



# STAFFORD MSD

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## SPECIAL EDUCATION

### Operational Procedures

IF YOU TRY TO BREAK YOU MAY SHATTER  
IF YOU TRY TO KILL YOU WILL  
KILL THE SCENT OF ROSES WILL  
LIE AROUND IT STILL

TRUTH AND REASON CONSTITUTE  
THE INTELLECTUAL GOLD  
THAT DEFIES DESTRUCTION

EACH HEART HOLDS THE SECRET  
KINDNESS IS THE WORD.

WHATSOEVER THY HAND FINDETH  
TO DO DO IT WITH THY MIGHT.

IN TEMPERANCE IS A DANGEROUS  
COMPANION.

A MAN SHOULD NEVER BE ASHAMED  
TO OWN THAT HE HAS BEEN IN THE  
WRONG.

BY ATTENTION IDEAS ARE  
REGISTERED IN THE MEMORY.



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## INTRODUCTION

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The Stafford Municipal School District is required to develop and implement policies, procedures and practices related to the provision of special education services to eligible students. Operating guidelines are the written guidelines developed locally which outline the implementation of these practices.

Furthermore, according to the requirements of IDEA (34 CFR 300.646(b) (1)), the State Education Agency must provide for review and, if appropriate, revision of the policies, procedures and practices related to serving student with disabilities. This process is conducted through the Special Education Monitoring unit of the Division of Program Monitoring and Interventions at the Texas Education Agency.

To assist in meeting the above requirement, the following Operating Guidelines document was directly aligned to the Legal Framework for the Child-Centered Special Education Process hosted at <https://framework.esc18.net>. Each section provides the legal requirements for the identified area.

Operating Procedures are reviewed on a yearly basis and updated as needed throughout the year.

### **SPED Operating Procedures Writing Team**

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# 1. CHILD FIND DUTY

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42 USC. §11434a; 34 CFR Part 300; Texas Education Code; Texas Government Code; 19 TAC Chapter 89

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: The term "special education" means specially-designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education; and The term "child with a disability" means a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and who, by reason thereof, needs special education and related services. The duty extends to children who are homeless children or are wards of the state. The duty extends to children who are attending private schools. The local education agency (LEA) must comply with the state's policies and procedures designed to prevent the inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with an impairment.

## **Early Intervening Services/Response to Intervention (RtI)**

The education of children 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 children as disabled in order to address the learning and behavioral needs of such children. In implementing coordinated, early intervening services, an LEA may carry out activities that include: Professional development (which may be provided by entities other than LEAs) 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 Providing educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction. Prior to referral, the child should be considered for all support services available to all children, such as: Tutorial; Remedial services; and Compensatory services. Each LEA must use the student performance data resulting from the basic skills assessment instruments and achievement test administered to design and implement appropriate compensatory, intensive, or accelerated instructional service for children in the LEA's schools that enable the children to be performing at grade level at the conclusion of the next regular school term. The provision of early intervening services does not limit or create a right to a (Free Appropriate Public Education) FAPE under the Individuals with Disabilities Education Act (IDEA).



## Stafford's System

### Response to Intervention

#### Responsible Staff:

- Campus Principal or Assistant Principal
- School Counselor
- RTI Campus Team
- Teachers

Stafford MSD assures that the federal and state requirements are being implemented as stated in this section. RTI –procedures: a. The general education teacher will consider the student having trouble in the general classroom for all support services available to all students such as tutorial, remedial, compensatory, and other services. b. The general education teacher will discuss, consider, and document student educational concerns and all educational alternatives and options available and those tried and reasons why those tried did not work. c. If the interventions were not successful, the teacher may consider taking the student to the **RTI Campus Team** (*principal, counselor, general education teacher*) for consideration. The principal and/or school counselor discusses possible instructional alternatives with the teacher prior to the initiation of the RTI process to assure early intervening services and scientifically based programs are being implemented.

If teacher implemented strategies are not successful, the RTI Campus Team led by the school counselor convenes an **RTI Campus Team Meeting**.

The school counselor with other designated RTI Campus Team members:

- Develop a custom designed intervention plan with interventions and timelines,
- Document interventions and progress,
- Provide small group targeted skill instruction that supplements and reinforces high-quality core instruction and behavioral expectations,
- Monitor the student during the intervention cycle,
- Determine intervention effectiveness and student's responsiveness.

If interventions prove to be successful, the team continues to meet to monitor progress towards individual student goals.

### RTI to Review

#### Responsible Staff:

- Campus Principal or Assistant Principal
- School Counselor
- Assessment Team Members: *Campus Diagnostician, LSSP, Speech Therapist*
- Student Review Committee
- General Education Teacher
- Special Education Teacher



After ample time is given for interventions and after determining that the recommended interventions are not successful, the RTI Campus Team meets with the **Student Review Committee (SRC)** to request a *Review of Existing Evaluation Data (REED)*. The SRC must consist of an evaluation specialist (*Assessment Team Member: Diagnostician and/or LSSP, Speech Pathologist*), the general education teacher who best knows the student, a special education teacher, a campus representative (principal or counselor), the parent, and any other person who has pertinent knowledge of the student. The referral packet will be initiated at the REED if the committee agrees that a referral is needed. The process prior to a referral may be expedited when the likelihood of a disability is apparent. Local Guidelines: The LEA follows the Three-Tiered Response to Intervention Model for any potential student disability. (*See the Stafford Municipal School District Response to Intervention Manual*)

### **Prohibition on Mandatory Medication**

SMSD's personnel are prohibited from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school, receiving an evaluation, or receiving services under Individuals with Disabilities Education Act (IDEA). Teachers and other school personnel are not prohibited from consulting or sharing classroom-based observations with parents or guardians regarding a child's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services.

### **Dyslexia Services**

#### Responsible Staff:

- Campus Principal or Assistant Principal*
- Dyslexia Specialist*
- Reading Specialist/Reading Teacher*

"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. "Related disorders" include disorders like or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability. Children enrolling in public schools must be tested for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education (SBOE). In SMSD, the Woodcock Johnson IV Achievement and Oral Language tests are used. In accordance with the program approved by the SBOE, the SMSD board of trustees provides treatment of any child determined to have dyslexia using the "Really Great Reading Program," as follows:

<b>Grade</b>	<b>Intervention Program Really Great Reading</b>
Kindergarten	Countdown
1-2	Blast Primary
3-4	Blast Elementary
5-12	HD Word (Foundations, Essentials, and Linguistics)



## Referral for Possible Special Education Services

20 USC. § 1412a; 34 CFR Part 300; Texas Education Code; Texas Government Code; 19 TAC Chapter 89

Referral of children for a full and individual evaluation for possible special education services is a part of the LEA's overall, general education referral or screening system. The community, families, and school staff are made aware of the referral process for a full and individual evaluation if the child experiences difficulty in the general classroom after the provision of interventions.

