school responsible for the education of a student.

Public expense means that ILTexas either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA, which allow each State to use whatever State, local, Federal, and private sources of support are available in the State to meet the requirements of Part B of IDEA.

(34 CFR §300.502)

Sec. 14. RIGHT TO EVALUATION AT PUBLIC EXPENSE

The parent has the right to request an IEE of the parent's child at public expense if the parent disagrees with an evaluation of the student completed by ILTexas.

If the parent requests an IEE, ILTexas must respond to the parent by either:

1. without unnecessary delay, file a due process complaint to request a hearing to show that its evaluation of the student is appropriate; or
2. provide an IEE at public expense, unless ILTexas demonstrates in a due process hearing that the evaluation of the student that the parent obtained did not meet ILTexas's criteria.

If ILTexas requests a hearing and the final decision is that ILTexas's evaluation of the student is appropriate, the parent still has the right to an IEE, but not at public expense.

If the parent requests an IEE of the student, ILTexas may ask why the parent objects to the evaluation of the student obtained by ILTexas; however, ILTexas may not require an explanation and may not unreasonably delay either providing the IEE of the student at public expense or filing a due process complaint to request a due process hearing to defend ILTexas's evaluation of the student.

The parent is entitled to only one IEE of the student at public expense each time ILTexas conducts an evaluation of the student with which the parent disagrees. (34 CFR §300.502)

a) *Parent-Initiated Evaluations*

If the parent obtains an IEE of the student at public expense or the parent shares with ILTexas an evaluation of the student that the parent obtained at private expense:

1. ILTexas must consider the results of the evaluation of the student, if it meets ILTexas's criteria for IEE, in any decision made with respect to the provision of a free appropriate public education to the student; and
2. the parent or ILTexas may present the evaluation as evidence at a due process hearing regarding the student.

(34 CFR §300.502)

b) *Requests for Evaluations by Hearing Officers*

If a hearing officer requests an IEE of the student as part of a due process hearing, the cost of the evaluation must be at public expense.

Sec. 15. CRITERIA FOR OBTAINING IEE AT PUBLIC EXPENSE

The criteria under which the IEE is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE.

a) *Location*

The evaluator conducting an IEE of a child with a disability at public expense must be located within a 100-mile radius of ILTexas. This will allow the evaluator access to ILTexas for observation of the student and access to the student's cumulative and special education eligibility folders.

b) *Cost*

Parents are free to select whomever they choose to perform the IEE, so long as the examiner meets ILTexas's criteria. ILTexas will pay a fee for an IEE that allows a parent to choose from among qualified professionals in the area.

ILTexas will not pay unreasonably excessive fees. An unreasonably excessive fee is one which is 20% above the prevailing fees in the area as established by the Medicaid/Medicare Service Provider Manual for the specific test being considered.

Parents will be offered the opportunity to demonstrate to their child's ARD committee that unique circumstances exist which justify an IEE that does not meet ILTexas criteria outlined in this document.

When evaluators have a sliding scale fee based on parent income, ILTexas will pay the amount charged to the parent if the evaluator meets ILTexas criteria or ILTexas has approved the IEE that does not meet ILTexas criteria.

In the event a parent pursues an IEE independently or pursues an IEE provider that is not on ILTexas independent evaluator list, ILTexas will determine if the evaluator meets ILTexas criteria prior to authorizing payment or reimbursement. If payment will be authorized, an original billing form and an original written report with original signature must be submitted to ILTexas prior to payment.

ILTexas will deny payment for an IEE conducted by an evaluator who does not meet ILTexas criteria. ILTexas will deny payment for an IEE that does not meet TEA criteria for the specific disability identified.

If a hearing officer requests an IEE as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.

Travel costs for evaluators will not exceed ILTexas rates for travel as established by state guidelines.

A contract for an IEE between an evaluator and ILTexas will not exceed one year. All terms will become void after the expiration date of one year.

c) *Evaluator Criteria*

The evaluator conducting the IEE must meet ILTexas criteria and possess comparable credentials to the examiner that conducted the evaluation that is in dispute.

Evaluators must possess current licensure/certification to conduct the evaluation and must provide copies of his or her license or certification with the evaluation, if not previously provided.

Evaluators must comply with all requirements specified in state and federal law, including those outlined in the professional board responsible for providing the license or certification.

Evaluators must meet the examiner qualifications for the tests administered as outlined by the test producer.

The evaluator will have access to the student's cumulative folder and special education folders in gathering information about the student.

The evaluator will have the ability to interview teachers and observe the student in the educational setting.

Prior to conducting the assessment, the evaluator agrees to submit to a national criminal history review and to provide any and all information necessary to secure the national criminal history review, including fingerprints and photographs, or other information required by Texas Education Code § 22.0834 concerning Contractor or Contractor's Subcontractors.

The evaluator agrees to conduct a thorough evaluation in the area(s) performed by ILTexas with which the parent disagrees.

Copies of protocols must be provided to ILTexas.

The report must comply with all federal and state requirements, including addressing the presence or absence of a disability condition as defined under the IDEA and the TEC.

The evaluation must be provided to ILTexas upon completion.

Except for the criteria described above, ILTexas may not impose conditions or timelines related to obtaining an IEE at public expense. (34 CFR 300.502(e))

Sec. 1. COMPLIANCE

International Leadership of Texas (ILTexas) shall use Individuals with Disabilities Education Act (“IDEA”) Part B funds received to:

1. comply with the federal maintenance of effort (MOE) requirements;
2. supplement State, local and other Federal funds and not supplant such funds; and
3. pay the excess costs of providing special education and related services to children with disabilities and must be used to supplement State, local, and other Federal funds.

(34 CFR §300.202, 20 USC §1413(a)(2)).

Sec. 2. REDUCING LEVEL OF EXPENDITURES

Funds provided to ILTexas will not be used to reduce the level of expenditures for the education of students with disabilities made by ILTexas below the level of those funds for the preceding year. (2 USC §1423(a)(2)(A)(iii), Appendix E to Part 300)

ILTexas may reduce the level of expenditures if the reduction is attributable to:

1. Voluntary departure, retirement, or departure for just cause of special education personnel;
2. A decrease in enrollment of students with disabilities;
3. The termination of the obligation of ILTexas to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left ILTexas, aged out of services, or no longer needs special education;
4. The termination of costly expenditures for long-term purchases; or
5. The assumption of cost by the high cost fund operated by the Texas Education Agency.

(34 CFR §300.204)

Sec. 3. EXCESS EXPENDITURES

Having complied with MOE and excess costs requirements, IDEA Part B funds provided to the school will be used for the following activities:

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a disability in accordance with the individualized education program (“IEP”) of the child, even if nondisabled children benefit from such services;
2. To develop and implement coordinated, early intervening educational services in compliance with the child find and administration requirements, including:

- a. Early intervening services, which may include interagency financing structures, for children in kindergarten through grade 12 (with a particular emphasis on children in kindergarten through grade 3) who are not currently identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment;
- b. ILTexas may not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by ILTexas to local fiscal effort, if any, in combination with other amounts, which may include amounts other than education funds, to develop and implement coordinated, early intervening services; and
3. To establish and implement cost or risk-sharing funds, consortia, or cooperatives for ILTexas, or for ILTexas's working in a consortium of which ILTexas is a part, to pay for high-cost special education and related services.
4. ILTexas may use IDEA Part B funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP that is needed for the implementation of such case management activities.

(34 CFR §300.208)

Sec. 4. EARLY INTERVENING SERVICES

Funds made available for early intervening services, must supplement not supplant funds available under the ESEA. (34 CFR §300.226(e))

Sec. 5. USE OF IDEA PART B FUNDS FOR TITLE 1 PROGRAMS

Notwithstanding any other provisions related to commingling of funds, ILTexas may use IDEA Part B funds received for any fiscal year to carry out a Title 1, Part A school wide programs under the Elementary and Secondary Education Act ("ESEA"), except that the amount may not exceed:

- the amount received by the school under IDEA Part B for that fiscal year; divided by
- the number of students with disabilities in the jurisdiction of the school; and multiplied by
- the number of students with disabilities participating in the school wide program.

(34 CFR §300.206; 20 USC §1413)

Sec. 6. COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS: TITLE 1

To the extent required under Title 1 of the ESEA, ILTexas shall ensure equity among school programs in staff/student ratios and in expenditures of money for curriculum materials and instructional supplies. "Staff" shall include teachers, administrators, and auxiliary personnel. In

special programs, such as special education and bilingual education, a lower ratio may be maintained and more money may be spent as necessary to fulfill other legal requirements.

The parental involvement program shall be set up in accordance with requirements of Title 1 of the ESEA, as applicable. Parental involvement is encouraged and required in the planning and decision-making process for the school and for the campus.

Sec. 1. NONEDUCATIONAL COMMUNITY BASED SUPPORT SERVICES

Students with disabilities and their families may be eligible to receive noneducational community based support services paid for by public funds.

