

Division of General Supervision and Monitoring

CYCLICAL REVIEW GUIDE:



2025-26 School Year

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Special Education Monitoring, Review and Support

Under federal law [34 Code of Federal Regulations § 300.600](#), state education agencies are responsible for establishing a general supervision system that monitors local educational agencies (LEAs) implementing the Individuals with Disabilities Education Improvement Act (IDEA) of 2004. The Texas Education Agency (TEA) is accountable for monitoring local educational agencies (LEAs) serving students with disabilities through cyclical reviews to determine compliance with federal and state laws.

All LEAs in Texas will be, at a minimum, monitored every six years in a scheduled cycle. The [2025-2031 Cyclical Monitoring Schedule](#) is published on the TEA website. LEAs participating in cyclical monitoring will receive correspondence from the TEA at the start of the school year and throughout the monitoring process. Each school year, LEAs selected for monitoring will be reviewed in three groups as follows:

Group 1: October-December

Group 2: January-March

Group 3: April-June

Overview of Special Education Monitoring

- Initial planning meeting
- Policy Review
- Comprehensive Desk Review
- Clarifications
- Stakeholder Surveys
- Report of Findings
- Service Quality Survey (After Review is Complete)

Initial Monitoring Meeting

The initial monitoring meeting is scheduled before the desk review window opens so that LEAs receive an overview of the comprehensive cyclical monitoring process and can ask questions. LEAs receive their student sample list as well as various documents and resources at the initial monitoring meeting.

Comprehensive Desk Review

The purpose of a cyclical desk review is to identify systemic compliance of federal and state laws as evidenced by the current evaluations and IEPs and ultimately increase positive student outcomes. The TEA has developed a diagnostic framework that concentrates general supervision activities within three domains: Implementation, Student Outcomes, and Family Engagement. With regard to special education, these three domains are essential to addressing the seven critical areas of compliance: Properly Constituted ARD, Evaluation, IEP Content, IEP Development, IEP Implementation, State Assessment, and Transition; while not exclusive to other compliance requirements of IDEA (Figure 1).