### Stafford's System

#### Responsible Staff:

- Campus Principal or Assistant Principal*
- Assessment Team: Diagnostician, LSSP, Speech Therapist*
- School Counselor*
- General Education Teacher*

### Community Collaboration

Stafford MSD partners with community organizations like Easter Seals and local childcare centers, who work with children ages 0-3 to ensure early and timely referrals for possible special education services. Annually, a letter is sent to each organization that outlines the Child Find requirement and the services that the district provides.

### Annual Notice to Parents

Either a parent of a child, 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. A parent is entitled at any time to request an evaluation of his/her child for special education services. Each school year Stafford MSD provides the written explanation to all parents including the explanation in the student handbook or by another means. ([See Stafford Student Handbook](#))

A child must not be determined 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 (ESEA); Lack of instruction in math; or Limited English proficiency.

The Child Find requirements apply to children with disabilities in the state of Texas who are enrolled in private, including religious, elementary schools, and secondary schools. The Child Find process must be designed to ensure the equitable participation of parentally placed private school children with disabilities and an accurate count of such children. Stafford MSD, where applicable, must undertake activities like those activities undertaken for the district's public-school children. The cost of implementing Child Find, including individual evaluations, may not be considered in determining



whether Stafford MSD has met its proportionate share obligations. The Child Find process must be completed in a time period comparable to that for other children attending one of Stafford MSD schools.

Stafford MSD assures that the federal and state requirements are being implemented as stated in this section.

Stafford MSD's overall general education screening system is determined by local district and campus administration.

School personnel, other than the counselor, may participate in but not be assigned primary responsibility for the RTI Campus Team.

School personnel may be involved in collecting referral data for the following students:

- pre-kindergarten students
- students who are hospitalized, institutionalized, or admitted to treatment centers
- students with multiple-disabilities
- eligible students with disabilities new to a district
- students referred to special education during the summer.

## **Requests for Evaluation for Special Education**

Parents of students with learning difficulties or who may need special education services may request an evaluation for special education at any time.

Any staff member who receives a parent request for an evaluation will immediately inform the campus principal, counselor, and diagnostician.

Although parents are encouraged to make written request for an initial evaluation for special education services, they may also be verbal and does not need to be in writing. The district must still comply with all federal notice requirements and 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 to respond within the 15-school-day timeline.

If a child is experiencing learning difficulties, then the parent may contact the campus counselor, RTI Chair, campus diagnostician, or principal to learn about the district'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 general education 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 (see section above). The implementation of Response to Intervention has the potential to have a positive impact on the ability of school districts to meet the needs of all struggling students.



Campus	Counselor, RTI Chair	Email Address
Early Childhood Center	Sherri Hobbs	shobbs@staffordmsd.org
Stafford Elementary School	Shatarra King	<a href="mailto:sking@staffordmsd.org">sking@staffordmsd.org</a>
Stafford Middle School	Laporsha Frazier	lfrazier@staffordmsd.org
Stafford High School	Grace Landry	glandry@staffordmsd.org

## Request for an Initial Evaluation Timeline

If a parent/guardian makes a written request for an initial evaluation for special education services to any staff member of the Stafford MSD, then the school must, not later than the **15th school day after the date the school receives the request**, either give the parent:

- 1) **Prior Written Notice of its proposal** to conduct an evaluation, a copy of the Notice of Procedural Safeguards, and the opportunity to give written consent for the evaluation; or
- 2) **Prior Written Notice of its refusal** to evaluate the child and a copy of the Notice of Procedural Safeguards.

## Prior Written Notice

Stafford MSD provides prior written notice to the parent whenever the school district:

- Proposes or refuses to initiate or change the identification of the child
- Proposes or refuses to initiate or change the evaluation of the child
- Proposes or refuses to initiate or change the educational placement of the child
- Proposes or refuses to initiate or change the provision of a free appropriate public education (FAPE) to the child
- Proposes to convene an ARD Committee Meeting as part of the invitation to the admission, review, and dismissal (ARD) meeting
- Implements an individualized education program (IEP) with which the parent or adult student disagrees
- Proposes to initiate the withdrawal of a child with a disability from continued special education and related services due to written revocation by the parent.

## Stafford's System

Stafford MSD assures that the federal and state requirements are being implemented as stated in this section.

All Prior Written Notices will be generated by the Diagnostician.

Stafford MSD provides at least **five school days** prior written notice in the native language of the parents unless it clearly is not feasible to do so. Prior Written Notice may be sent by an electronic mail (e-mail) communication if the parent elects to receive notices required by IDEA Part B through



e-mail. Notice of an ARD Committee Meeting will be sent early enough to ensure that the parent will have an opportunity to attend.

The Prior Written Notice must include:

- A description of the action proposed or refused by the LEA
- An explanation of why SMSD proposes or refuses to take the action
- A description of each evaluation procedure, assessment, record, or report that the agency used as a basis for the proposed or refused action
- A description of other options considered by the ARD committee and the reason why those options were rejected
- A description of the factors that are relevant to the SMSD's proposal or refusal
- Sources for parents to contact to obtain assistance in understanding the provisions of Individuals with Disabilities Education Act (IDEA) Part B
- A statement that the parents of a child with a disability have protection under the Procedural Safeguards
- The means by which a copy of a description of the Procedural Safeguards can be obtained if not an initial referral for evaluation.

If Stafford MSD is proposing to conduct a Full and Individual Evaluation, then the prior written notice must also include a description of any evaluation procedures that the district proposes to conduct.

## **Parent Understanding**

When obtaining informed consent and reviewing procedural safeguards, it is imperative that the assessment team member properly informs and documents that the parent fully understands the information and is declining the use of an interpreter in their native language. Documentation would occur on the consent form and indicate that the parent understands and declines the need for an interpreter. When scheduling ARD meetings, the Assessment Team member must indicate on the consent page that the parent fully understands the information and is declining the use of an interpreter in their native language.

## **Consent for Initial Evaluation**

The following actions do not constitute an evaluation:

- Screening to determine strategies for curriculum implementation
- Conducting a Review of Existing Evaluation Data (REED) as part of an initial evaluation or a reevaluation
- Administering a test or other evaluation that is administered to all children.

Stafford MSD will make reasonable efforts to obtain informed consent. Stafford MSD will obtain informed consent from the parent before conducting an initial evaluation, which means:



- The parent has been fully informed of all information relevant to the initial evaluation in his or her native language or other mode of communication
- The consent describes the initial evaluation
- The consent lists the records (if any) that will be released and to whom
- The parent understands and agrees in writing to the initial evaluation
- The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime
- The parent understands that if the parent revokes consent, then that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

### **When Consent is not Obtained, Despite Reasonable Efforts**

If the child is a ward of the state and is not residing with child's parent, then Stafford MSD is not required to obtain informed consent from the parent if:

- Despite reasonable efforts to do so, Stafford MSD cannot discover the whereabouts of the parent of the child
- The rights of the parents of the child have been terminated in accordance with state law
- The rights of the parent to make educational decisions have been substituted by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child
- A surrogate has been assigned to act in the place of a parent.