The Texas Education Agency (TEA) is responsible for establishing procedures and criteria for the allocation of noneducational funds to open-enrollment charter schools for the provision of noneducational community-based support services to certain students with disabilities and their families so that those students may receive a free appropriate public education (FAPE) in the least restrictive environment. (TEC §29.013(a))

International Leadership of Texas (ILTexas) shall use any funds allocated under TEC §29.013 only for eligible students with disabilities who would remain or would have to be placed in residential facilities primarily for educational reasons without the provision of noneducational community-based support services. (TEC §29.013(b))

The support services may include in-home family support, respite care, and case management for families with a student who otherwise would have been placed by an open-enrollment charter school in a private residential facility. (TEC §29.013(c))

The provision of services under TEC §29.013 does not supersede or limit the responsibility of other agencies to provide or pay for costs of noneducational community-based support services to enable any student with disabilities to receive a FAPE in the least restrictive environment. Specifically, services provided under TEC §29.013 may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons. Funds cannot be used to cover services already required through the student's individual education program or for long-term care. (TEC §29.013(d))

Sec. 1. SHARED SERVICES ARRANGEMENT

INTERNATIONAL LEADERSHIP OF TEXAS, INC. may enter into a written contract to jointly operate its special education programs. Funds to which the cooperating schools/charter schools are entitled may be allocated to the schools/charter schools jointly as shared services arrangement units or shared services arrangement funds in accordance with the shared services arrangement schools/charters' agreement, TEA Guidance and Govt. Code Chapter 791 (interlocal agreements).

Sec. 1. STATE FUNDING: SPECIAL ALLOTMENTS

International Leadership of Texas (ILTexas) shall maintain records of students participating in special programs in accordance with the Commissioner of Education's rules. (19 TAC §129.21)

Sec. 2. SPECIAL EDUCATION ALLOTMENT

Each open-enrollment charter school will receive an annual allotment equal to the adjusted basic allotment multiplied by 1.1 for each student receiving special education and related services in a mainstream instructional arrangement. For each full-time equivalent student receiving special education and related services in average daily attendance in an instructional arrangement other than a mainstream instructional arrangement, the open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by a weight determined according to instructional arrangement as set forth in Section 48.102, Texas Education Code.

Funds allocated under this section, other than an indirect cost allotment established under State Board of Education ("SBOE") rule, must be used in the special education program under Subchapter A, Chapter 29. (TEC §48.102(h))

Sec. 3. COMPENSATORY EDUCATION ALLOTMENT

ILTexas must use funds allocated under TEC §48.104 for a purpose authorized in TEC §48.104(j-1), (k). (TEC §48.104)

Funds allocated under TEC §48.104 shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B (School-Based Health Centers), Chapter 39, Texas Education Code or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by TEC §29.081 (Compensatory, Intensive, and Accelerated Instruction) and all other students. Specifically, the funds, other than an indirect cost allotment established under SBOE rule, which may not exceed 45 percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under TEC §29.081 or an alternative education program established under TEC §37.008 (Disciplinary Alternative Education Programs) or to support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program under TEC §29.081, ILTexas's compensatory education allotment shall be used for costs supplementary to the regular education program, such as costs for program and student evaluation, instructional materials and equipment and other supplies required for quality instruction,

supplemental staff expenses, salary for teachers of at-risk students, smaller class size, and individualized instruction. (TEC §48.104(k))

Sec. 4. BILINGUAL EDUCATION ALLOTMENT

For each student in average daily attendance in a bilingual education or special language program under Subchapter B, Chapter 29, an open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.1. Funds allocated under this section, other than an indirect cost allotment established under SBOE rule, must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29, and must be accounted for under existing agency reporting and auditing procedures. An open-enrollment charter school's bilingual education or special language allocation may only be used for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, salary supplements for teachers, and other supplies required for quality instruction and smaller class size. (TEC §§12.104(b)(3)(G) and 42.105)

Sec. 5. CAREER AND TECHNOLOGY EDUCATION ALLOTMENT

For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 7 through 12 or in career and technology education programs for students with disabilities in grades seven through 12, an open-enrollment charter school is entitled to:

1. an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and
2. \$50 for each of the following in which the student is enrolled:
 - a. two or more advanced career and technology education classes for a total of three or more credits;
 - b. a campus designated as a P-TECH school under Section 29.566; or
 - c. a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.

For purposes of this allotment, “full-time equivalent student” means 30 hours of contact a week between a student and career and technology education program personnel.

At least 55% of the funds allocated under this section must be used in providing career and technology education programs in grades 7 through 12. (TEC §48.106).

Sec. 1. APPLICABILITY OF TITLE RELATING TO HIGH SCHOOL GRADUATION

International Leadership of Texas (ILTexas) is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code (“TEC”), or a rule adopted under Title 2 (Public Education) of the TEC, relating to high school graduation under TEC §28.025. (TEC §12.104(b)(2)(E))

Sec. 2. ARD COMMITTEE AND IEP

For each student who is at least 14 years of age and qualifies for special education, the admission, review, and dismissal (“ARD”) committee must begin transition planning. The ARD committee must also consider the student’s graduation plan and what state assessments are required for graduation. (TEC §29.0111; 19 TAC §89.1070)

Sec. 3. SPECIAL EDUCATION ELIGIBILITY UPON GRADUATION

Graduation with a regular high school diploma terminates a student’s eligibility for special education and related services. Termination of eligibility based on graduation requires ILTexas to complete a summary of performance in accordance with 34 CFR §300.305(e)(3), and prior written notice must be provided to the parent. (34 CFR §300.102)

A student who receives a diploma, but took one or more classes with a modified curriculum, may request the ARD committee determine needed educational services as long as the student meets the age eligibility requirements. Modified curriculum is defined as curriculum or content that is reduced in amount or complexity of the required Texas Essential Knowledge and Skills (“TEKS”). (19 TAC §89.1070)

Sec. 4. GRADUATION REQUIREMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student with a disability that receives special education services and who enters 9th grade in or after the 2014-2015 school year, may receive a regular high school diploma if the student:

1. Demonstrates mastery of the required states standards;
2. Completes the credit requirements under the Foundation High School Program; or
3. Achieves satisfactory performance on the required state assessment unless the ARD committee determines that satisfactory performance on the required state assessment is not necessary for graduation.

A student who receives special education services entering 9th grade in 2014-2015 or after may also earn a high school diploma if the student the student meets the above requirements and

successfully completes the individualized education program (“IEP”) and meets one of the following:

1. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable to the student to maintain employment without direct or ongoing educational support;
2. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
3. has access to services that are not within the legal responsibility of ILTexas or educational options for which the student has been prepared for by the academic program; or
4. no longer meets eligibility requirements

(19 TAC §89.1070; TEC §28.025)

Sec. 5. ENDORSEMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student receiving special education services, may receive an endorsement if the student:

1. Completes the requirements for graduation under the Foundation High School Program and completes the additional credits requirements in mathematics, science, and elective courses required for an endorsement with or without modified curriculum; or
2. Completes the courses required for the endorsement without modified curriculum; and
3. Performs satisfactorily on the state assessment.

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments is eligible for an endorsement if the student meets the other endorsement requirements.

For students receiving special education services, if the student wants to use a course to satisfy both the Foundation High School Program requirements and for the endorsement requirement, the course must be completed without modified curriculum.

(19 TAC §89.1070; TEC §28.025)

Sec. 6. TRANSITIONING TO THE FOUNDATION HIGH SCHOOL PROGRAM

For students who entered 9th grade prior to the 2014-2015 school year, a student may receive a diploma under the Foundation High School Program if the student’s ARD committee determines the student should take courses under the Foundations program and the student completes the requirements.

A student transitioning may also receive an endorsement if he or she meets the requirements.

A student who is in 11th or 12th grade in the 2014-2015, 2015-2016, or 2016-2017 school years and transitioning to the Foundation High School Program, who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate if the student met the other graduation requirements.

(19 TAC §89.1070; TEC §28.025)

Sec. 7. SUBSTITUTIONS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

a) *Language other than English*

If the ARD committee determines that a student with a disability is unable to complete two credits in the same language other than English, the ARD committee may determine to:

1. substitute a combination of two credits from ELA, math, science, or social studies; or
2. substitute two credits of CTE, technology applications, or other academic electives.

(TEC §74.12(b)(5)(D)(i); §28.025(b-14)(1))

b) *Physical Education*

In accordance with State Board of Education (“SBOE”) rules, a student who is unable to participate in physical activity due to disability or illness is allowed to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student’s ability to participate in physical activity must be made by:

- The student’s ARD committee, if the student receives special education services under the IDEA and Texas Education Code Chapter 29;
- The student’s 504 committee, if the student does not receive special education services under the IDEA or Texas Education Code Chapter 29, Subchapter A but is covered by Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794; or
- If each of the described committees is inapplicable, a committee established by the school of persons with appropriate knowledge regarding the student.

(TEC §28.025(b-11))

Credits allowed as a substitution for the language and PE requirement may not be used to satisfy other graduation credit requirements.

(TEC §28.025(b-11) and (b-14))

Sec. 8. DISTINGUISHED ACHIEVEMENT, RECOMMENDED, AND MINIMUM HIGH SCHOOL PROGRAM

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the recommended or distinguished program; and
3. Achieves satisfactory performance on the required state assessment.

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years and who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate under the recommended or distinguished program if the student met the other graduation requirements.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the minimum program; and
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards through courses, one or more of which contained modified content and is aligned with the requirements under the minimum high school program;
2. Completes credit requirements for graduation under the minimum program;
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee; and
4. Successfully completes the IEP and meets one of the following conditions:

- a. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable to the student to maintain employment without direct or ongoing educational support;
- b. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
- c. has access to services that are not within the legal responsibility of ILTexas or educational options for which the student has been prepared for by the academic program; or
- d. No longer meets eligibility requirements.