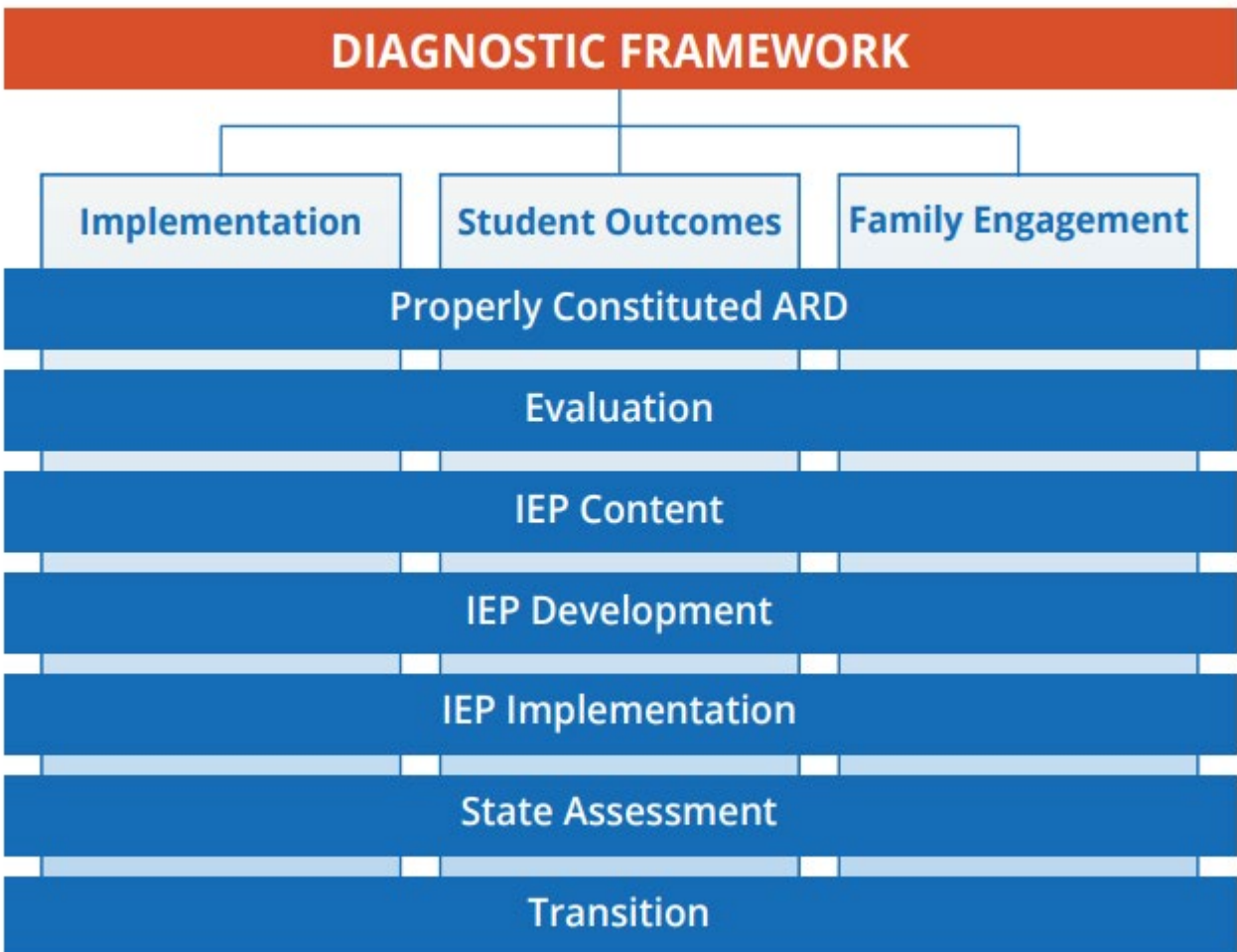


Figure 1 Diagnostic Framework for Special Education

Policy and Procedure Review

As part of the comprehensive cyclical monitoring process, the review of policies and operating procedures monitored by the Division of Monitoring, Review, and Support will remain an essential and ongoing component. The policy and procedure review serves as an examination to ensure that all policies and procedures are compliant with applicable requirements. LEAs will submit policies and procedures to TEA via ASCEND at the start of the review. A list of the required policy and procedure topics will be provided at the initial monitoring meeting to guide these submissions.

Student Samples

Each LEA selected for participation in a cyclical review will provide documentation for a select sample of students to the TEA through the Ascend Texas application. The TEA will conduct the cyclical review upon receiving the LEA documents. The number of students selected for review is determined by the number of students with disabilities enrolled in the LEA. Additional information on the sampling methods can be found in Appendix: Special Education Sampling Methods. The sample size is the minimum number of student folders the LEA will submit for review. The TEA reserves the right to request additional folders as needed.

The TEA will provide the Student Sample List for document submission. During the Initial Planning Meeting, the TEA will verify each student's active enrollment and special education status. Once this is confirmed, the LEA will complete the Student Sample Planning Tool provided by the TEA reviewer. This tool will support the LEA in creating the Student Sample in Ascend. In addition, the LEA should upload the completed tool to ASCEND using the File Transfer upload documents button on the dashboard. After the profiles are created, the LEA will collect and upload the required documentation for each student profile for review. The TEA will review supporting documents that the LEA will utilize when uploading evidence, including the DMS-Desk Review Cover Sheet, the Review and Support Guidance for Documentation Submission, and the LEA Submission Guidance Document for Ascend all provided by the TEA reviewer.

School districts and charter schools are subject to residential facilities (RFs) monitoring if they serve students with disabilities who reside in RFs within their geographic boundaries or jurisdiction. For reporting and monitoring purposes, an RF is considered a facility that provides 24-hour custody or care of students with disabilities 22 years of age or younger for detention, treatment, foster care, or any non-educational purpose. The TEA will verify active student enrollment in RFs and will add any additional students to the Student Sample List.