If the parent fails to respond or does not provide consent for an initial evaluation, then Stafford MSD may, but it is not required to, pursue the initial evaluation of the child by utilizing the Procedural Safeguards (including the mediation or the due process procedures) in order to obtain agreement or a ruling that the evaluation may be conducted. Stafford MSD does not violate its Child Find and Full and Individual Evaluation obligations if it declines to pursue the evaluation.

If the parent of a child who is homeschooled or placed in a private school at parent expense does not provide consent for the initial evaluation, then Stafford MSD must comply with the Private Schools section of this document. The evaluation personnel or speech therapist will obtain Consent for Evaluation at the initial REED meeting if the parent is present. Stafford MSD personnel will coordinate to obtain consent from a parent who is not present at the meeting.

### **Consent for Services**

Stafford MSD will make reasonable efforts to obtain informed consent. Stafford MSD must obtain informed consent from the parent before initially providing special education and related services to the child, which means:

- The parent has been fully informed of all information relevant to the initial provision of special education and related services in his or her native language or other mode of communication



- The consent describes the initial provision of special education and related services
- The consent lists the records (if any) that will be released and to whom
- The parent understands and agrees in writing to the LEA carrying out the initial provision of special education and related services
- The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime
- The parent understands that if the parent revokes consent, then that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked.)

### **When Consent is not Obtained, Despite Reasonable Efforts**

If the parent refuses to respond to a request to provide consent or refuses to consent to the receipt of special education and related services, then Stafford MSD may not use the Procedural Safeguards (including the mediation or the due process procedures) in order to obtain agreement or a ruling that services may be provided to the child.

Stafford MSD will not be considered to be in violation of the requirement to make available a free appropriate public education (FAPE) to the child for the failure to provide the child with the special education and related services for which the LEA requests consent and is not required to convene an admission, review, and dismissal (ARD) committee or develop an individualized education program (IEP) for the child for the special education and related services for which the LEA requests such consent.

### **When Consent for Services is Revoked**

The Department of Education has issued final regulations that will give parents of students with disabilities the right to pull their children out of special education programs unilaterally.

The school will be obligated to grant the parent's request as long as the request is put in writing. The regulations do not call for the student to be abruptly dropped from the Stafford MSD special education program upon parent request.

The school must first prepare and provide to the parents a "prior written notice," outlining the services that will no longer be provided. Then, after a reasonable period of time, special education services are to be discontinued. At this point the student is considered to be a general education student. The student will not be entitled to FAPE, an IEP, or any special education services. The student will not be entitled to any of the special disciplinary procedures available under IDEA. The district will not be considered to be in violation of providing FAPE to the child because of the failure to provide the child with further special education and related services after written revocation by the parent.



## **When Consent is NOT Obtained to Provide Services**

If Stafford MSD campus staff is aware that the parent does not intend to give consent for services, then contact the Director of Federal and State Programs to assure appropriate documentation is planned and to determine if mediation should be offered.

If campus staff is aware and the parent refuses services in the ARD/IEP meeting, then contact the Director of Federal and State Programs after the ARD/IEP meeting to assure all efforts are exhausted.

## **When the Parent Revokes Consent for Services**

Parent must put revocation of consent in writing.

- Once the LEA receives the parent/adult student's written revocation, the LEA must honor the decision.
- Before the LEA discontinues services, it must provide the parent/adult student with prior written notice (Notice of Refusal or Proposal) that services will cease.
- The prior written notice must be given to the parent/adult student in a reasonable amount of time (at least 5 school days) before the services cease.
- The LEA is not required to amend the student's education records to remove any references to the student having received special education and related services in the past.
- Upon the parent/adult student revoking consent for continued provision of special education or related services, the LEA is not required to convene an ARD committee meeting or develop an IEP for the student.
- Once the parent/adult student revokes consent, the student will be considered a general education student.
- Since the student will no longer have an IEP, SMSD will no longer be required to provide accommodations that were previously included in the student's IEP.
- SMSD will not be considered to be in violation of the IDEA requirement to provide FAPE.
- The student will not be entitled to protection in the IDEA relating to discipline.
- SMSD may not use the mediation process to try to obtain an agreement that services may continue to be provided to the student.
- SMSD may not use the due process hearing procedures to challenge the parent/adult student's decision.

## **Consent to Excuse Member from Attending ARD Committee Meeting**

Stafford MSD must comply with Prior Written Notice:

When ARD Committee Membership specifies that consent must be obtained from the parent before excusing a member from attending an admission, review, and dismissal (ARD) meeting (in whole or in part), consent means:



- The parent has been fully informed of all information relevant to the excusal of the member from attending the ARD meeting in his or her native language or other mode of communication
- The parent understands and agrees in writing to Stafford MSD excusing the ARD member from attending the ARD meeting (in whole or in part)
- The consent describes the excusal of the member from attending the ARD meeting
- The consent lists the records (if any) that will be released, and to whom
- The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime

The parent understands that if the parent revokes consent, then that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked.)

### **Timeline for Initial Evaluations**

If the evaluation is warranted, then the parent will be notified and asked to provide **informed written consent** for the evaluation. The district must complete the evaluation and the report within **45 school days of the date the district receives the written consent**. The district must give a draft copy of the report to the parent. If the district determines that the evaluation is not warranted, then the district will provide the parent with a written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parent of his or her rights if the parent disagrees with the district. Additionally, the notice must provide guidance to the parent on how to obtain a copy of the Notice of Procedural Safeguards—Rights of Parents of Students with Disabilities. These documents can also be located on the Stafford MSD Webpage under Federal and State Programs.

- [Notice of Procedural Safeguards – July 2020](#)

The designated person to contact regarding options for a child experiencing learning difficulties, referral, or evaluation for education is the campus counselor.

### **Transfers**

If a student is receiving special education services at a campus outside of Stafford MSD, and is interested in attending one of the Stafford schools, then the parent or guardian may request a transfer through the Chief of Schools Office, Dr. Dawn Dubose, [ddubose@staffordmsd.org](mailto:ddubose@staffordmsd.org).

### **Special Programs**

The district provides special programs for gifted and talented students, homeless students, bilingual students, migrant students, students with limited English proficiency, dyslexic students, and students with disabilities. The coordinator of each program can answer questions about eligibility requirements, as well as programs and services offered in the district or by other organizations. A student or parent with questions about these programs should contact the campus principal. When



school personnel request a student referral, the Three-Tiered Response to Intervention Model will be followed.