(19 TAC §89.1070)

Sec. 9. HIGH SCHOOL DIPLOMA AND CERTIFICATE; ACADEMIC ACHIEVEMENT RECORD

ILTexas does issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the SBOE under TEC §28.025(a) but who fails to comply with TEC §39.025 (Secondary-Level Performance Required) relating to exit-level assessment requirements. ILTexas does allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. (TEC §28.025(d))

Sec. 10. CERTIFICATE OF ATTENDANCE

ILTexas does issue a Certificate of Attendance to a student who receives special education services under the Individuals with Disabilities Education Act (“IDEA”), and who has completed four years of high school but has not completed the student's IEP. ILTexas shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony. Receiving a Certificate of Attendance does not preclude a student from receiving a diploma. (TEC §28.025(f))

Sec. 11. PROMOTION TO 6TH OR 9TH GRADE

A student may not be promoted to 6th grade if the student does not perform satisfactorily on the 5th grade mathematics and reading assessments.

A student may not be promoted to 9th grade if the student did not perform satisfactorily on the 8th grade mathematics and reading assessments.

Each time a student fails to perform satisfactorily on an assessment administered under Section 39.023(a) in the 3rd, 4th, 5th, 6th, 7th, or 8th grade, ILTexas shall provide the student with accelerated instruction in the applicable subject area. Accelerated instruction may require

participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations.

The ARD committee of a student who participates in ILTexas's special education program and who does not perform satisfactorily on an assessment shall determine:

1. the manner in which the student will participate in an accelerated instruction program under this section; and
2. whether the student will be promoted or retained under this section.

(TEC §28.0211)

Sec. 1. FOSTER PARENT

A foster parent may act as a parent of a child with a disability, as authorized under 20 U.S.C. §1415(b) and its subsequent amendments, if:

1. the Department of Family and Protective Services (“DFPS”) is appointed as the temporary or permanent managing conservator of the child;
2. the rights and duties of the department to make decisions regarding education provided to the child under Section 153.371, Family Code, have not been limited by court order; and
3. the foster parent agrees to:
 - a. participate in making special education decisions on the child’s behalf; and
 - b. complete a training program that complies with minimum standards established by the Texas Education Agency (“TEA”) rule.

(TEC §29.015(a))

A foster parent who will act as a parent of a child with a disability must complete a training program before the next scheduled admission, review, and dismissal (“ARD”) committee meeting for the child but not later than the 90th day after the date the foster parent begins acting as the parent for the purpose of making special education decisions. (TEX §29.015(b))

International Leadership of Texas (ILTexas) may not require a foster parent to retake a training program to continue serving as a child’s parent or to serve as the surrogate parent for another child if the foster parent has completed a training program to act as a parent of a child with a disability provided by:

1. the DFPS;
2. a school district;
3. an education service center; or
4. any other entity that receives federal funds to provide special education training to parents.

A foster parent who is denied the right to act as a parent under TEC §29.015 by an open-enrollment charter school may file a complaint with the TEA in accordance with federal law and regulations. (TEC §29.015(c))

ILTexas shall provide notice to the student’s educational decision-maker and caseworker regarding events that may significantly impact the education of a student, including:

1. requests or referrals for an evaluation under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or special education under Section 29.003;
2. ARD committee meetings;

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3. manifestation determination reviews required by Section 37.004(b);
4. any disciplinary actions under Chapter 37 for which parental notice is required;
5. citations issued for Class C misdemeanor offenses on school property or at school-sponsored activities;
6. reports of restraint and seclusion required by Section 37.0021; and
7. use of corporal punishment as provided by Section 37.0011.

(TEC §25.007)

As a condition to receiving funds under Title I, Part A, ILTexas shall collaborate with the state or local child welfare agency to:

- a. ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S.C. 675(4)(A) and to the extent required by law; and
- b. ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, ILTexas will, to the extent required by law, provide transportation to the school of origin if:
 - i. the local child welfare agency agrees to reimburse ILTexas for the cost of transportation;
 - ii. ILTexas agrees to pay the cost of transportation; or
 - iii. ILTexas and the local welfare agency agree to share the cost of such transportation.

20 U.S.C. 6312(c)(5).

Sec. 2. SEC. 6.21.2. SURROGATE PARENT

ILTexas must appoint an individual to serve as the surrogate parent for a child if:

1. ILTexas is unable to identify or locate a parent for a child with a disability; or
2. the foster parent of a child is unwilling or unable to serve as a parent.

A surrogate parent appointed by ILTexas may not:

1. be an employee of the state, ILTexas, or any other agency involved in the education or care of the child; or
2. have any interest that conflicts with the interests of the child.

A surrogate parent must:

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1. be willing to serve in that capacity;
2. exercise independent judgement in pursuing the child's interests;
3. ensure that the child's due process rights under applicable state and federal laws are not violated;
4. complete a training program that complies with minimum standards established by agency rule before the next scheduled admission, review, and dismissal committee meeting for the child but not later than the 90th day after the date the surrogate parent is appointed;
5. visit the child and the school where the child is enrolled;
6. review the child's educational records;
7. consult with any person involved in the child's education, including the child's teachers, caseworkers, court-appointed volunteers, guardian ad litem, attorney ad litem, foster parent, and caregiver; and
8. attend meetings of the child's admission, review, and dismissal committee.

ILTexas may appoint a person who has been appointed to serve as a child's guardian ad litem or as a court-certified volunteer advocate as the child's surrogate parent. As soon as practicable after appointing a surrogate parent ILTexas shall provide written notice of the appointment to the child's educational decision-maker and caseworker.

If a court appoints a surrogate parent for a child with a disability and the ILTexas determines that the surrogate parent is failing to perform or is not properly performing the duties listed in this policy, ILTexas shall consult with the DFPS regarding whether another person should be appointed to serve as the surrogate parent for the child.

Sec. 1. CHILD FIND PRIVATE SCHOOL STUDENTS

International Leadership of Texas (ILTexas) shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives, regarding the child find process and the provision of special education and related services to children enrolled in private schools within ILTexas's boundaries.

ILTexas shall undertake activities similar to those undertaken for children enrolled in public schools and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within ILTexas's boundaries. 20 U.S.C. 1412(a)(10)(A)(ii)–(iv).

Sec. 2. SPECIAL EDUCATION STUDENTS PLACED IN PRIVATE SCHOOL

a) Placement by ILTexas

If ILTexas places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, ILTexas shall ensure that the child is provided special education and related services, in accordance with an individualized education program ("IEP"), at no cost to the parents. 20 U.S.C. 1412(a)(10)(B)(i).

b) Placement by the Parent

When a student with a disability who has been placed by his or her parent directly in a private school is referred to ILTexas, ILTexas shall convene an admission, review, and dismissal ("ARD") committee to determine whether ILTexas can offer the child a free appropriate public education ("FAPE"). If ILTexas determines that it can offer a FAPE to the student, ILTexas is not responsible for providing educational services to the student, except as provided in 34 CFR 300.130–300.144 or 19 TAC 89.1096(e), until such time as the parents choose to enroll the student in ILTexas full time. 19 TAC 89.1096(b).

Sec. 3. REJECTION OF OFFER OF FAPE

a) Student Receives ISP

If ILTexas offers to provide a FAPE to a child with a disability and the parents elect to place the child in a private school or facility, ILTexas is not required to pay for the cost of education, including special education and related services. However, ILTexas must develop and implement an individualized services plan ("ISP") for the child. 20 U.S.C. 1412(a)(10)(C)(i); 34 CFR 300.148(a).

b) *Reimbursement*

If the parents of a child with a disability, who previously received special education and related services under the authority of ILTexas, enroll the child in a private school without the consent or referral by ILTexas, a court or a hearing officer may require ILTexas to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that ILTexas had not made a FAPE available to the child in a timely manner before the enrollment. 20 U.S.C. 1412(a)(10)(C)(ii); 34 CFR 300.148(c).

Student records shall be maintained for each student from the time the student is in attendance at International Leadership of Texas (ILTexas) until withdrawal or graduation from ILTexas. These records shall move with the respective student from campus to campus. Records for students not in attendance and/or withdrawn students and graduates shall be retained for the period of time required by law. No permanent records may be destroyed without explicit written permission from the Superintendent.

Sec. 1. EDUCATION RECORDS

a) *“Education Records” Defined*

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by ILTexas or by a person acting for ILTexas.