Clarifications (Pre-finding Corrections)

After the preliminary review of the student folders, the Division of Monitoring, Review and Support offers LEAs the opportunity to submit supplemental documentation or updated data to evidence correction of child-specific noncompliance (e.g., two or fewer students) before the issuance of findings in the Special Education Cyclical Monitoring Report.

The TEA will schedule a Clarification Meeting with the LEA prior to the end of the cyclical monitoring process and will review the Clarification and Supplement Documentation Form provided by the TEA. LEAs have 10 business days to upload clarification/supplemental documentation to the student profiles in Ascend.

- Individual Noncompliance (1-2 instances of noncompliance)-
 - LEAs can submit supplemental evidence that would support compliance.
 - When allowable, the LEA may convene an admission, review, or dismissal (ARD) to correct the noncompliance. LEAs should consult their operating procedures and legal counsel when considering corrections through an IEP Amendment.
 - IEP documentation must identify the error, document the discussion of the impact on the student's free and appropriate public education (FAPE) and if the ARD committee determines a need for compensatory services.
- Systemic Noncompliance (3+ instances of noncompliance)-
 - LEAs can submit supplemental evidence that would support compliance.
 - While systemic noncompliance cannot be corrected during the clarification process, LEAs are encouraged to correct each child-specific instance of noncompliance to address the impact of noncompliance on the provision of FAPE in a timely manner.

Pre-finding correction may occur during the clarification process when the LEA has violated an IDEA requirement, but the TEA has not yet issued a finding of noncompliance and can verify, before issuing a finding, that an LEA:

- (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100 percent compliance with the relevant IDEA requirements) based on a review of updated data such as data subsequently collected through monitoring (Evidence of policies and procedures, training, self-monitoring); and
- (2) if applicable, has corrected each individual case of child-specific noncompliance, unless the child is no longer within the jurisdiction of the LEA; and
- (3) has no existing corrective action under a TEA complaint or due process hearing decision for the child (child-specific compliance) then;

this would be considered "pre-finding correction." ([OSEP 23-01, B-11](#))

LEAs are not required to participate in the clarification process. Participation in the clarification process does not guarantee pre-finding correction of noncompliance.

Stakeholder Survey

When an LEA participates in the cyclical review process, the TEA will provide an anonymous survey of stakeholders to include parents/families, general educators, special educators, assessment staff and administrators to gather additional information regarding the implementation of programs and services. On the distribution date, the link to the survey will be provided to LEAs. This notification will include the link to the surveys along with copies of the Spanish and English letters to families and recommendations to maximize participation.

The purpose of analyzing survey data is to identify positive stakeholder sentiment related to three constructs:

- **Information and Understanding**-This construct examines how effectively school districts inform parents about available support organizations for special education. It also assesses the extent to which parents understand their rights under special education law, including procedural safeguards for guardians of students with disabilities.
- **Communication and Involvement**- This construct examines how school districts engage parents and guardians of students with disabilities in decision-making processes. It includes the clarity of explanations provided when disagreements arise and the extent to which families feel safe expressing concerns without fear of negative consequences.
- **IEP Development & Implementation** -This construct measures positive sentiment of perceived competency required for developing individualized education programs (IEPs) and the implementation of special education program requirements.

*The LEA will not have access to individual responses due to confidentiality.

Special Education Cyclical Monitoring Report

No later than 30 calendar days after the completion of the cyclical review, a report of findings will be provided to the LEA and made available to the public. This report will provide:

- A summary of the monitoring activities,
- Identified program strengths,
- Program growth areas,
- A suggested plan for technical assistance and support, and
- Notification of Noncompliance, if applicable.