<b>Special Program</b>	<b>Contact</b>	<b>Email Address</b>
Response to Intervention	Dr. Kadir Almus	<a href="mailto:kalmus@staffordmsd.org">kalmus@staffordmsd.org</a>
Gifted and Talented	Dr. Kadir Almus	<a href="mailto:kalmus@staffordmsd.org">kalmus@staffordmsd.org</a>
Homeless	Dr. Margaret C. Patton	<a href="mailto:mpatton@staffordmsd.org">mpatton@staffordmsd.org</a>
Bilingual	Maria Dudash	<a href="mailto:mdudash@staffordmsd.org">mdudash@staffordmsd.org</a>
Limited English Proficiency	Maria Dudash	<a href="mailto:mdudash@staffordmsd.org">mdudash@staffordmsd.org</a>
Migrant	Maria Dudash	<a href="mailto:mdudash@staffordmsd.org">mdudash@staffordmsd.org</a>
Dyslexia	Brenda Kort	<a href="mailto:bkort@staffordmsd.org">bkort@staffordmsd.org</a>
Special Education	Dr. Margaret C. Patton	<a href="mailto:mpatton@staffordmsd.org">mpatton@staffordmsd.org</a>

### **Appendix Documents**

- SMSD Special Education Updates
- Prior Written Notice Template
- Consent Template



## 2. FOCUS ON LEARNING NEEDS

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### District and Campus Improvement Plans

Stafford MSD has an improvement plan that is developed, evaluated, and revised annually, in accordance with the LEA policy, by the superintendent with the assistance of the district-level planning and decision-making committee. TEC 11.252(a) TEC 11.251

The purpose of the district improvement plan is to guide the SMUSD district and campus staff in the improvement of student performance for all student groups in order to attain state standards with respect to the achievement indicators. TEC 11.252(a) TEC 39.053

### Stafford's System

#### Responsible Staff:

- Chief Innovation Officer
- Chief of Schools
- Chief Academic Officer
- Chief Financial Officer
- District Improvement Team

The district improvement plan must include provisions for:

- A **comprehensive needs assessment** addressing the Stafford MSD's student performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the Stafford MSD staff, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs;
- Measurable performance objectives for all appropriate achievement measures for all student populations, including students in special education programs, and other measures of student performance that may be identified through the comprehensive needs assessment; and
- Strategies for improvement of performance that include:
  - Instructional methods for addressing the needs of student groups not achieving their full potential;
  - Evidence-based practices that address the needs of students for special programs, including suicide prevention programs, conflict resolution programs, violence prevention programs, and dyslexia treatment programs;
  - Dropout reduction;
  - Integration of technology in instructional and administrative programs;
  - Positive behavior interventions and support, including interventions and support that integrate best practices on grief-informed and trauma-informed care;
  - Staff development for professional staff of SMUSD;



- Career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities;
- Accelerated education; and
- Implementation of a comprehensive school counseling program.

### **Parent Notification of Student Performance** TEC 28.022(a)

The board policy of Stafford MSD:

- Provide for a conference between the parent and teachers;
- Require the district, at least once every 12 weeks, to give written notice to the parent of the student's performance in each class or subject; and
- Require the district, at least once every three weeks, or during the fourth week of each nine-week grading period, to give written notice to a parent of the student's performance in a subject included in the foundation curriculum, if the student's performance in the subject is consistently unsatisfactory, as determined by the district.
- For the student who failed to perform satisfactorily on a required state-mandated assessment, the district must include in the notice to the parent, specific information relating to access to on-line educational resources at the appropriate assessment instrument content level, including released assessment instrument questions and answers. TEC 39.303(b), TEC 39.0241, TEC 39.023(c)

### **Personal Graduation Plan – Middle School** TEC 28.0212(a)

A principal of a junior high or middle school must designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan for each student in the junior high school, or middle school, who:

- Does not perform satisfactorily on required state assessments; or
- Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in ninth grade, as determined by the district.

A junior high school or middle school personal graduation plan must:

- Identify educational goals for the student;
- Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
- Include an intensive program of instruction;
- Address participation of the parent, including consideration of the parent's educational expectations for the student;
- Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, on-line instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability; and
- Meet the standards established by the Texas Education Agency (TEA).



**Personal Graduation Plan - High School** TEC 28.02121 (b), TEC 28.02121 (a), TEC 28.025(b-15), TEC 28.025(c-1)

A district must publish in English and Spanish the information provided to the district by the TEA, on the internet website of the district, that explains the advantages of the distinguished level of achievement and each endorsement available under the Foundation High School Program, and ensure that the information is available to:

- Students in ninth grade and above; and
- The parent of students in ninth grade and above including in the language in which the parent is most proficient, if at least 20 students in a grade level primarily speak that language.

A principal of a high school must designate a school counselor or school administrator to review with each student entering ninth grade and the parent the high school personal graduation plan options, including the Foundation High School Program options for:

- Distinguished level of achievement; and
- Endorsements.

A high school personal graduation plan must identify a course of study that:

- Promotes college and workforce readiness;
- Promotes career placement and advancement; and
- Facilitates the student's transition from secondary to post-secondary education.

Before the conclusion of the school year, the student and the parent must confirm and sign a personal graduation plan for the student. A district must not prevent the student and the parent from confirming a personal graduation plan that includes pursuit of a distinguished level of achievement or an endorsement. The student may amend the student's personal graduation plan after the initial confirmation of the plan with a notice sent to parents.

## **Closing Gap**

Elementary and Secondary Education Act of 1965 (ESEA)

In 2015, Congress passed the Every Student Succeeds Act, which reauthorizes the ESEA to ensure that every student achieves and replaces the previous version of the law, the No Child Left Behind Act, which was enacted in 2002.

An eligible school operating a schoolwide program must develop a comprehensive plan that includes a description of the strategies that the school will be implementing to address school needs, including a description of how such strategies will address the needs of all students in the school, but particularly the needs of those at risk of not meeting the challenging state academic



standards, through activities which may include implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under the IDEA Part B. (20 USC 6314(b)(7)(A)(iii)(III))

## **Early Intervening Services**

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, the local educational agency (LEA) may carry out activities that include:

- Professional development, which may be provided by entities other than LEAs, 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
- Providing educational and behavioral evaluations, services, and supports, including scientifically-based literacy instruction.

The provision of early intervening services does not limit or create a right to a free appropriate public education under the IDEA.

**Early intervening services must not delay appropriate evaluation of a student suspected of having a disability.**



## 3. DYSLEXIA SERVICES

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### State Requirements

Prior to 2017, Texas state law required the testing of students for dyslexia and related disorders "at appropriate times." Appropriate times depended on multiple factors as determined by each school district or charter school, including the student's reading performance, reading difficulties, poor response to evidence-based reading instruction, teachers' input, and parent/guardian input. While screening for dyslexia and related disorders was encouraged by the State Board of Education (SBOE), there was no mandate to do so. In 2017, the 85th Texas Legislature passed House Bill (HB) 1886, amending Texas Education Code (TEC) §38.003, Screening and Treatment for Dyslexia.

#### TEC §38.003

- requires that all kindergarten and first-grade public school students be screened for dyslexia and related disorders
- requires that all students beyond first grade be screened or tested as appropriate
- screening of each student in kindergarten at the end of the school year
- screening of each student in the first grade no later than January 31

### District Procedure for Screening

#### Stafford's System

##### Responsible Staff:

- District Dyslexia Coordinator
- Campus Reading Specialist
- Campus Counselor
- Campus Principal or Assistant Principal
- Campus Diagnostician (when necessary)
- Dyslexia Review Committee

Stafford MSD utilizes the MAP (Measure of Academic Progress) and iStation to identify possible dyslexia tendencies.