The term “education records” does not include:

1. Records that are created or received by ILTexas after an individual is no longer a student in attendance, and that are not directly related to the individual’s attendance as a student.
2. Records made by ILTexas personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of ILTexas that were created by that law enforcement unit for the purpose of law enforcement.
4. Records on a student who is eighteen years of age or older, or who is attending an institution of postsecondary education, that are:
 - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - b. Made, maintained, or used only in connection with treatment of the student; and
 - c. Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

State and federal law safeguard educational records from unauthorized inspection or use. All information relating to student performance, including grades, test results, and disciplinary records are considered confidential educational records. Release of those records are restricted to parents; school staff members with a legitimate educational interest; various governmental agencies or in response to a subpoena or court order; or a school to which the student transfers or subsequently

enrolls. Release to any other person or agency will occur only with prior written consent of the parent.

b) *Screening Records*

The Principal of each ILTexas campus shall maintain records of screening for special senses and communication disorders, spinal screening, and assessment for type 2 diabetes for each student in ILTexas. Records shall be open for inspection by the state or local health department. The Texas-Mexico Border Health Coordination Office may, directly or through local health departments, enter a school and inspect records relating to assessment for type 2 diabetes. Individual screening records may be transferred among schools in accordance with Section 2-d (Access by Other Persons) below.

c) *Immunization Records*

ILTexas shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by the Texas Education Agency (“TEA”) or by representatives of local health departments or the Texas Department of State Health Services (“TDSHS”). ILTexas shall cooperate with other districts and schools in transferring students’ immunization records between other schools. Specific approval from students or parents is not required prior to making such record transfers.

d) *Medical Records*

The parent of a student is entitled to access the student’s medical records maintained by ILTexas. On request of a student’s parent, ILTexas shall provide a copy of the student’s medical records to the parent. ILTexas may not impose a charge that exceeds the amount authorized by Section 552.261 of the Government Code.

e) *Privacy Rule for Non-“Education Records”*

To the extent ILTexas is a covered entity under the Health Insurance Portability and Accountability Act (“HIPAA”), ILTexas must comply with the Privacy Rule, 45 CFR Part 164, with respect to protected health information that is not an education record.

f) *Food Allergy Information*

Information regarding a child’s food allergy, regardless of how it is received by ILTexas, shall be retained in the child’s student records, but may not be placed in the health record maintained for the child by ILTexas.

i. Exceptions

If ILTexas receives documentation of a food allergy from a physician, that documentation shall be placed in the health record maintained for the child by ILTexas. A registered nurse may enter appropriate notes about a child's possible food allergy in the health record maintained for the child by ILTexas, including a notation that the child's student records indicate that a parent has notified ILTexas of the child's possible food allergy.

g) **Assessment Instruments**

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by ILTexas are confidential and may be made available only to the student, the student's parent, and to ILTexas personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by ethnicity, sex, grade level, subject area, campus, and school system, and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names of individual students or teachers.

h) **Academic Achievement Records (Grades 9–12)**

ILTexas shall use the academic achievement record (transcript) form adopted by the State Board of Education ("SBOE"). This form shall serve as the academic record for each student and shall be maintained permanently by ILTexas. Copies of the record shall be made available to students transferring to another district. The information may be provided to the student or to the receiving district or to both. ILTexas shall respond promptly to all requests for student records from receiving districts.

i) **Enrollment Records**

If a parent or other person with legal control of a child enrolls the child in ILTexas, the parent or other person, or the school district in which the child most recently attended school, shall furnish to ILTexas all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the Commissioner of Education in the Student Attendance Accounting Handbook.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

ILTexas must furnish information under items 1 and 2 not later than the tenth working day after the date ILTexas receives a request for the information.

If a parent or other person with legal control of a child under a court order requests that ILTexas transfer a child's student records, ILTexas shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

Sec. 2. ACCESS, DISCLOSURE, AND AMENDMENT

a) *Definitions*

i. "Attendance"

"Attendance" includes, but is not limited to:

1. Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
2. The period during which a person is working under a work-study program.

ii. "Disclosure"

"Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

iii. "Parent"

"Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

iv. "Personally Identifiable Information"

"Personally identifiable information" includes, but is not limited to:

1. The student's name;
2. The name of the student's parent or other family members;
3. The address of the student or student's family;
4. A personal identifier, such as the student's biometric record, defined as a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA

sequence, facial characteristics, and handwriting); social security number; or student number;

5. Other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. Information requested by a person who ILTexas reasonably believes knows the identity of the student to whom the education record relates.

v. “Record”

“Record” means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche.

vi. “Authorized Representative”

“Authorized representative” means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 C.F.R. 99.31(a)(3) to conduct—with respect to federal- or state-supported education programs—any audit, evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

vii. “Education Program”

“Education program” means any program that is principally engaged in the provision of education, including but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by ILTexas.

viii. “Signed and Dated Written Consent”

“Signed and dated written consent” may include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person’s approval of the information contained in the electronic consent.

b) *Access by Parents*

Access to the education records of a student who is or has been in attendance at ILTexas shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes.

ILTexas shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. A court may order the custodian of records to delete all references in a child's records to the place of residence of either party appointed as conservator before their release to another party appointed as conservator.

c) *Access by Student*

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

Nothing in this section prevents ILTexas from disclosing education records, or personally identifiable information from education records, to a parent without prior written consent of an eligible student if the disclosure meets the conditions in 34 CFR 99.31(a), including if the student is a dependent for tax purposes or in the case of a health or safety emergency.

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

d) *Access by Other Persons*

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

i. *School Officials*

ILTexas may disclose personally identifiable information without parent consent when disclosure is made to school officials with legitimate educational interest in the information. A school official is:

1. A person employed by ILTexas as an administrator, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
2. A person serving on the Board.

3. A person or company with whom ILTexas has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).
4. A consultant, contractor, volunteer, or other party to whom ILTexas has outsourced institutional services or functions, provided that the outside party:
 - a. Performs an institutional service or function for which ILTexas would otherwise use employees;
 - b. Is under the direct control of ILTexas with respect to the use and maintenance of education records; and
 - c. Is subject to the requirements of 34 CFR 99.33(a) governing the use and redisclosure of personally identifiable information from education records.
5. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

ILTexas must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

ii. Officials of Other Schools

Officials of other schools or school systems in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer, provided that ILTexas either:

1. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
2. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent).

In either case, ILTexas shall furnish a copy of the transferred records to the parent if requested and shall give the parent an opportunity for a hearing to challenge the content of the record.

iii. Authorized Governmental Representatives

Authorized representatives of the officials or agencies headed by the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal- or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

ILTexas may not refuse to report information concerning a student holding an F, J, or M visa on the basis of the Family Educational Rights and Privacy Act (“FERPA”) and any regulation implementing FERPA. ILTexas is authorized and required to report information that would ordinarily be protected by FERPA only to the extent required by 8 U.S.C. 1372, 8 CFR 214.3, or any corresponding regulation.

iv. *Financial Aid Personnel*

Personnel involved with a student’s application for, or receipt of, financial aid.

v. *Juvenile Justice Officials*

State and local officials to whom such information is specifically allowed to be reported or disclosed by state statute if:

1. The allowed reporting or disclosure concerns the juvenile justice system and its ability to effectively serve the student whose records are released, and
2. The officials and authorities to whom such information is disclosed certify in writing to ILTexas that the information will not be disclosed to any other party except as provided under state law without the prior written consent of the parent of the student.

vi. *Organizations Conducting Surveys*

Organizations conducting studies for, or on behalf of, ILTexas for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies who have legitimate interests in the information. Such information must be destroyed when no longer needed for the original purposes of the studies.

ILTexas must enter into a written agreement with the organization that:

1. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
2. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;
3. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and
4. Requires the organization to destroy or return to ILTexas all personally identifiable information when the information is no longer needed for the purposes for which the study

was conducted and specifies the time period in which the information must be returned or destroyed.

If ILTexas enters into an agreement with an organization conducting a study, it may redisclose personally identifiable information from education records on behalf of educational agencies and institutions that disclosed the information to ILTexas in accordance with the requirements of 34 C.F.R. 99.33(b).

ILTexas is not required to initiate a study or agree with or endorse the conclusions or results of the study.

vii. Accrediting Organizations

Accrediting organizations that require the information for purposes of accreditation.

viii. Health & Safety Emergency

Appropriate persons, including the student's parents, who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

In making a determination, ILTexas may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If ILTexas determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

ix. Secretary of Agriculture

The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of schools receiving funding or providing benefits of programs authorized under the National School Lunch Act or the Child Nutrition Act.

x. State or Local Child Welfare Agency

An agency caseworker or other representative of a state or local child welfare agency who has the right to access a student's case plan when the agency is legally responsible, in accordance with state law, for the care and protection of the student.

xi. Directory Information

Any person requesting directory information after ILTexas has given public notice of that definition

e) *Written Consent*

The parent shall provide a signed and dated written consent before ILTexas discloses personally identifiable information from a student's education records to any individual, agency, or organization other than the parent, the student, or those listed above. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released.

f) *Instructional Resources and Parental Rights*

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U. S. Department of Education ("DOE") shall be available for inspection by the parents of students.

g) *Information Collection*

i. *DOE Funded Surveys*

No student shall be required, as part of any program funded in whole or in part by the DOE, to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent:

1. Political affiliations or beliefs of the student or the student's parents.
2. Mental and psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

ii. *Information Collection Funded by Other Sources*

Except as provided by 20 U.S.C. 1232h(a) or (b), as a condition of receiving funds from programs funded in whole or in part by the DOE, ILTexas shall develop and adopt policies, in consultation

with parents, pursuant to 20 U.S.C. 1232h(c)(1), and provide for parent notification in accordance with 20 U.S.C. 1232(c)(2).

iii. Subpoenaed Records

ILTexas shall release student records to an entity or persons designated in a subpoena. ILTexas shall not disclose to any person the existence or contents of the subpoena if a court orders ILTexas to refrain from such disclosure. Unless the court or other issuing agency orders ILTexas to refrain from such disclosure or the order is an *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331, ILTexas shall make a reasonable effort to notify the parents and the student of all such subpoenas in advance of compliance.

iv. Sex Offenders

ILTexas may disclose personally identifiable information without consent if the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to ILTexas under 42 U.S.C. 14071 and applicable federal guidelines.

h) Parental Rights and Student Privacy

As a condition of receiving funds under any applicable program, ILTexas adopts the following policies, pursuant to 20 U.S.C. 1232h(c)(1):

1. Parents have a right to inspect any survey created by a third party before the survey is administered or distributed by ILTexas to the student. Parents should submit such a request to the Principal, and shall be provided an opportunity to inspect the survey within a reasonable period of time as determined by the Principal. Upon a parent's request to inspect a survey, the parent's child shall not participate in the survey until the parent has had a reasonable opportunity to inspect the survey, as determined by the Principal.
2. In the event a survey contains the items listed above, and is administered or distributed to students, ILTexas shall comply with FERPA and other applicable law to protect student privacy.
3. Parents have a right to inspect any instructional material used in the educational curriculum for the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal.