Optional Preview of the Report Meeting: TEA provides an optional report preview meeting with each LEA at the completion of the review. The purpose of this meeting is to provide special education directors with a preliminary review of the Findings Report. The LEA will not receive a copy of the report at this time.

Service Quality (ServQual) Survey

The Division of Monitoring, Review, and Support (DMRS) is committed to providing high-quality customer service to LEAs and charter schools. The DMRS will disseminate an anonymous perceptions survey to all special education directors participating in cyclical monitoring activities. The survey is sent two weeks after the final cyclical monitoring report is delivered and is open for responses for two weeks.

The questions within the survey design are intended to solicit specific feedback and facilitate continuous improvement. It includes a total of 12 questions within the following constructs: Tangibles, Communication, Assurance, Reliability, Responsiveness, Empathy, and an overall Customer Satisfaction (CSAT) question.

Findings of Noncompliance

Findings of Noncompliance

The TEA reviews data collected as part of any monitoring review activity to ensure compliance with federal and state regulatory requirements. In accordance with OSEP's Question and Answer document 23-01, State General Supervision Responsibilities under Parts B and C of the IDEA: Monitoring, Technical Assistance, and Enforcement (Jul. 24, 2023) (OSEP QA 23-01), regarding noncompliance identified through the monitoring process, a finding of noncompliance is identified by the standard (i.e., regulation or requirement) that is violated, not by the number of times the standard is violated. Therefore, TEA reviews information and data collected as part of TEA authority and monitoring activities to report non-compliance for each LEA. An LEA may have a single or multiple findings of noncompliance.

Identification of Noncompliance

Formal identification of noncompliance occurs when the TEA issues a written notification that includes the citation of the regulation that has been violated and a description of the data supporting the finding of noncompliance with that regulation. Within 30 days of notification of noncompliance, the LEA is required to draft and submit a Corrective Action Plan in Ascend.

Timely Correction

In accordance with 34 C.F.R. § 300.600(e), timely correction means that noncompliance is corrected and supporting documentation is submitted to the TEA and verified as soon as possible but in no case later than one year from identification (i.e., from receipt of written notification of noncompliance). Local Education Agencies identified with noncompliance are required to participate in structured corrective actions and engage in a root cause analysis to identify contributing factors to non-compliance.

Overview of Corrective Action

To determine the root cause of noncompliance, the LEA must consider the results of monitoring review activities and develop a corrective action plan (CAP). The TEA utilizes the ASCEND application for the development, submission, and monitoring of the CAP. The TEA schedules an initial CAP review meeting following the LEA's submission of the CAP. During this meeting, the CAP implementation activities are reviewed and timelines for completion are established. The LEA will upload evidence for each of the required implementation activities, as they are completed based on the previously established timeline for completion date. The TEA will establish a monthly CAP check-in and review cadence with the LEA.