### Interpretation of Data

After the screening has been completed, a qualified team referred to as the **Dyslexia Review Committee (DRC)** is required to review all data to make informed decisions regarding whether a student exhibits characteristic of dyslexia. The DRC must consist of individuals who recognize characteristics of dyslexia (reading interventionist, dyslexia specialist and/or diagnostician). The DRC has knowledge about the student and will recommend a plan. To make an informed decision, the DRC will discuss the student's data points (MAP, TPRI, DRA, Running Records, District and State Exams, Academic and Family History).



## Possible Recommendations

1. **RTI Tiered Interventions** targeting the student's deficit areas. If RTI is recommended, the campus will discuss how to meet the need of the student in the Tiered Intervention.
  - a. This is considered when the DRC does not have enough historical data to determine whether a possible disability exists; or
2. **If a suspected disability exists** a Special Education or 504 Referral for a Specific Learning Disability **MUST** be recommended.
  - a. This is to determine if the student has a Basic Reading disability with or without the condition of dyslexia; and/or a Reading Fluency disability.
  - b. Referral Process: All students suspected of having a disability including dyslexia or other related disorders, such as dysgraphia will be assessed through Special Education or Section 504.

## Referral Timeline

Texas law establishes that a full individual and initial evaluation (FIE) must be completed within **45-school days** from the time Stafford MSD receives consent. After the FIE is completed an ARD/IEP Meeting will be scheduled, within **30 calendar days** from the date of the report, to review evaluation results. These same guidelines will be followed for Section 504 evaluations of Dyslexia.

## Evaluation and Identification

### Recommendation for Dyslexia Evaluation

A student may be recommended for a dyslexia evaluation whenever accumulated data indicates that the student continues to struggle with one or more of the components of reading.

Parents/guardians have the right to request a referral for a dyslexia evaluation under IDEA or Section 504 at any time. Districts must ensure that evaluations of children suspected of having a disability are not delayed or denied because of implementation of tiered interventions or RTI.

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;
- Characteristics and risk factors of dyslexia indicated in The Dyslexia Handbook (2018), Chapter I: Definitions & Characteristics of Dyslexia

The determination to refer a student for an evaluation must always be made on a case-by-case basis and must be driven by data.



If a student continues to struggle with reading or there is a suspected reading disability (including dyslexia), Stafford MSD will follow one of the following procedures:

- Evaluation will occur to determine if the student qualifies for services through IDEA or Section 504; or
- For a student that is receiving special education services, the ARD Committee will review existing evaluation data and determine if additional assessment is needed.

When formal assessment is recommended by the Dyslexia Review Committee, Stafford MSD completes the evaluation process using the following procedure:

- Notify the counselor of the DRC committee's decision so an FIE or 504 referral packet and parent consent can be initiated.
- When the counselor obtains parent or guardian permission to assess the student for dyslexia, this is relayed to the dyslexia specialist if evaluation is to be completed under Section 504 or to the diagnostician if the evaluation is to be completed under IDEA (This consent is only for testing and not for placement).
- The diagnostician will utilize the Woodcock Johnson IV Cognitive and Achievement tests to evaluate students recommended for an FIE.
- The dyslexia specialist will utilize the Woodcock Johnson IV Achievement and Oral Language tests to evaluate students recommended for Section 504.
- When WJIV testing is complete, the ARD or 504 Committee (these committees usually consists of the same people as the DRC but with the counselor, teacher and principal as added attendees) will meet for a staffing to discuss the results and determine, after considering all data mentioned in the section below titled "Sources and Examples of Data," if a student qualifies for dyslexia services.
- After the staffing, a 504 or ARD meeting will be conducted with the committee members and the student's parent or guardian.

## **Parent Request for Evaluation**

A parent/guardian may request to have his/her child evaluated for dyslexia and related disorders by staff at the school district or open-enrollment charter school. IDEA or Section 504 procedures must be followed, including providing the parent/guardian with prior written notice.

## **Test and Other Evaluation Materials**

In compliance with IDEA and Section 504, test instruments and other evaluation materials must meet the following criteria:

- Used for the purpose for which the evaluation or measures are valid or reliable
- Include material(s) tailored to assess specific areas of educational need and not merely material(s) that are designed to provide a single, general intelligence quotient
- Selected and administered to ensure that when a test is given to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude,



achievement level, or whatever other factor the test purports to measure rather than reflecting the student's impaired sensory, manual, or speaking skills

- Selected and administered in a manner that is not racially or culturally discriminatory
- Include multiple measures of a student's reading abilities such as informal assessment information (e.g., anecdotal records, district universal screenings, progress monitoring data, criterion-referenced evaluations, results of informal reading inventories, classroom observations)
- Administered by trained personnel and in conformance with the instructions provided by the producer of the evaluation materials
- Provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information regarding what the child can do academically, developmentally, and functionally unless it is clearly not feasible to provide or administer

## **Data Gathering**

Stafford MSD collects data on all students to ensure that instruction is appropriate and scientifically based. Essential components of comprehensive literacy instruction are defined in Section 2221 (b) of ESSA as explicit, systematic, and intentional instruction in the following:

- Phonological awareness
- Phonic coding
- Vocabulary
- Language structure
- Reading fluency
- Reading comprehension

Any time from kindergarten through grade 12 a student continues to struggle with one or more components of reading, Stafford MSD will collect additional information about the student. Stafford MSD will use previously collected as well as current information to evaluate the student's academic progress and determine what actions are needed to ensure the student's improved academic performance. The collection of various data will provide information regarding factors that may be contributing to or primary to the student's struggles with reading and spelling.

## **Sources and Examples of Data**

- Vision screening
- Hearing screening
- Teacher reports of classroom concerns
- Classroom reading assessments
- Accommodations or interventions provided
- Academic progress reports (report cards)
- Gifted/talented assessments
- Samples of schoolwork



- Parent conference notes
- Results of kindergarten-grade 1 universal screening as required in TEC §38.003
- K–2 reading instrument results as required in TEC §28.006 (English and native language, if possible)
- 7th-grade reading instrument results as required in TEC §28.006
- State student assessment program results as described in TEC §39.022
- Observations of instruction provided to the student
- Full Individual and Initial Evaluation
- Outside evaluations
- Speech and language assessment
- School attendance
- Curriculum-based assessment measures
- Instructional strategies provided and student's response to the instruction
- Screening
- Parent survey

Information regarding a child's early literacy experiences, environmental factors, and socioeconomic status must be part of the data collected throughout the data gathering process.

These data support the determination that difficulties in learning are not due to cultural factors or environmental or economic disadvantage.