4. ILTexas may administer physical examinations or other screenings to students as required and/or authorized by state or federal law and in accordance with other applicable policy.
5. ILTexas shall not collect, disclose, or use a student's personal information for the purpose of marketing or selling that information to third parties. This policy does not apply to or restrict the use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services offered by ILTexas, for or to students or educational institutions, such as recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs, or as otherwise required by law. This policy is also subject to state and federal public information laws and FERPA, that makes some student personal information, defined in this policy as "Directory Information," public.
6. Parents have a right to inspect any instrument used in collection of personal information, described above, before the instrument is administered to the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal. Upon a parent's request to inspect such an instrument, the parent's child shall not participate until the parent has had a reasonable opportunity to inspect the instrument, as determined by the Principal.

The Superintendent shall ensure that parents are provided reasonable notice of the adoption or continued use of these policies. Such notice shall be provided directly to the parents of the students in attendance at ILTexas. At a minimum, ILTexas shall:

1. Provide notice at least annually, at the beginning of the school year and within a reasonable time after any substantive change in the policies; and
2. Offer an opportunity for the parent to opt the student out of participation in an activity described above.

i) *Request Procedure*

ILTexas must permit parents to inspect and review education records related to their children that are collected, maintained, or used by the ILTexas under the IDEA. ILTexas must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made.

j) *Destruction of Records*

ILTexas shall not destroy any education records if there is an outstanding request to inspect and review the records.

k) *De-Identified Records*

ILTexas, or a party that has received education records or information from education records, may release the records or information without the parent's written consent after the removal of all personally identifiable information provided that ILTexas or other party has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

l) *Education Research*

ILTexas, or a party that has received education records or information from education records, may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. ILTexas or other party that releases de-identified data under this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's social security number or other personal information.

m) *Authenticating Requestors' Identities*

ILTexas must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom ILTexas discloses personally identifiable information from education records.

n) *Transfer Not Permitted*

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent. If a third party permits access to information in violation of this policy, ILTexas shall not permit access to information from education records to that third party for a period of not less than five years.

ILTexas shall inform a party to whom a disclosure is made of the requirements of 34 CFR 99.33, unless the disclosure is made pursuant to a court order, lawfully issued subpoena, or litigation; the disclosed information is directory information; the disclosure concerns sex offenders; or the disclosure is made to a parent of a student who is not an eligible student or to a student.

ILTexas may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of ILTexas if:

1. The disclosures meet the requirements of 34 CFR 99.31; and
2. ILTexas has complied with the requirements of 34 CFR 99.32(b) regarding the record of disclosure; or a state or local educational authority or federal official or agency listed requesting information through a subpoena or ex parte order has complied with the requirements of 34 CFR 99.32(b)(2).

o) Record of Access to Student Records

Each campus shall maintain a record, kept with the education record of each student, that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records, as well as the names of state and local educational authorities and federal officials and agencies listed in 34 CFR 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent. ILTexas must obtain a copy of the record of further disclosures maintained by the named authorities, officials, and agencies under 34 CFR 99.32(b)(2) and make it available in response to a parent's request to review the record.

ILTexas must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception (see Section 2-d-viii above):

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom ILTexas disclosed the information.

The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as ILTexas maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

The record shall not include requests for access by, or access granted to, parents of the student or officials of ILTexas, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving records in accordance with a subpoena or ex parte order.

p) *Right to Amend Records*

The parent of a student whose records are covered by this policy may ask ILTexas to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If ILTexas decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student's education records.

If ILTexas decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, ILTexas decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of ILTexas. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

q) *Fees for Copies*

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

r) *Records of Students with Disabilities*

ILTexas shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

i. Access Rights

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with disabilities request to review or inspect school records relating to the education of their child:

1. Parents may request that a representative inspect and review the records.

2. ILTexas shall comply with a request without unnecessary delay and before any meeting regarding an IEP or hearing relating to the identification, evaluation, or placement of the child, and in no case longer than 45 days after the request.
3. ILTexas shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees), including name, date of access, and the purpose for which the person is authorized to use the records.

ii. List of Types and Locations of Information

ILTexas shall provide parents on request a list of types and locations of education records.

iii. Parental Consent

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the IDEA or disclosed to anyone other than officials of agencies collecting or using this information. ILTexas may not release information from these records without parental consent except as provided in FERPA.

iv. Confidentiality

ILTexas shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in ILTexas shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. ILTexas shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information.

v. Destruction of Information

ILTexas shall inform parents when personally identifiable information collected, maintained, or used to provide special education and related services is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parents.

A permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

s) ***Annual Notification of Rights***

ILTexas shall give parents of students in attendance and eligible students in attendance annual notification of their rights under FERPA.

The notice must inform parents or eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and 34 CFR 99.31 authorize disclosure without consent; and
4. File with the DOE a complaint under 34 CFR 99.63 and 99.64 concerning alleged failures by ILTexas to comply with the requirements of the Act and 34 CFR part 99.

The notice must include all of the following:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records under 34 CFR 99.20.
3. If ILTexas has a policy of disclosing education records under 34 CFR 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

ILTexas may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights. ILTexas shall effectively notify parents who are disabled and parents of students who have a primary or home language other than English.

t) *Custodian of Records*

The Superintendent or designee is designated as the custodian of all student records. The Principal of each campus is designated as an agent of the Superintendent or designee for the purposes of the receipt of requests concerning the disclosure of student records.

Sec. 3. DIRECTORY INFORMATION

Certain information about students is considered "directory information" and will be released to anyone who follows procedures for requesting it unless the parent or eligible student objects in writing to its release, within a reasonable time period set by the Superintendent, of receiving notice of FERPA rights. A parent or eligible student may also choose to opt out of the release of directory information at any time during the school year. At any time after restricting the release of directory information, a parent or eligible student may in writing authorize ILTexas to release directory information.

a) Definition

ILTexas has designated the following categories of information as directory information for the purpose of disclosure relating solely to school-sponsored/school-affiliated purposes:

1. Student's name;
2. Address;
3. Telephone listing;
4. Electronic mail address;
5. Photographs (including video images);
6. Date and place of birth;
7. Major field of study;
8. Dates of attendance;
9. Grade level;
10. Participation in officially recognized activities and sports;
11. Weight and height of members of athletic teams;
12. Degrees, honors, and awards received; and
13. The most recent educational agency or institution attended.

“Directory information” does not include a student’s:

1. Social security number; or
2. Student identification number, unless the student identification number, user identification number, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user.

School-sponsored/school-affiliated purposes are those events/activities that ILTexas conducts and/or sponsors to support ILTexas’s educational mission. Examples include, but are not limited to:

1. Extracurricular programs or events (e.g., school plays, concerts, athletic events, graduation ceremonies).
2. Publications (e.g., newsletters, yearbook, etc.).
3. Honor roll and other student recognition lists.
4. Marketing materials of the School (e.g., print media, website, videos, newspaper, etc.).

ILTexas has designated the following categories of information for the purpose of disclosure to military recruiters and institutions of higher education, but only for secondary students:

1. Student's name;
2. Address;
3. Telephone listing; and
4. E-mail address.

b) *Disclosure of Directory Information*

ILTexas shall not release directory information except for the purposes indicated above, namely:

1. Disclosure relating to school-sponsored/school-affiliated purposes; and
2. Disclosure to military recruiters and institutions of higher education, but only for secondary students.

c) *In Class*

A parent or eligible student may not use the right of refusal to opt out of directory information disclosures to prevent ILTexas from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

d) *Former Students*

ILTexas may disclose directory information about former students without satisfying the public notice conditions above. However, ILTexas must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt-out request.

e) *Confirmation of Identity or Records*

ILTexas may not disclose or confirm directory information without meeting the written consent requirements in 34 CFR 99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

f) *Designation of Directory Information*

ILTexas may designate as directory information any or all information defined as directory information by FERPA. Directory information under that Act that is not designated by ILTexas as directory information is excepted from disclosure by ILTexas under Government Code Chapter 552.

Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or school publication, if any such purpose has been designated by ILTexas, remains otherwise confidential and may not be released under Government Code Chapter 552.

g) Student Recruiting Information

Notwithstanding the provisions of Section 3 (Directory Information) above, upon receipt of assistance under the Elementary and Secondary Education Act of 1965 (ESEA), ILTexas shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described above not be released without prior written parental consent. ILTexas shall notify parents of the option to make a request and shall comply with any request.

Sec. 4. INFORMATION FROM LAW ENFORCEMENT

a) Oral Notice of Arrest or Referral

Upon receipt of oral notice from a law enforcement agency that it has arrested a student or referred a student to the juvenile board for a specified offense, the Superintendent shall promptly notify all instructional and support personnel who have responsibility for supervising the student. All personnel shall keep the information received confidential.

b) Written Notice of Arrest or Referral

Upon subsequent receipt of confidential, written notice of the arrest or referral, the Superintendent or designee may send the information in the confidential notice to a School employee having direct supervisory responsibility over the student if the Superintendent or designee determines that the employee needs the information for educational purposes or for the protection of the person informed or others.

c) Oral Notice of Conviction or Adjudication

Upon receipt of oral notice from a prosecuting attorney of a student's conviction, deferred prosecution, or adjudication of a specified offense, including a statement as to whether the student is required to register as a sex offender, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

d) *Notice of Transfer or Reenrollment*

Upon receipt of notice from a parole, probation, or community supervision office having jurisdiction over a student that a student has transferred or reenrolled, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

A person who receives information described above shall not disclose it except as specifically authorized by Code of Criminal Procedure 15.27.