CYCLICAL CORRECTIVE ACTION PLAN IMPLEMENTATION ACTIVITIES

Evidence of Child Specific Correction	<p>To document that an individual case of child-specific noncompliance is corrected, the LEA must demonstrate that the student documentation is compliant with regulatory requirements. Evidence/documentation of correction should include addressing the LEA's noncompliance (i.e., goals that are not compliant), correcting areas of noncompliance (if applicable), discussion of whether FAPE was impacted, and consideration of compensatory services. If the IEP team finds that FAPE was impacted, there should be evidence that every instance of noncompliance has been corrected at the child-specific level for each IEP found to be noncompliant. If the affected student has been dismissed, has withdrawn, or graduated, the LEA will need to submit documentation records.</p> <p>Items to be submitted:</p> <ul style="list-style-type: none"> • First page of correction ARD/IEP • Areas of corrected noncompliance (i.e., goals) • Deliberations or PWN with documentation of compensatory services discussion and determinations • Schedule of compensatory services (if applicable) • Signature page
Evidence of Policies and Procedures	<p>Evidence of revised policies and procedures should address federal and state regulations, and the root cause of noncompliance.</p> <p>Items to be submitted:</p> <ul style="list-style-type: none"> • Revised Policies and Procedures on official letterhead
Evidence of Training	<p>Evidence of training and professional development should address the root cause as well as federal and state regulations.</p> <p>Items to be submitted (examples):</p> <ul style="list-style-type: none"> • Agendas of trainings • Sign in sheets with roles of attendees
Evidence of Self-Monitoring	<p>Evidence of correction should address the root cause of the noncompliance and the LEA's efforts to self-monitor in order to prevent future noncompliance. The evidence submitted should demonstrate the implementation of the self-monitoring system that the LEA put in place, changed, modified, or updated based on the root cause of the noncompliance and include a description of the system of self-monitoring.</p>
<p>Evidence of Systemic Correction</p> <p><i>*Any systemic evidence submitted that contains noncompliance must be addressed through child-specific corrections and additional file submissions.</i></p>	<p>To document that the LEA is correctly implementing the specific regulatory requirements (systemic compliance), the LEA must complete and submit the Student Verification Workbook demonstrating that the LEA has achieved 100% compliance in the area(s) of noncompliance. TEA will randomly select a number of additional files from the Student Verification Workbook for the LEA to submit for systemic correction review. Evidence of systemic correction must demonstrate compliance with all federal and state regulations for the area(s) of noncompliance.</p> <p>Items to be submitted:</p> <ul style="list-style-type: none"> • First page of correction ARD/IEP • Areas of systemic noncompliance (i.e., goals) • Deliberations or PWN with documentation of discussion • Signature page

Uncorrected Noncompliance (UNC)

Failure to correct identified noncompliance may result in a new finding of noncompliance and additional sanctions. Any LEA with uncorrected noncompliance beyond one year from the initial written notification will receive a Notice of Uncorrected Noncompliance (UNC). The Division of Monitoring, Review, and Support provides guidance and support to LEAs who do not fulfill the obligation of correction of non-compliance within one year. The LEA's UNC status remains until all areas of the uncorrected CAP are verified corrected by the TEA. The LEA may be subject to additional oversight and sanctions under 19 Texas Administrative Code (TAC) §89.1076, *Interventions and Sanctions*.

Interventions and Sanctions

The TEA must establish and implement a system of interventions and sanctions, in accordance with the Individuals with Disabilities Education Act, 20 United States Code, §§1400 et seq., Texas Education Code (TEC), §29.010, TEC, Chapter 39 and TEC Chapter 39A, as necessary to ensure program effectiveness and compliance with federal and state requirements regarding the implementation of special education and related services. The TEA may combine any intervention and sanction in 19 Tex. Admin. Code §89.1076.

The system of interventions and sanctions will include, but not be limited to, the following:

- (1) on-site review for failure to meet program or compliance requirements;
- (2) required program or compliance audits, paid for by the district;
- (3) required submission of corrective actions, including, but not limited to, compensatory services, paid for by the district;
- (4) required technical assistance and support, paid for by the district;
- (5) public release of program or compliance review or audit findings;
- (6) special investigation and/or follow-up verification visits;
- (7) required public hearing conducted by the local school board of trustees;
- (8) assignment of a monitor, conservator, or management team, paid for by the district, as these terms are defined in TEC, Chapter 39A;
- (9) hearing before the commissioner of education or designee;
- (10) placing specific conditions on grant funds, required reduction in payment, required redirection of funds, or withholding of funds;
- (11) lowering of the special education monitoring/compliance status and/or the accreditation rating of the district; and/or
- (12) other authorized interventions and sanctions as determined by the commissioner.

Appendix: Special Education Sampling Methods

The TEA cyclical folder sampling utilizes a stratified random sampling method to ensure an unbiased and representative sample is selected for review. Student samples are based on the most current available source of data.