## **Domains to Assess**

Stafford MSD administers measures that are related to the student's educational needs. Difficulties in the areas of letter knowledge, word decoding, and fluency (rate, accuracy, and prosody) may be evident depending upon the student's age and stage of reading development. In addition, many students with dyslexia may have difficulty with reading comprehension and written composition. Stafford MSD evaluates students for dyslexia through an FIE or Section 504 in which all academic and cognitive areas are assessed. The following are the areas related to reading that should be assessed when looking specifically for dyslexia:

## **Academic Skills**

- Letter knowledge (name and associated sound)
- Reading words in isolation
- Decoding unfamiliar words accurately
- Reading fluency (rate, accuracy, and prosody are assessed)
- Reading comprehension
- Spelling



## **Cognitive Processes**

- Phonological/phonemic awareness
- Rapid naming of symbols or objects

## **Possible Additional Areas**

- Vocabulary
- Listening comprehension
- Verbal expression
- Written expression
- Handwriting
- Memory for letter or symbol sequences (orthographic processing)
- Mathematical calculation/reasoning
- Phonological memory
- Verbal working memory
- Processing speed

## **Identification**

Identification and placement decisions for dyslexia are made by the ARD or 504 committee. To make an informed determination, the committee must include certain required members. These required members must include, but are not limited to, individuals who are knowledgeable about the following:

- Student being evaluated
- Evaluation instruments being used
- Meaning of the data being collected

For ELs, a member of the LPAC must be part of either the Section 504 or ARD committee.

Additionally, committee members should have knowledge regarding—

- the reading process,
- dyslexia and related disorders,
- dyslexia instruction, and
- district or charter school, state, and federal guidelines for evaluation.

The ARD or 504 committee determines if a student's difficulties in the areas of reading and spelling reflect a pattern of evidence for the primary characteristics of dyslexia with unexpectedly low performance for the student's age and educational level in some or all of the following areas:

- Reading words in isolation
- Decoding unfamiliar words accurately and automatically
- Reading fluency for connected text (rate and/or accuracy and/or prosody)



- Spelling (an isolated difficulty in spelling would not be sufficient to identify dyslexia)

The evaluation data collected may also include information on reading comprehension, mathematics, and written expression. Dyslexia often coexists with learning difficulties in these related areas.

The ARD or 504 committee must examine the student's data to determine whether these difficulties are unexpected in relation to the student's other abilities, sociocultural factors, language difference, irregular attendance, or lack of appropriate and effective instruction. For example, the student may exhibit strengths in areas such as reading comprehension, listening comprehension, math reasoning, or verbal ability yet still have difficulty with reading and spelling. Therefore, it is not one single indicator but a preponderance of data (both informal and formal) that provide the committee with evidence for whether these difficulties are unexpected.

These questions must be considered when making a determination regarding dyslexia.

- Does the data show the following characteristics of dyslexia? Difficulty with accurate and/or fluent word reading
- Poor spelling skills Poor decoding ability
- Do these difficulties (typically) result from a deficit in the phonological component of language? (Please be mindful that average phonological scores alone do not rule out dyslexia.)
- Are these difficulties unexpected for the student's age in relation to the student's other cognitive abilities and provision of effective classroom instruction?

## **Placement**

If the student is found eligible for dyslexia services in reading, the student will be able to participate in Stafford MSD's general education dyslexia intervention program. However, if the reading difficulties continue and the student is not successful in the dyslexia intervention program, the ARD or 504 committee will determine the breadth and depth of additional support.

The ARD or 504 committee will also determine the need to continue or stop the research-based dyslexia intervention for a student who is consistently not making adequate progress.

## **Assessment of Students Identified Outside the District**

All assessment reports completed by outside agencies will be reviewed by the campus educational diagnostician (special education) to determine if the testing meets the state and local guidelines. Stafford MSD may choose to accept the outside assessment or may re-assess the student to ensure compliance. The ARD or 504 committee will determine the identification status of a student enrolled in Stafford MSD and the placement of the student in the dyslexia program(s). An outside assessment does not automatically create eligibility.



## Re-evaluation

Dyslexia is a lifelong condition. State law indicates that a student may not be re-tested for dyslexia for determining continued eligibility until the district reevaluates the information from previous testing of the student. However, Special Education laws require periodic reevaluation. Under IDEA, the ARD committee should review the student's assessment data, progress monitoring data, state assessments, teacher reports, etc. and determine if current programming is effective. If current programming is not effective, the committee will discuss and implement new programming recommendations.

## Dyslexia Interventions in Stafford MSD:

In Stafford MSD, for the 2020-2021 school year, the following interventions are used:

Grade	Intervention Program Really Great Reading
Kindergarten	Countdown
1-2	Blast Primary
3-4	Blast Elementary
5-12	HD Word (Foundations, Essentials, and Linguistics)

**Countdown** is an essential preventative supplement to any core kindergarten reading program. The sequential and efficient exposure to key literacy concepts ensures a firm foundation in the subskills that lead to strong decoding and fluent reading.

**Blast** foundations is a phonics and phonemic awareness program with hands-on multisensory and manipulative based instruction.

**HD Word** is a set of lessons that efficiently teaches the foundational skills that lead to strong decoding and fluent reading. The lessons systematically teach the essential phonics structures that unlock the English code in both simple and complex words. While the focus of HD Word is word study (phonics and phonemic awareness), there is a high rate of transfer to students' skills in other areas of reading, such as fluency and comprehension. The net effect is faster, more accurate, and more confident readers.

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))

Related disorders include disorders similar to or related to dyslexia, such as developmental auditory imperceptions, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability. (TEC 38.003(d)(2))



## **Parent Notification**

Parents or guardians of a student 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 models and options under federal law, including Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973. (74.28(h) TEC 26.0081 (d) 34 CFR Part 104, Subpart D)

At least **five school days** before any evaluation or identification procedure is used selectively with an individual student, the Stafford MSD provides written notification to the student's parent or guardian or another person standing in parental relation to the student.

The notice must be in English, or to the extent practicable, the individual's native language and must include the following:

- A reasonable description of the evaluation procedure to be used with the individual student;
- Information related to any instructional intervention or strategy used to assist the student prior to evaluation;
- An estimated time frame within which the evaluation will be completed; and
- Specific contact information for the campus point of contact, relevant parent training and information projects, and any other appropriate parent resources.

## **Referral for Special Education Services**

Before a full individual and initial evaluation is conducted to determine whether a student has a disability, Stafford MSD complies with the PRIOR WRITTEN NOTICE and REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES frameworks, provide all information required preceding this section, and provide:

- A copy of the Notice of Procedural Safeguards;
- An opportunity to give written CONSENT FOR INITIAL EVALUATION; and
- A copy of the required RIGHT TO INFORMATION.

## **Dyslexia Screening and Identification**

Because early intervention is critical, a process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available in each LEA as outlined in The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders. (74.28(jj))

Stafford MSD's strategies for screening dyslexia and related disorders must be implemented in accordance with The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders.

Screening should only be conducted by individuals who are trained in valid, evidence-based assessments and who are trained to appropriately evaluate students for dyslexia and related disorders.



Teachers who screen students with dyslexia and related disorders must be trained in instructional strategies that use individualized, intensive, multisensory, phonetic methods and a variety of writing and spelling components described in *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.

Students enrolling in public schools in this state will be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education (SBOE).