Information received by ILTexas under this provision shall not be attached to the permanent academic file of the student who is the subject of the report. ILTexas shall destroy the information at the end of the academic year in which the report was filed.

e) *Duty to Flag Records*

Upon receipt of notification from a law enforcement agency or the missing children and missing persons information clearinghouse that a child under 11 years of age who attended or who is enrolled in ILTexas is missing, ILTexas shall flag the child's records and maintain the records in its possession so that on receipt of a request regarding the child, ILTexas will be able to notify law enforcement or the missing children and missing persons information clearinghouse that a request for a flagged record has been made.

i. Request in Person

When a request for a flagged record is made in person, ILTexas may not advise the requesting party that the request concerns a missing child and shall:

1. Require the person requesting the flagged record to complete a form stating the person's name, address, telephone number, and relationship to the child for whom a request is made, and the name, address, and birth date of the child;
2. Obtain a copy of the requesting party's driver's license or other photographic identification, if possible;
3. If the request is for a birth certificate, inform the requesting party that a copy of a certificate will be sent by mail; and
4. Immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and include a physical description of the requesting party, the identity and address of the requesting party, and a copy of the requesting party's driver's license or other photographic identification.

After providing the information listed above, ILTexas shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

ii. Request in Writing

When a request for a flagged record is made in writing, ILTexas may not advise the requesting party that the request concerns a missing child and shall immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and provide to the law enforcement agency a copy of the written request. After providing the notification, ILTexas shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

iii. Removal of Flag

On the return of a missing child under 11 years of age, the law enforcement agency shall notify each school that has maintained flagged records for the child that the child is no longer missing. On receipt of this notification, ILTexas shall remove the flag from the records.

A school that has reason to believe that a missing child has been recovered may request confirmation that the missing child has been recovered from the appropriate law enforcement agency or the missing children and missing persons information clearing-house. If a response is not received after the 45th day after the date of the request for confirmation, ILTexas may remove the flag from the record and shall inform the law enforcement agency or the missing children and missing persons information clearing-house that the flag has been removed.

Sec. 5. ACCESS TO RECORDS UNDER THE IDEA

The IDEA grants parents the right to inspect and review all educational records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. 34 CFR § 300.501(a). ILTexas must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the district under the IDEA. ILTexas must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made. 34 CFR § 300.613(a).

Sec. 1. DEFINITIONS

a) “Records”

The term “records” means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other recording media, regardless of physical form or characteristic, and regardless of whether public access to it is open or restricted under the laws of the state, created or received by International Leadership of Texas (ILTexas), or any of its officers or employees pursuant to law or in the transaction of public business, are hereby declared to be the records of ILTexas and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

The term “records” does not include:

1. Convenience copies: “Extra identical copies of documents created only for convenience of reference or research.”
2. Copies of documents furnished to the public (to fulfill a Public Information Act request).
3. Blank forms/stocks of publications.
4. Library or museum materials.

b) “Essential Record”

The term “essential record” means any record of ILTexas necessary to the resumption or continuation of operations of ILTexas in an emergency or disaster, to the recreation of the legal and financial status of ILTexas, or to the protection and fulfillment of obligations to the people of the state.

c) “Records Management”

The term “records management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographic and electronic and other records storage systems.

d) “Records Liaison Officers”

The term “records liaison officers” means the persons designated under Section 9 of this policy.

e) ***“Records Management Committee”***

The term “records management committee” means the committee established under Section 5 of this policy.

f) ***“Records Management Officer”***

The term “records management officer” means the person designated in Section 4 of this policy.

g) ***“Records Management Plan”***

The term “records management plan” means the plan developed under Section 6 of this policy.

Sec. 2. RECORDS DECLARED PUBLIC PROPERTY

All records as defined in Section 1 of this policy are hereby declared to be the property of ILTexas. No official or employee of ILTexas has, by virtue of his or her position, any personal or property right to such records, even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Sec. 3. POLICY

It is hereby declared to be the policy of ILTexas to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

Sec. 4. RECORDS MANAGEMENT OFFICER

Kaitlan Estes, Digital Librarian for Document and Records Control, will serve as Records Management Officer for ILTexas as provided by law, and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

Sec. 5. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES

The Records Management Officer, in consultation with the Human Resource Director, shall appoint a Records Management Committee consisting of:

1. A Human Resource Department Supervisor; and
2. A financial officer for ILTexas; and
3. An executive or administrative officer for ILTexas

The committee shall:

1. Assist the Records Management Officer in the development of policies and procedures governing the records management program;
2. Review the performance of the program on a regular basis and propose changes and improvements if needed;
3. Review and approve records control schedules submitted by the Records Management Officer;
4. Give final approval to the destruction of records in accordance with approved records control schedules; and
5. Actively support and promote the records management program throughout ILTexas.

Sec. 6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN

The Records Management Officer and the Records Management Committee shall develop a records management plan for ILTexas to be submitted to the Board. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of ILTexas, and to properly preserve those records of ILTexas that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this policy effectively.

Once approved by the Board, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of ILTexas, and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.

Sec. 7. DUTIES OF RECORDS MANAGEMENT OFFICER

In addition to other duties assigned in this policy, the Records Management Officer shall:

1. Administer the records management program and provide assistance to department heads in its implementation;
2. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
3. In cooperation with Principals and department heads, identify essential records and establish a disaster plan for each ILTexas campus and department to ensure maximum

availability of the records in order to re-establish operations quickly and with minimum disruption and expense;

4. Develop procedures to ensure the permanent preservation of the historically valuable records of ILTexas;
5. Establish standards for filing and storage equipment and for record keeping supplies;
6. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for ILTexas;
7. Provide records management advice and assistance to all ILTexas departments by preparing a manual or manuals of procedure and policy and by on-site consultation;
8. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and ILTexas's records control schedules are in compliance with state regulations;
9. Disseminate to the Board, department heads, and Principals information concerning state laws and administrative rules relating to local government records;
10. Instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
11. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this policy;
12. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of ILTexas records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
13. Maintain records on the volume of records destroyed under approved records -- control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
14. Report annually to the Superintendent on the implementation of the records management plan in each department of ILTexas; and
15. Bring to the attention of the Superintendent non-compliance by department heads, Principals, or other ILTexas personnel with the policies and procedures of the records management program or the Local Government Records Act.

Sec. 8. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS AND PRINCIPALS

In addition to other duties assigned in this policy, department heads and Principals shall:

1. Cooperate with the Records Management Officer in carrying out the policies and procedures established by ILTexas for the efficient and economical management of records and in carrying out the requirements of this policy;
2. Adequately document the transaction of government business and the services, programs, and duties for which the department head, principal, and his or her staff are responsible; and

3. Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of ILTexas and the requirements of this policy.

Sec. 9. DESIGNATION OF RECORDS LIAISON OFFICERS

Each department head and Principal shall designate a member of his or her staff to serve as a Records Liaison Officer for the implementation of the records management program in the department.

If the Records Management Officer determines that in the best interests of the records management program more than one Records Liaison Officer should be designated for a department, the department head or Principal shall designate the number of Records Liaison Officers specified by the Records Management Officer.

Persons designated as Records Liaison Officers shall be thoroughly familiar with all records created and maintained by the department.

In the event of the resignation, retirement, dismissal, or removal by action of the department head or Principal of a person designated as a Records Liaison Officer, the department head or Principal shall promptly designate another person to fill the vacancy.

A department head or Principal may serve as Records Liaison Officer for his or her department.

Sec. 10. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS

In addition to other duties assigned in this policy, Records Liaison Officers shall:

1. Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
2. In cooperation with the Records Management Officer, coordinate and implement the policies and procedures of the records management program in their department; and
3. Disseminate information to department staff concerning the records management program.

Sec. 11. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE

1. The Records Management Officer, in cooperation with department heads, Principals, and Records Liaison Officers, shall prepare records control schedules on a department by department basis, listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of ILTexas records as the records management plan may require.

2. Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state, and that it continues to reflect the record keeping procedures and needs of the department and the records management program of ILTexas.
3. Before its adoption, a records control schedule or amended schedule for a department must be approved by the department head or Principal and the members of the Records Management Committee.
4. Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

Sec. 12. IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE

1. A records control schedule for a department that has been approved and adopted under Section 11 shall be implemented by department heads, principals and Records Liaison Officers according to the policies and procedures of the records management plan.
2. A record whose retention period has expired on a record control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the records is pertinent to a pending lawsuit, or the department head or principal requests in writing to the Records Management Committee that the record be retained for an additional period.
3. Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee.

Sec. 13. DESTRUCTION OF UNSCHEDULED RECORDS

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

Sec. 14. CONTRACT SERVICES

With approval of the Board, the Records Management Officer and Committee may assign and delegate duties under this Policy to contracted services. The engagement of contract services will not relieve persons assigned and responsible under this policy from such assignment and responsibilities.

Sec. 15. RECORD OF ACCESS

ILTexas shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. The record of access shall be maintained with the education records of the student as long as the records are maintained.

Sec. 1. DEFINITIONS

For purposes of this policy, the following terms will have the meanings set forth below:

“Parent” means a person standing in parental relation to a child, including a guardian, and whose child receives special education and related services and assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

“Staff member” means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a self-contained classroom or other special education setting.

