



Special Education Operating Procedures

March 2022



Introduction and Questions



Requirements



New Templates for 2022-2023



Template Structure and Optional Use



Monitoring Activities



Timeline and Resources



Accessing the Legal Framework System



Closing

Introduction and Questions

- What is the statutory authority requiring local education agencies (LEAs) to develop and implement special education policies and operating procedures, and why are they uploaded to the Legal Framework?
- What is the difference between school board policies and special education operating procedures?
- What is the difference between special education operating procedures and evidence of practice?
- When must board policies and operating procedures be linked or uploaded in the Legal Framework?
- Are LEAs required to use the operating procedures templates found in the Legal Framework?
- How are policies and operating procedures uploaded or linked in the Legal Framework?



Requirements

Statutory Authority

According to the requirements of the Individuals with Disabilities Education Act (IDEA): 34 Code of Federal Regulations (CFR) §§300.149(b) and 300.201.

- The State must have in effect **policies and procedures** to ensure that it complies with the monitoring and enforcement requirements in §§300.600 through 300.602 and §§300.606 through 300.608.
- The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect **policies, procedures, and programs** that are consistent with the State policies and procedures established under §§300.101 through 300.163, and §§300.165 through 300.174.

Policies

Policies set and communicate the parameters for requirements. Basically, policies are the stated, written rules the LEA will follow as it meets its responsibilities and conducts business.

Procedures

Procedures provide detailed guidance for the implementation of the LEA policies. Basically, procedures are the step-by-step instructions the LEA uses to follow its rules.

Practices

Practices reflect the actions of the LEA as it follows its policies and procedures. Basically, practices are the products the LEA creates as it implements its policies and procedures.

In the simplest form, **policies** are the *what*, **procedures** are the *how*, and **practices** are the *evidence*.

School Board Policies

Legal

Compile federal law, state law, and court decisions, providing the statutory context in which all other policies should be read

Local

Reflect decisions made by the board of trustees

Special Education Operating Procedures and Practices

Local Operating Procedures

- written **procedures** developed locally which outline the implementation of the LEA's special education policies
- a “living” resource meant to be updated on a regular basis

Local Practices

- evidence of practice is observable
- examples include forms, brochures, and/or documents

Review of 2020-21 and 2021-22 Requirements




Child Find



Evaluation



FAPE

A photograph of a school hallway with a wide set of stairs. Several students with backpacks are walking up and down the stairs. Large windows on the right side of the hallway provide natural light. The image is overlaid with a semi-transparent blue banner at the bottom left containing the text.

2022-2023 New Templates



#FAPE Admission, Review, and Dismissal Committee Meeting (1)



#FAPE Transition and Graduation Composite (1)



#FAPE Parent Participation (1)



#FAPE Least Restrictive Environment Composite (1)



#FAPE Composite (1)

Operating Procedures Templates – No Sub Content Areas



#FAPE Admission, Review, and Dismissal Committee Meeting (1)



#FAPE Parent Participation (1)

Operating Procedures Templates – With Sub Content Areas



#FAPE Transition and Graduation Composite (1)

- Transition Services
- Graduation



#FAPE Least Restrictive Environment Composite (1)

- Least Restrictive Environment
- Placement in Residential Facility
- Virtual Learning Days


Operating Procedures Template – Sub Content Areas & Special Factors



#FAPE Composite (1)

- Determination of Eligibility
- Present Levels of Academic Achievement and Functional Performance
- Annual Goals
- State and District Assessments
- Supplementary Aids and Services, Special Education, Related Services
- Extended School Year Services (ESY)
- Children Who Transfer
- Special Factors

- Behavior
- English Learner
- Blind/Visually Impaired
- Communication
- Deaf or Hard of Hearing
- Assistive Technology
- Autism

A photograph of a school staircase with several students walking up and down. The students are wearing backpacks and casual clothing. The staircase has metal railings and is set against a large window that looks out onto a green landscape. The image is slightly faded to allow the text to be read clearly.

Structure and Optional Use of the Legal Framework Operating Procedures Templates

Options for Creating Operating Procedures

Option 1

LEAs use the templates provided in the Legal Framework (previous & new).

Option 2

LEAs create their own documents.