Sampling Production	Data Source	Monitoring Period
Group 1, July/August	PEIMS Fall Submission (available in Feb. of the prior year) OR PEIMS Summer Submission (available in September)	Cyclical: October-December
Group 2, November/December	PEIMS Summer Submission (July attendance record available September)	Cyclical: January-March
Group 3, February/March	PEIMS Fall Submission (October enrollment snapshot available in February)	Cyclical: April-June

The sample size is based on the population size of the LEA. Population size refers to the total number of special education students at an LEA. All samples are based on the confidence level (CL) and Margin of Error (MOE).

Population	Sample Size
1-6	Census
7-11	6
12-19	8
20-32	10
33-64	12
65-224	14
225+	16

Appendix: Desk Review

State education agencies have a responsibility under federal law (34 CFR §300.600) to establish a system of general supervision to monitor implementation of the Individuals with Disabilities Education Act (IDEA) of 2004. States are accountable for using this system to enforce requirements and ensure continuous improvement. This system is designed to ensure compliance with federal and state regulations and improve services and results for students with disabilities. The comprehensive desk review is designed by the Texas Education Agency (TEA) to evaluate each local educational agency's (LEA's) performance on seven critical areas of IDEA compliance identified in a diagnostic framework but does not preclude the identification of other areas of IDEA non-compliance. These seven areas are Evaluation, Individualized Education Program (IEP) Implementation, Properly Constituted Admission, Review, and Dismissal (ARD) Committees, IEP Content, IEP Development, Transition, and State Assessment. The following items are the questions utilized to conduct a review of an LEA's special education program in these areas as part of the TEA Differentiated Monitoring and Support System.

Evaluation

Question	Citation
Was a review of existing evaluation data (REED) completed as a part of an initial evaluation by the multidisciplinary team or as part of any reevaluation by the ARD committee, including input from the parent/guardian and other qualified professionals as appropriate?	34 CFR § 300.305
Did the school provide prior written notice proposing an evaluation to the student's parent/guardian as outlined in 34 CFR §300.503?	34 CFR § 300.304(a); 34 CFR § 300.503; TEC § 29.004(c)(1); 19 TAC § 89.1011(b)(1)(2)
Did the evaluation gather relevant functional, developmental, and academic information about the student from a variety of sources to identify all special education and related service needs?	34 CFR §§ 300.304(b); .304(c)(4); .304(c)(6)-(7); 34 CFR § 300.324(a)(2); 34 CFR § 300.306
Were evaluation instruments provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it was clearly not feasible to provide or administer?	34 CFR § 300.304(c)(1)(ii); TEC § 29.004(b)
Did the evaluation sufficiently identify and address all related services to meet the child's needs, and document information obtained from all sources drawn upon so that the student's educational needs may be determined?	34 CFR §§ 300.304(c)(4); (6)
Did the ARD Committee determine eligibility for special education using an evaluation conducted in accordance with 34 CFR, §300.301-300.306 and 300.122?	34 CFR §§ 300.301-.306; 34 CFR § 300.122; TEC § 29.0031(c); 19 TAC § 89.1040
For all initial special education evaluations, including when dyslexia is suspected, occurring after June 30, 2024, did the LEA provide the parent with a copy of the Overview of Special Education form?	TEC § 29.0031(a)(1); 19 TAC § 89.1011
Was a copy of the written FIIE report provided to the parent as soon as possible after completion of the report but no later than five school days prior to the initial ARD committee meeting, which will determine a student's initial eligibility? (Not later than June 30th if the evaluation timeline was at least 35 but less than 45 school days before the last instructional day and less than 3 absences.)	19 TAC § 89.1011(h)
If applicable, did the LEA ensure that a reevaluation occurred at least once every 3 years unless the parent and public agency agreed that a reevaluation was unnecessary?	34 CFR § 300.303