“Board” means a majority of the International Leadership of Texas (ILTexas) Board of Directors.

“School business day” means a day that campus or ILTexas administrative offices are open.

“Time-Out” has the meaning assigned by Education Code 37.0021.

“Self-contained classroom” means a classroom on a regular ILTexas campus (*i.e.*, a campus that serves students in general education and students in special education) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the Texas Education Agency (“TEA”):

1. self-contained (mild/moderate/severe) regular campus;
2. full-time early childhood (preschool program for children with disabilities) special education setting;
3. residential care and treatment facility--self-contained (mild/moderate/severe) regular campus;
4. residential care and treatment facility--full-time early childhood special education setting;
5. off home campus--self-contained (mild/moderate/severe) regular campus; or
6. off home campus--full-time early childhood special education setting.

“Other special education setting” means a classroom on a separate ILTexas campus (*i.e.*, a campus that serves only students who receive special education and related services) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the TEA:

1. residential care and treatment facility--separate campus; or
2. off home campus--separate campus.

“**Incident**” means an event or circumstance that involves alleged “abuse” or “neglect,” as those terms are described in Texas Family Code §261.001, of a student by a ILTexas employee or alleged “physical abuse” or “sexual abuse,” as those terms are described in Texas Family Code § 261.410, of a student by another student; and allegedly occurred in a self-contained classroom or other special education setting in which video surveillance is conducted under Texas Education Code §29.022.

Sec. 2. PROMOTION OF STUDENT SAFETY

ILTexas will, upon receipt of a written request authorized by this policy, provide equipment, including a video camera, to the school or schools specified in the request

A school or campus that receives equipment due to a video surveillance request shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

ILTexas may not:

1. allow regular or continual monitoring of video recorded under this policy; or
2. use video recorded under this policy for routine teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

Sec. 3. PROCEDURES FOR REQUESTING VIDEO SURVEILLANCE

Video surveillance under this policy is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings.

a) Parent Request

A parent may request in writing that equipment be provided to the school or campus at which the parent’s child receives special education services in one or more self-contained classrooms or other special education settings.

b) Board Request

The Board may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in self-contained classrooms or other special education settings.

c) *Principal or Assistant Principal Request*

The Principal or Assistant Principal of a school or campus at which one or more children receive special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the Principal's or Assistant Principal's school or campus.

d) *Staff Member Request*

A staff member assigned to work with one or more children receiving special education services in a self-contained classroom or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works.

e) *Additional Procedures*

A school or campus that receives equipment as a result of the request of a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable.

A school or campus that receives equipment as a result of the request by the Board, Principal, or Assistant Principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings.

ILTexas shall designate an administrator (the "Administrator") at the ILTexas Central Office with responsibility for coordinating the provision of equipment to schools and campuses in compliance with this policy.

A written request must be submitted and acted on as follows:

1. A parent, staff member, or Assistant Principal must submit a request to the Principal or designee of the school or campus addressed in the request, and the Principal or designee must provide a copy of the request to the Administrator.
2. A Principal must submit a request by the Principal to the Administrator.
3. The Board must submit a request to the Administrator, and the Administrator must provide a copy of the request to the Principal or designee of the school or campus addressed in the request.

ILTexas shall provide a response to a request not later than the seventh school business day after receipt of the request by the person to whom it must be submitted that either authorizes the request or states the reason for denying the request. Unless granted an extension by the TEA, the school or campus must begin operation of a video camera in compliance with this policy not later than

the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized.

A parent of a student whose admission, review, and dismissal (“ARD”) committee has determined that the student’s placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed to make a request for the video camera by the later of the date on which the current school year ends, or the 10th school business day after the date of the placement determination by the ARD committee. Unless the TEA grants an extension of time, the school or campus must begin operation of a video camera not later than the later of the 10th school day of the fall semester or the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

Sec. 4. ADVANCE WRITTEN NOTICE TO CAMPUS STAFF AND PARENTS

Before ILTexas activates a video camera in a classroom or other special education setting, ILTexas shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting. This notice shall be in the form of a “Notice of Installation of Video and Audio Recording Equipment” form adopted by the Superintendent or designee, and shall be distributed to all parties prior to the start of recording.

At ILTexas’s discretion, campuses may post a notice at the entrance of any self-contained classroom or other special education setting in which video camera are placed stating that video and audio surveillance are conducted in the classroom or setting.

Sec. 5. TIMES OF OPERATION

Cameras shall be operational at all times during the instructional day when students are in the self-contained classroom or other special education setting.

A school or campus that places a video camera in a classroom or other special education setting shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under this policy, for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing.

If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance

in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request.

Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year submits a new request.

This policy applies to placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

Sec. 6. RESTRICTIONS ON VIDEO RECORDING

Video cameras must be capable of covering all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out. Video cameras must also be capable of recording audio from all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of classroom or setting.

Sec. 7. RETENTION OF RECORDINGS

ILTexas shall retain video recordings from a video camera placed under this policy for at least three months after the date the video was recorded.

If a person described in Section 8-a (Requests to View a Video Recording) as eligible to receive a copy of a video requests to view a video recording from a video camera placed under this policy, ILTexas must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, ILTexas shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

A video recording under this policy is a governmental record only for purposes of 37.10, Penal Code.

Sec. 8. CONFIDENTIALITY OF VIDEO RECORDINGS

A video recording of a student is confidential and may not be released or viewed except as provided by Texas Education Code §29.022; the Family Educational Rights and Privacy Act of 1974 (“FERPA”); or other applicable law.

a) *Requests to View a Video Recording*

ILTexas will release a recording for viewing by:

1. A ILTexas employee who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the employee;
2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the parent;
3. Appropriate Department of Family and Protective Services (“DFPS”) personnel as part of an investigation under Section 261.406, Family Code;
4. A peace officer, a school nurse, a district-level or campus-level administrator trained in de-escalation and restraint techniques as provided by commissioner rule, or a human resources staff member designated by the Board in response to a report of an alleged incident or an investigation of ILTexas personnel or a report of alleged abuse committed by a student; or
5. Appropriate TEA or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording is not in violation of this policy.

If a person described by subsections (4) or (5) above who views the video recording believes that the recording documents a possible violation under Subchapter E, Chapter 261, Family Code, the person shall notify the DFPS for investigation in accordance with Family Code § 261.406.

If any person described by subsections (3), (4), or (5) above who views the recording believes that the recording documents a possible violation of ILTexas policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of ILTexas policy relating to the neglect or abuse of a student may be used as part of a disciplinary actions against ILTexas personnel and shall be released at the request of the student’s parent in a legal proceeding.

If ILTexas determines that the recording is an “education record,” ILTexas shall release the recording in accordance with FERPA. State law does not limit the access of a student’s parent to a record regarding the student under FERPA or other law.

In order to review recordings for potential release, and operation and maintenance of the equipment, the following individuals shall have access to the video equipment: list out titles/departments that may have access to video equipment.

Sec. 9. PROCEDURES FOR REPORTING A COMPLAINT AND/OR REQUESTING TO VIEW RECORDING

Video and audio recording equipment shall be used for safety purposes to access documented, specific incidents. To report a complaint of alleged abuse or neglect to ILTexas and/or to request to view a recording allowed by Section 8 above, a written "Incident Report Form," as adopted by the Superintendent or designee, shall be used by the requestor. This form will be completed to the extent of known information, and returned to the Superintendent or designee for validation.

Sec. 10. GRIEVANCE PROCEDURES

The special education dispute resolution procedures in 34 C.F.R. §§ 300.151-300.153 and 300.504-300.515, do not apply to complaints alleging that ILTexas has failed to comply with Education Code § 29.022. Complaints alleging violations of ILTexas's video surveillance obligations for special education settings under Education Code § 29.022 must be addressed through ILTexas's Student and Parent Grievance Process (see PG-3.XX), as adopted by the Board.

ILTexas, a parent, staff member, or an administrator may request an expedited review by the TEA of ILTexas's (1) denial of a request, (2) request for an extension of time to begin operation of a video camera, or (3) determination to not release a video recording to an individual. If ILTexas, a parent, staff member or administrator requests an expedited review, the TEA shall notify all other interested parties of the request.

If an expedited review has been requested, the TEA shall issue a preliminary judgment as to whether ILTexas is likely to prevail on the issue under a full review by the TEA. If the TEA determines ILTexas is not likely to prevail, ILTexas must fully comply with the policy notwithstanding an appeal of the TEA's decision. The TEA shall notify the requestor and ILTexas, if ILTexas is not the requestor, of the TEA's determination.

Sec. 11. FUNDING

ILTexas may solicit and accept gifts, grants, and donations from any person to implement the requirements in Education Code § 29.022. ILTexas is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement the requirements of Education Code requirements of Education Code § 29.022.

Sec. 12. NO WAIVER OF IMMUNITY

The requirements described by this policy do not:

1. Waive any immunity from liability of ILTexas, or of ILTexas officers or employees; or
2. Create any liability for a cause of action against ILTexas or against ILTexas officers or employees.

Sec. 1. COMPLIANCE WITH GENERAL AND FISCAL GUIDELINES

INTERNATIONAL LEADERSHIP OF TEXAS, INC. must comply with the Texas Education Agency General and Fiscal Guidelines.