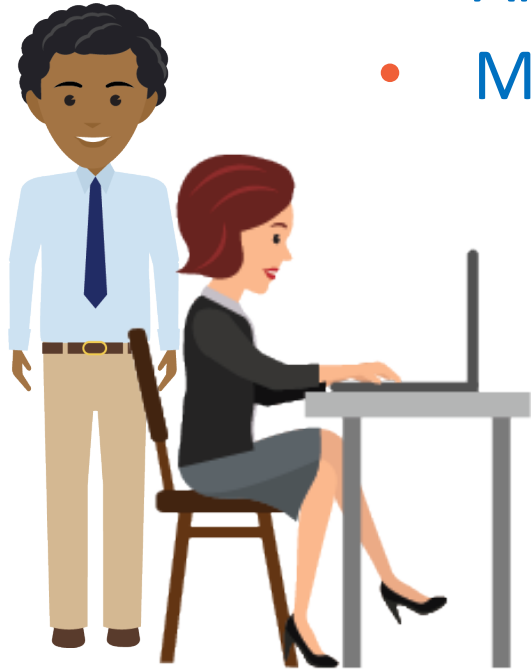
Option 3

LEAs purchase a commercial product.



Legal Framework's Optional Templates

- Can be used by LEAs at no cost
- Are intended to provide technical assistance
- Are copyrighted for use by LEAs (not for commercial use)
- May be revised or edited by LEAs



*LEAs are not required to use the Legal Framework templates

Organization of Optional Templates



Optional Operating Procedures Template

Procedures	Staff Responsible	Timeline	Evidence of Practice
<ul style="list-style-type: none">▪ Suggested prompts provided as technical assistance support▪ Not all prompts listed must be addressed▪ Create your own prompts	<ul style="list-style-type: none">▪ List positions, not names▪ Could be:<ul style="list-style-type: none">✓ District Level✓ Campus Level✓ Itinerant Level	<ul style="list-style-type: none">▪ Could be when activities described in Procedures are scheduled▪ Could be within a twelve-month timeframe	<ul style="list-style-type: none">▪ Practice can be evidenced by:<ul style="list-style-type: none">✓ Forms or checklists✓ Training artifacts (agendas, sign-in sheets, handouts)✓ Data trackers from a software management system

Evidence of Practice



Local education agencies should NOT upload Evidence of Practices in the Legal Framework.

Related Resources Provided on Each Template

Within each template is a link to Related Resources that may contain relevant information on the topic from one or more of these sources:


- The Federal Register
- Office of Special Education Programs (OSEP) Q & A
- Office of Special Education and Rehabilitative Service (OSERS) guidance
- Pertinent court case decisions on the topic

Related Resources Link

OPERATING PROCEDURES
GENERIC CHILD FIND TEMPLATE

"[Insert LEA NAME]" "[Co. Dist. #]"

Template update May 2020

 Legal Framework:
Related Resources
Broad Category: CHILD FIND

PROCEDURES:

Opting Out of Using Templates in Legal Framework

LEAs must ensure that the uploaded or linked operating procedures:

- contain the four elements consistent with the templates available in the Legal Framework,
- include the required content, and
- has the **exact name** for the template as it appears.

Example



Must include hashtag



Must include 1 in parentheses



#FAPE Transition and Graduation Composite (1)

A photograph of a school staircase with large windows in the background. Several students with backpacks are walking up and down the stairs. The image is overlaid with a semi-transparent blue box containing the title text.

2022-2023 Monitoring Activities

2022-2023 Monitoring Activities

- An LEA must be able to demonstrate that its policies, procedures, and programs are consistent with the state's special education policies and procedures. See 34 CFR § 300.201. As a general premise, the presence of a policy does not, in and of itself, demonstrate the procedure employed to effectuate the policy.
- LEAs are subject to a **policy** and **operating procedures** review during their cyclical monitoring schedule.
- The Department of Review and Support will utilize the Legal Framework to conduct a review of the LEA's policy and operating procedures.
- LEAs are required annually to engage in the special education self-assessment which ensures LEAs maintain their special education policies and operating procedures.

- LEA Policies and Procedures must be uploaded to the Legal Framework **no later than August 31, 2022.**
- Due date requirements allow for:
 - Training, upload, and LEA policy and procedures review (5 months)
 - Adequate TEA review timelines (beginning September 2022)
 - Updates to Legal Framework (scheduled for early Fall 2022)

Key Policy Reminders

LEAs should review these areas to assure policies and operating procedures are reviewed, updated, and completed.