Unless otherwise provided by law, a student determined to have dyslexia during screening or testing or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the Stafford MSD qualified staff reevaluates the information obtained from previous screening or testing of the student.

Stafford MSD does 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.

The board of trustees of Stafford MSD has ensured that procedures for identifying a student with dyslexia or a related disorder and for providing appropriate, evidence-based instructional services to the student are implemented.

### **Dyslexia Services Assurances**

Stafford MSD reports through the Public Education Information Management System to the Texas Education Agency the number of students enrolled in the district or school who are identified as having dyslexia. TEC 48.009(b)(1)

In accordance with the program approved by the SBOE, the board of trustees of Stafford MSD provides for the treatment of any student determined to have dyslexia or a related disorder.

In order to support and maintain full educational opportunity for students with dyslexia and related disorders and consistent with federal and state law, Stafford MSD provides each student with dyslexia or a related disorder access to each program under which the student qualifies for services.

Stafford MSD's techniques for treating dyslexia and related disorders must be implemented in accordance with *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.

Stafford MSD utilizes the "Really Great Reading Program," as the evidence-based reading program for students with dyslexia and related disorders that is aligned with the descriptors found in *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.

Teachers who treat students with dyslexia and related disorders must be trained in instructional strategies which utilize individualized, intensive, multisensory, phonetic methods, and a variety of writing and spelling components described in *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.



## **Location of Services**

With respect to the location of the services:

- Stafford MSD provides each identified student access at the student's campus to instructional programs and the services of a teacher trained in dyslexia and related disorders;
- When necessary and appropriate, Stafford MSD, with the approval of each student's parents or guardians, offers additional services at an agreed upon location; and
  - Such services must not preclude each student from receiving services at the student's campus.

## **Parent Education Program (Parent University)**

Stafford provides a parent education program (Stafford Parent University) for parents and guardians of students with dyslexia and related disorders. Annually, sessions are embedded in the Fall Parent University Conference. Session topics that are offered may include:

- Awareness and characteristics of dyslexia and related disorders;
- Information on testing and diagnosis of dyslexia and related disorders;
- Information on effective strategies for teaching students with dyslexia and related disorders;
- Information on qualifications of those delivering services to students with dyslexia and related disorders;
- Awareness of information on accommodations and modifications, especially those allowed for standardized testing;
- Information on eligibility, evaluation requests, and services available under IDEA and Section 504 of the Rehabilitation Act of 1973, and information on the response to intervention process; and
- Contact information for the relevant regional and/or LEA dyslexia and related disorders specialists.
- The LEA must provide to parents of children suspected to have dyslexia or a related disorder a copy or a link to the electronic version of *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.



## 4. Referral for Possible Special Education Services

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The Texas Education Agency (TEA) will produce and provide to the local educational agencies (LEAs) 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. TEC 26.0081 (c)

The explanation must state that the parent is entitled at any time to request an evaluation of the student for special education services.

Each school year, each LEA must provide the written explanation to the parent of each student enrolled in the LEA by including the explanation in the student handbook or by another means.

Referral of students for an EVALUATION for possible special education services must be a part of the LEA's overall general education referral or screening system.

The TEA does not have a performance indicator in any agency monitoring system, including the performance-based monitoring analysis system, that solely measures an LEA's aggregated number or percentage of enrolled students who receive special education services.

### Referral for Initial Evaluation

#### Stafford's System

##### Responsible Staff:

- Campus Counselor*
- Campus Principal or Assistant Principal*
- Campus Diagnostician (when necessary)*
- Assessment Team Members*
- General Education Teacher(s)*

Either the parent of the student, a state educational agency, an LEA, an educational service agency (ESA), or a nonprofit public charter school that is not otherwise included as and not a school of an LEA or ESA, and any other political subdivision of the state that is responsible for providing education to children with disabilities, may initiate a request for an initial evaluation to determine if the student is a child with a disability. 89.1011 (a), 300.301 (b), 300.33

If the student continues to have trouble in the general education classroom after the provision of intervention, Stafford MSD staff must refer the student for an initial evaluation.

Whenever a student is referred for an initial evaluation, the LEA must provide PRIOR WRITTEN NOTICE of its proposal or refusal to evaluate the student.

For children who are homeless or in substitute care, Stafford MSD must also provide notice to the child's educational decision-maker and caseworker regarding requests or referrals for an evaluation under Section 504, or special education.

Before conducting a full individual and initial evaluation, Stafford MSD must obtain from the parent CONSENT FOR INITIAL EVALUATION.



For a student suspected of having a specific learning disability, Stafford MSD must refer for an initial evaluation including by providing prior written notice, and promptly request consent for initial evaluation if, prior to a referral, the student has not made adequate progress after an appropriate period when provided:

- Appropriate instruction in regular education settings, delivered by qualified personnel as demonstrated by the data; and
- Repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student's progress during instruction, which was data-based, documented, and provided to the student's parent.
- Stafford MSD will comply with the SPECIAL EDUCATION ELIGIBILITY framework for maintaining copies of referral data. The district and the campus both maintain referral data in a confidential storage system.



## 5. SERVICES BIRTH THROUGH AGE 5

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20 United States Code (USC) §1412(a)(1)(A), 19 Texas Administrative Code (TAC) §89.1035(a)(b), Texas Education Code (TEC) §29.003(b)

### Age Ranges for Eligibility

The Local Education Agency (LEA) must comply with the Child Find section. A Free and Appropriate Public Education (FAPE) must be available to all eligible children with disabilities ages 3 through 21: Services must be made available to eligible children with disabilities on their third birthday. A FAPE must be available from birth to children with visual or auditory impairments. A child between the ages of 3 through 5 may be described as eligible for special education services based on Noncategorical Early Childhood guidelines if the criteria are met.

### Early Childhood Intervention (ECI)

ECI is a coordinated system of services available in every county within Texas for children birth to age three with disabilities or delays. ECI is funded through the federal Individuals with Disabilities Education Act (IDEA, Part C), P.L. 105-17 and through state appropriations. ECI supports families to help children reach potential through developmental services. The local ECI programs must identify, locate, and screen or evaluate all infants and toddlers, birth through two years of age, who have or are suspected of having developmental delays. ECI must notify the local educational agency (LEA), for the area in which the child resides, that the child will shortly reach the age of eligibility for preschool services for children with disabilities (which is three years old).

By the child's second birthday, ECI programs must notify the appropriate LEA child find personnel of I – Referrals & Evaluations 1028 Special Education Administrative Procedures, 2020-21 the child's birth date. The notification must be written and include the following information: child's name; parent(s) or guardian(s) name; address; telephone listing; and date of enrollment in ECI. The child find system must include procedures for use by primary referral sources for referring a child to the appropriate ECI program for evaluation and re-evaluation. Once the local ECI program receives a referral, it shall appoint a service coordinator, usually diagnostician or speech pathologist assigned to the Stafford Early Childhood Center, as soon as possible.