Sec. 2. CHARGING COSTS TO SPECIAL EDUCATION GRANT

INTERNATIONAL LEADERSHIP OF TEXAS, INC. may charge costs to a special education grant when those costs follow the INTERNATIONAL LEADERSHIP OF TEXAS, INC.'s local written procedures for allowability of costs and meet the following criteria:

- Are reasonable for the performance of the special education grant and are allocable under the applicable cost principles;
- Conform to limitations or exclusions set forth in applicable cost principles or the special education grant agreement as to types or amount of costs;
- Are consistent with policies and procedures that apply uniformly to federally or state-funded activities funded from other sources;
- Are accorded consistent treatment among all grant programs, regardless of funding source;
- Are not included as a cost or used to meet cost-sharing or matching requirements of any other federally or state-funded program in the current or a prior period; and
- Are adequately documented.

Sec. 3. REASONABLE COST

A cost can be considered reasonable if it meets the following standards:

- The cost is of a type generally recognized as ordinary and necessary for the operation of INTERNATIONAL LEADERSHIP OF TEXAS, INC. or grant performance;
- Restrictions or requirements are imposed for generally accepted sound business practices, arms-length bargaining, federal or state laws and regulations, and grant award terms and conditions;
- Consideration is given to market prices for comparable goods or services for the geographical area;
- Individuals are acting with prudence in the circumstances of responsibility to INTERNATIONAL LEADERSHIP OF TEXAS, INC. and federal and state government; and
- There are no significant deviations from established practices of INTERNATIONAL LEADERSHIP OF TEXAS, INC. that may unjustifiably increase grant costs.

a) *Allocating Costs*

A cost is allocable to the special education grant in accordance with relative benefits received if it is treated consistently with other costs incurred for the same purposes in like circumstance and if it meets the following:

- Is incurred specifically for the grant;
- Benefits both the grant and the other work and can be distributed in reasonable proportion to the benefits received; and
- Is necessary to the overall operation of INTERNATIONAL LEADERSHIP OF TEXAS, INC. and is assignable in part to the special education grant award in accordance with the principles of this framework.

SPECIAL EDUCATION BOARD POLICIES AND OPERATING PROCEDURES

Subtitle



Overview

- Every 2 years the Texas Education Agency requires all LEAs to review all board policies and operating procedures to ensure alignment with all current Federal and State regulations.
- The recommended board policies are developed by Schulman, Lopez, Hoffer & Adelstein, LLP
- The framework for the Special Education Operating Procedures is developed by Schulman, Lopez, Hoffer & Adelstein, LLP with the specific daily procedures inputted by ILTexas Special Education to ensure procedures align to all Federal and State regulations.
- Once approved, the Board Policies and Operating Procedure will be uploaded to the Texas Education Agency through the Region 18 Legal Framework. Additionally, they will be located on the appropriate ILTexas websites.

Special Education Board Policies and Operating Procedures

▪ **The following are action items to approve:**

1. **Special Education Board Policies**- There are no changes to these legal policies.

2. **Special Education Operating Procedures** - Prior to the 2020-2021 school year, LEAs were required to have their special education Operating Guidelines available for review, and they had the option to upload them into the Legal Framework system. Operating Guidelines are now referred to as Operating Procedures to better align with federal language. The following are addressed in the daily operating procedures of the LEA:
 1. Child Find
 2. Evaluation
 3. FAPE= Free Appropriate Public Education

Coversheet

CONSIDER/ACT TO RATIFY 7811 UNIVERSITY HILLS PROPERTY PURCHASE

Section: VII. Other Board Items for Discussion/Action
Item: D. CONSIDER/ACT TO RATIFY 7811 UNIVERSITY HILLS
PROPERTY PURCHASE
Purpose: Vote
Submitted by:
Related Material:
Resolution re Confirming intent to Purchase 7811 University Hills 10-17c.pdf

Resolution re authorization of the 7811 University Hills Blvd. property purchase at the Board Meeting, July 15, 2020 -- to be read out loud and approved:

WHEREAS, After the July 15, 2020 Board Meeting the seller of 7811 University Hills Property alleged that doubt existed about the Board's intention and authorization to purchase the Property at 7811 University Hills Blvd; and

WHEREAS, The Board wishes to remove any question as to intentions as to that property:

IT IS HEREBY RESOLVED AND CONFIRMED:

1. Prior to the July 15, 2020 Meeting of the Board, a complete copy of the fully executed contract concerning the purchase by IL Texas of approximately 26.63 acres of property from Bayco Properties Ltd ("Bayco Properties") generally described as 7811 University Hills, Dallas, Texas and more specifically described in the attached Exhibit "A" (the "Bayco Contract") was provided to all Board Members for their review.
2. The officially published Agenda for the July 15, 2020 meeting provided notice that at the July 15, 2020 meeting of the Board, the Board would consider and act on authorizing the administration to close on the purchase of land for a planned Lancaster-South Dallas High School at 7811 University Hills Blvd for \$3.08 MM from Bayco Properties.
3. Dr. Lynne Beach made a motion to authorize administration to complete the purchase. Peter Gundmundsson seconded the motion. The Board members present at the meeting voted unanimously to approve the motion.
4. The Board of Directors has been informed that Bayco Properties refuses to complete the transaction contemplated by the Bayco Contract based on a claim that the Board of Directors did not authorize and approve the Bayco Contract. While the Board believes the meeting minutes are clear, to the extent that there is any question about the action of the Board of Directors at the July 15, 2020 meeting, the Board hereby resolves, clarifies, and confirms that at the July 15, 2020 meeting, the Board members present (constituting a quorum) at the meeting unanimously approved of the Bayco Contract and authorized administration to close on the transaction contemplated in the Bayco Contract.

Coversheet

CONSIDER/ACT TO RATIFY THE AUTHORIZATION OF RETAINING THE LAW FIRM OF GEARY, PORTER & DONOVAN TO LITIGATE 7811 UNIVERSITY HILLS MATTER

Section: VII. Other Board Items for Discussion/Action
Item: E. CONSIDER/ACT TO RATIFY THE AUTHORIZATION OF
RETAINING THE LAW FIRM OF GEARY, PORTER & DONOVAN TO LITIGATE 7811
UNIVERSITY HILLS MATTER
Purpose: Vote
Submitted by:
Related Material: Resolution re Retention of Geary 10-17.pdf

Resolution re Retention of Geary, Porter and Donovan -- to be read out loud and approved:

WHEREAS, on September 16, 2020, the Board of Directors authorized administration to retain counsel to assert ILTexas's rights under the Bayco Contract, including, as appropriate to initiate a lawsuit;

THEREFORE, BE IT RESOLVED:

1. The Board hereby approves, ratifies and confirms administration's retention of the law firm of Geary, Porter & Donovan to take appropriate action to enforce IL Texas's rights under the Bayco Contract to the fullest extent of the law, specifically including, but not limited to, filing a lawsuit for specific performance of the Bayco Contract and filing a *lis pendens* to put the public on notice of IL Texas's claim to the property;
2. The Board hereby approves, ratifies, and confirms administration's execution of an engagement agreement with Geary, Porter & Donovan pursuant to the terms of the Geary, Porter & Donovan's engagement letter which has been provided to the Board for its re retention of the law firm of Geary, Porter & Donovan to take appropriate action to enforce IL Texas's rights under the Bayco Contract to the fullest extent of the law, specifically including, but not limited to, filing a lawsuit for specific performance of the Bayco Contract and filing a *lis pendens* to put the public on notice of IL Texas's claim to the property; and,
3. The Board hereby approves, ratifies, and confirms administration's execution of an engagement agreement with Geary, Porter & Donovan pursuant to the terms of the Geary, Porter & Donovan's engagement letter which has been provided to the Board for its review.

Coversheet

CONSIDER/ACT ON SUPERINTENDENT-CEO CONTRACT

Section:	VII. Other Board Items for Discussion/Action
Item:	F. CONSIDER/ACT ON SUPERINTENDENT-CEO
CONTRACT	
Purpose:	Vote
Submitted by:	
Related Material:	Resolution re CEO bonus for 2019-2020.pdf

BOARD RESOLUTION
INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC.,
DBA INTERNATIONAL LEADERSHIP OF TEXAS

WHEREAS, the Board of Directors of the International American Education Federation, Inc., dba International Leadership of Texas (“ILTexas”) desires to ensure top quality direction of ILTexas;

WHEREAS, toward this object, the Board of Directors approved a three year contract with the Chief Executive Officer (“CEO”) in June of 2019; and,

WHEREAS, part of that contract calls for an annual review of the CEO and a bonus for the CEO if ILTexas meets the goals set for the by the Board of Directors,

NOW, THEREFORE, the Board of Directors of ILTexas, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, does hereby adopt the following Resolutions:

BE IT HEREBY RESOLVED:

That following review of the CEO’s contract and comparison of the goals established by the Board of Directors, the Board has determined that the CEO has met the goals for ILTexas and therefore, pursuant to the Contract, the CEO is entitled to be paid an annual, one-time single payment bonus for the 2019-2020 school year of \$25,000.00.

[SIGNATURE PAGE FOLLOWS]

PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF INTERNATIONAL AMERICAN EDUCATION FEDERATION, INC., DBA INTERNATIONAL LEADERSHIP OF TEXAS, ON THE **21st DAY OF OCTOBER, 2020.**

Members Voting in Favor of Resolution:

Maj. Gen. James Williams, Board President

Lynne Beach, M.D., Board Vice President

Mr. Tracy Cox, Board Secretary

Dr. Soner Tarim, Board Member

Mr. Peter Gudmundsson, Board Member

Mr. Chris Moreland, Board Member

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **October 21, 2020**, which Resolution is in full force and effect and has not been revoked or amended.*

Secretary ____/____/____