- Ongoing training opportunities for teachers of students with dyslexia as part of their continuing professional education (CPE) hours. (Texas Education Code (TEC) 21.054(a)-(c) and Texas Administrative Code (TAC) 19 §232.11(e))
- LEA compliance to report through the Texas Student Data System (TSDS) Public Education Information Management System (PEIMS) the number of students enrolled in the LEA or school who are identified as having dyslexia. ([TEC §48.009](#))
- Requirements to ensure that a student transitioning from Early Childhood Intervention (ECI) has an individualized family service plan (IFSP) adopted and/or an individualized education program (IEP) developed and implemented by the child's third birthday. (34 CFR §300.124(b))

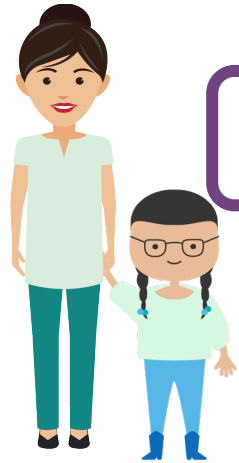
A photograph of a school staircase with large windows in the background. Several students with backpacks are walking up and down the stairs. The image is semi-transparent, allowing the text to be overlaid.

Timeline and Helpful Resources

Timeline



Helpful Resources



[Special Education Family Resources](#)



[Special Education Guidance](#)

[Special Education in Texas](#)



[Statewide Technical Assistance Networks](#)



Child Find, Evaluation, and ARD Supports Listserv

[Child Find, Evaluation, and ARD Supports Network](#)

A screenshot of the website for the Child Find, Evaluation, and ARD Supports Network. The top navigation bar is teal and contains links for Home, Child Find, Referral to Special Education, Evaluation, ARD Supports, Recorded Webinars, and Contact Us. A 'Join Our Listserv' button is highlighted with a red box and a red arrow. The main content area features a chalkboard background with a map of Texas, colorful handprints, and the text 'Child Find, Evaluation and ARD Supports Network'. Below the main content is a white banner with the text 'Purpose and Goals of Child Find, Evaluation, and ARD Supports Network'.

Home Child Find ▾ Referral to Special Education ▾ Evaluation ▾ ARD Supports ▾ Recorded Webinars Contact Us

Join Our Listserv

CHILD FIND
EVALUATION
ARD SUPPORTS

Child Find, Evaluation and
ARD Supports Network

Purpose and Goals of Child Find, Evaluation, and ARD Supports Network

A photograph of a school hallway with a wide staircase. Several students with backpacks are walking up and down the stairs. Large windows on the right side of the hallway provide natural light. The overall scene is bright and active.

Accessing the Authoring System in the Legal Framework

Lee Lentz-Edwards
ESC 18



#FAPE Admission, Review, and Dismissal Committee Meeting (1)

Templates with a # need to be updated.

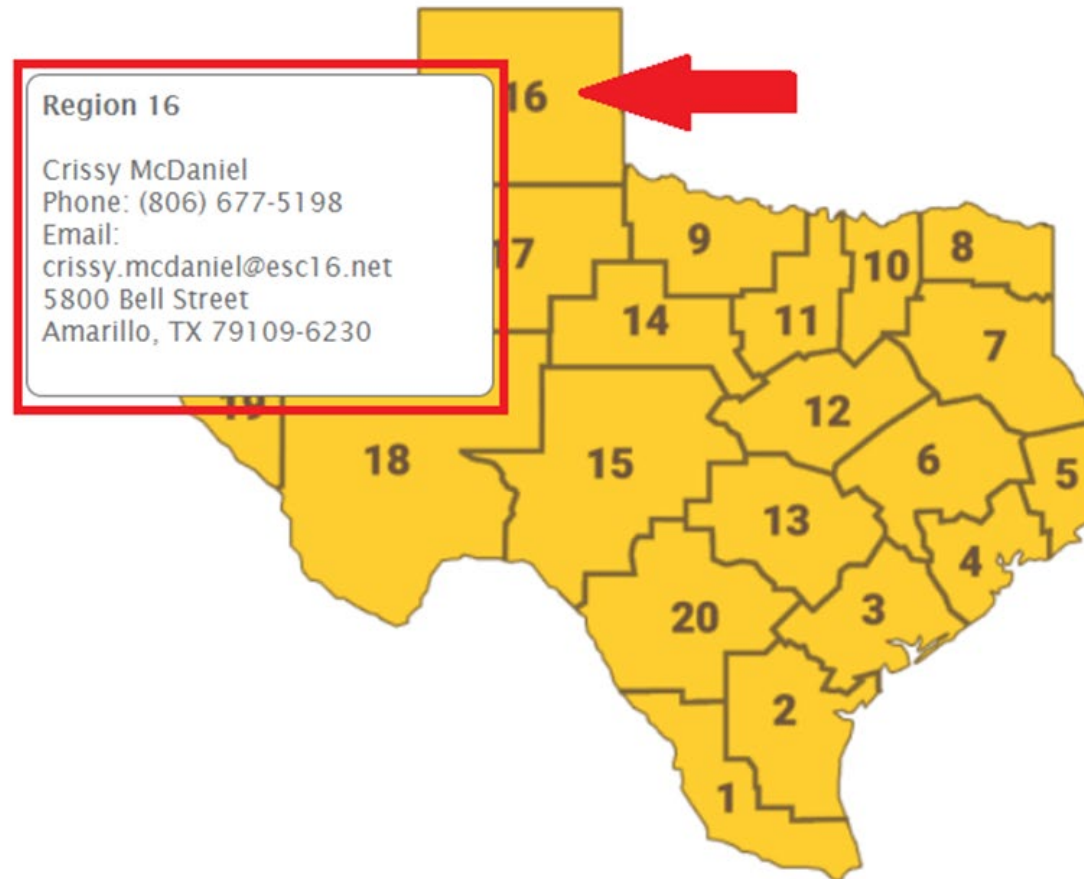
Administrators log into their account from the Legal Framework homepage.