### Stafford's System

#### Responsible Staff:

- Campus Principal or Assistant Principal
- Campus Diagnostician

If a parent or other referral source contacts a Stafford MSD campus or other staff member requesting services for a child under the age of three, the staff member should document contact and notify the Diagnostician at the Stafford Early Childhood Center. The Diagnostician at the ECC has two working days to document and notify the local ECI Agency.

Stafford MSD provides an annual communication to childcare centers in the Stafford, TX community with children who are at least three years of age but younger than six years of age and who are eligible for enrollment in a special education program of the availability of the program.



Stafford MSD ensures that a free appropriate public education (FAPE) is made available to all eligible children with disabilities ages 3 through 21.

## **Individualized Family Service Plan (IFSP)**

IFSP has the meaning given the term in the Individuals with Disabilities Education Act Part C (IDEA-C). [300.24](#); [303.20](#); [20 USC 1436](#)

The IFSP is a written plan of services a child will receive, as well as how and when these services will be administered. It details the child's current levels of functioning, specific needs and goals for treatment.

The IFSP takes a family-based approach to services, due to the central concept that supporting a child's family lends itself to supporting the child. This means that the IFSP is developed with input from the child's entire family, and it includes features that are designed to support the entire family.

Stafford MSD ensures the IFSP contains:

- A statement of the infant's or toddler's present levels of physical development including vision, hearing, and health status, cognitive development, communication development, social or emotional development, and adaptive development based on the information from that child's evaluation and assessment. [303.344](#); [300.323\(b\)\(1\)\(ii\)](#)
- The identification of the service coordinator from the profession most immediately relevant to the infant's, toddler's or family's needs (or who is otherwise qualified to carry out all applicable responsibilities under Part C) who will be responsible for the implementation of the plan and coordination with other agencies and persons, including transition services, and the steps to be taken to support the transition of the toddler with a disability to preschool or other appropriate services.
- With the concurrence of the family, a statement of the family's resources, priorities, and concerns relating to enhancing the development of the child as identified through the assessment of the family.
- A statement of the measurable results or measurable outcomes expected to be achieved for the child including pre-literacy and language skills as developmentally appropriate for the child and family, and the criteria, procedures, and timelines used to determine the degree to which progress toward achieving the results or outcomes identified in the IFSP is being made.
- A statement of whether modifications or revisions of the expected results or outcomes, or early intervention of services are necessary.
- A statement of the specific early intervention services, based on peer-reviewed research, to the extent practicable, that are necessary to meet the unique needs of the child and the family to achieve the results or outcomes identified in the IFSP, including The length, duration, frequency, intensity, and method of delivering the early intervention services. [303.344\(d\)\(1\)\(i\)](#); [303.344\(d\)\(2\)](#)

Stafford MSD ensures that FAPE is made available from birth to children with visual impairments, or who are deaf or hard of hearing; and comply with:

- The VISUAL IMPAIRMENT framework;
- The DEAF OR HARD OF HEARING framework; or
- The DEAF-BLINDNESS framework.

For the child from birth through two years of age with a [VISUAL IMPAIRMENT](#) and/or who is [DEAF OR HARD OF HEARING](#), an IFSP meeting will be held in place of an admission, review, and dismissal (ARD) committee meeting. [89.1050\(b\)](#)



## **Noncategorical Early Childhood**

Stafford MSD provide services to eligible 3, 4, and 5-year-old children with disabilities in Early Childhood Special Education

- For children referred prior to age three as a referral through an early intervention program while receiving services through ECI, special education services must be made available to the child on his or her third birthday if the child is found eligible.
- A child who is four years old on or before September 1st and meets district pre-kindergarten requirements may enroll in the district's pre-kindergarten program. Certain guidelines must be met for pre-kindergarten attendance.
- A student must be five years of age on or before September 1st to participate in the district's kindergarten program.
- If the child is to be evaluated by the Assessment Team, the child participates in a screening and parent completes appropriate referral paperwork, notice and consent. Based on the referral information, the assessment will be assigned to the early childhood assessment team or a speech-language pathologist. The evaluation team and/or the SLP completes the evaluation.

The Assessment Team 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 must include all areas of suspected disability 300.304(c)(4):

- A comprehensive measure of intelligence,
- A measure of adaptive behavior,
- Age appropriate developmental/academic evaluation,
- A speech/language evaluation,
- A psychological evaluation if emotional or behavioral concerns are present,
- An assistive technology/augmentative communication assessment if determined to be necessary by the speech-language pathologist or diagnostic specialist upon review of the referral paperwork, and
- Other Health Impairment (OHI) disability forms will be presented to the parent by the diagnostic specialist if relevant information is provided to determine its relevance.

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 of DEAF OR HARD OF HEARING and VISUAL IMPAIRMENT.

The Speech/Language Pathologist completes the evaluation and report for a student with primary speech and language needs.

The Diagnostician from the assessment team compiles the evaluation report for a student who participated in an arena assessment by combining report information from all specialists involved in the assessment. This report includes a recommendation for eligibility and placement for the ARD committee to use and consider when determining eligibility and placement.

The diagnostician at the Stafford Early Childhood Center schedules the initial ARD/IEP committee within 30 calendar days of the FIE date and prior to the child's third birthday if the referral comes through ECI. Otherwise, the ARD must be held within 30 calendar days of the completion of the report.



The ARD/IEP is held at the Stafford Early Childhood Center and an ESCE special education teacher at the Early Childhood Center is invited so that the committee can review the results of the FIEE report. The recommendations for eligibility and programming placements are discussed and reviewed with parental input. The committee determines eligibility and programming.

Assessment personnel (Diagnostician or Speech/Language Pathologist) are responsible for:

- Scheduling the ARD/IEP meeting at Stafford Early Childhood Center
- Submitting a request for transportation if appropriate.
- Completing PEIMs information

Personnel at the Early Childhood Center are responsible for:

- Ensuring enrollment is complete
- Developing the objectives and goals for the Individualized Educational Program (IEP) based on recommendations in the FIEE report.
- Providing the program as specified in the ARD/IEP
- Completing and submitting the initial Child Outcome Summary Forms

Speech Therapy Services are provided by a licensed or certified Speech/Language Pathologist (SLP) and may be provided in a variety of ways. Speech Therapy may take place at the home campus or the attending campus. Speech Therapy may take place virtually or face-to-face in the child's classroom or one on one. Speech Therapy Services can be provided in Spanish by a licensed assistant SLP or certified Speech/Language Pathologist (SLP) in the classroom or as a pull-out session as part of the bilingual program when deemed necessary by the assessment personnel and ARD committee.

In Class Support Services are provided when a special education teacher or special education paraprofessional provides instructional support services for preschoolers with disabilities in the general education pre-kindergarten or kindergarten classes.

Self-Contained Services are provided by a special education teacher and special education paraprofessional(s) in a special education class. SMSD's program is referred to as the PALS (Pre-schoolers Achieving Learning Skills) class.

It is important to note that when an ECSE placement is considered by the ARD committee, the default placement decision is a full-day, which is consistent with the general education preschool programming. There may be ARD Committee decisions for individual students which indicate services should be provided for a shorter period than a full-day.