The screenshot shows the homepage of 'THE LEGAL FRAMEWORK for the Child-Centered Special Education Process'. At the top right, there is a 'Mobile Site' link. Below the header, there is a 'Legal Framework Helpdesk' section with a phone icon and the number '432-561-IDEA', and an email icon with the address 'framework@edutexas.18.net'. A navigation bar includes links for 'Parent', 'Framework News', 'Updates', 'Resources', 'Glossary', 'Documents', and 'Search'. A search bar is provided with the prompt 'Find your district or charter school'. A map of Texas is displayed with regional numbers, and a note says 'Hover over your region to find your regional Legal Framework contact.' On the right side, there are several resource cards: 'Notice of Procedural Safeguards', 'Parent's Guide to the ARD Process', and 'Special Education Rules and Regulations'. At the bottom, there are links for 'Transition/ Employment Services/ Employee Search', 'Stay Informed!', and 'Inform Us!'. A red box with the text 'Click the Administrator link to log in to your account.' has a red arrow pointing to a small 'Administrator' link in the footer.

Uploading/Linking Operating Procedures

- How to upload/link the operating procedures has not changed.
- You must have an account in the Legal Framework website.
- Log into the Legal Framework website.
- The training PowerPoint with instructions for how to upload/link the operating procedures is posted to the Legal Framework website:
 - Resource Library → Training Material → How To → 5. How to Upload Operating Procedures.

Contacts for each education service center can be found on the Legal Framework homepage.



Hover over your region to find your regional Legal Framework contact.

Companion Reference Documents



Framework/Template
Submission Crosswalk



Operating Procedures
General Information

REGION 18
education service center

My PENDING REQUESTS [Log Out](#)

TUESDAY, MARCH 08, 2022

MY WORKBENCH

- Waiting Approval (0)
- View All Requests
- Waiting for TEA (0)
- Sent for Comments (0)

REPORTS

RESOURCE LIBRARY

- Operating Procedures
- Training Material

CHANGE DOCUMENTS

SPP ASSURANCE

FRAMEWORK DISPLAY PORTAL

EDIT MY INFORMATION

Request ID	Created Date	Request On	Request Type	Status
No records to display.				

Page: 1 of 1 Go Page size: 5 Change Item 0 to 0 of 0

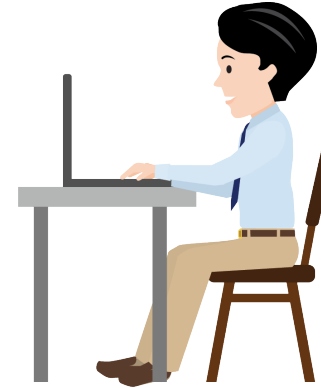
Closing



Recap and Summary

- TEA complies with its monitoring and enforcement requirements outlined in regulation using Legal Framework as the State's repository for monitoring access to required LEA policies and operating procedures.
- Board policy provides stated, written rules the LEA will follow, while special education operating procedures describe how, and observable practice evidences the LEA's implementation of the policies and procedures.
- Board policies and operating procedures must be linked or uploaded in the Legal Framework by August 31, 2022, and can be locally developed, bought, or the LEA may use the LF optional templates provided for free.
- LEAs upload or link their policies and operating procedures via the Administrator Account log in portal in the Legal Framework.

Please contact:



- **Your regional education service center**
- **Legal Framework at ESC 18**
frameworkhelp@esc18.net
- **Texas Education Agency**
sped@tea.texas.gov



Thank You !