IEP Implementation

Question	Citation
Was the parent/guardian notified of the ARD committee meeting (including purpose, time, and location) at least five (5) school days prior to the meeting, or within a shorter time period if agreed upon by the parent?	34 CFR § 300.322(a)(1); 19 TAC § 89.1050(d)
Was the parent/guardian provided a copy of the Notice of Procedural Safeguards in their native language at least annually?	34 CFR § 300.504
Does the IEP include an explanation of how the student (to the maximum extent appropriate) is educated with children who are nondisabled and that the removal of a student with a disability only happens when the nature or severity of the disability of the child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily?	34 CFR § 300.114(a); 34 CFR § 300.320(a)(4); 34 CFR § 300.116
Does the IEP include information on the student's instructional setting and length of day?	34 CFR § 300.320(a)(7); 19 TAC § 89.1005; 19 TAC § 89.1075(f)

Properly Constituted ARD

Question	Citation
Did the parent/guardian attend the ARD committee meeting (in person or by alternate means)?	34 CFR § 300.322(a); 19 TAC § 89.1050(d)
Is there evidence of multiple attempts to obtain parent participation if parent was not in attendance?	34 CFR § 300.322 (d); 19 TAC § 89.1050(d)
Did a general educator attend the ARD committee meeting if the student is participating in the general education environment?	34 CFR § 300.321(a)(2); TEC § 29.005(a); 19 TAC § 89.1050 (c)(1)(B)
Did the special education teacher or provider attend the ARD committee meeting?	34 CFR § 300.321(a)(3); 19 TAC § 89.1050(c)(1)(c)
For a student with a suspected or documented visual impairment: Did a teacher certified in the education of students with visual impairments attend the ARD committee meeting?	19 TAC § 89.1050(c)(3)(A)
For a student who is suspected or documented to be deaf-blind: Did a teacher who is certified in the education of students with visual impairments and a teacher who is certified in the education of students with deaf or hard of hearing attend the ARD committee meeting?	19 TAC § 89.1050(c)(3)(C)
For a student with a suspected or documented deaf or hard of hearing: Is there evidence that a teacher certified in the education of students who are deaf or hard of hearing, attends the ARD committee meeting?	19 TAC § 89.1050(c)(3)(B)
Did an LEA representative attend the ARD meeting?	34 CFR § 300.321(a)(4); 19 TAC § 89.1050(c)(1)(D)
For an IEP meeting where initial or continued special education eligibility for dyslexia is addressed, did the ARD committee include at least one member who has specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction?	TEC §29.0031(b); TEC §38.003
Did an individual who can interpret the instructional implications of evaluation results attend the ARD committee meeting?	34 CFR § 300.321(a)(5); 19 TAC § 89.1050(c)(1)(E)
For a student who is participating or being considered for CTE, did a representative from CTE attend the ARD committee meeting?	19 TAC § 89.1050(c)(1)(I)
For a student identified as emergent bilingual, did a professional member of the language proficiency assessment committee (LPAC) attend the ARD committee meeting?	19 TAC § 89.1050(c)(1)(J)
If any required ARD committee members were not in attendance, is there evidence of written consent for excusal from the parent and written input into the development of the IEP?	34 CFR §§ 300.321(a)(2)-(5); .321(e)(2)
Does the student have a foster parent who acts as the parent for special education decision-making?	34 CFR § 300.30(a)(2); TEC § 29.015(a); 19 TAC § 89.1047(a)
Is there evidence that the foster parent agreed to participate in making special education decisions for the student?	TEC § 29.015(a)(3); 19 TAC § 89.1047(a)

Is there evidence that the foster parent has completed a training program?	34 CFR § 300.30; TEC § 29.015(b); 19 TAC § 89.1047(a)
Is there evidence that the foster parent has agreed to complete a training program before the next scheduled ARD committee meeting for the child but not later than the 90th day after the date the foster parent begins acting as the parent for the purpose of making special education decisions?	TEC § 29.015(b); 19 TAC § 89.1047(a)(1)
If it is determined a child needs a surrogate parent, is there evidence the surrogate was assigned within 30 calendar days?	34 CFR § 300.519(h)
Does the IEP indicate whether the child's parent, the adult student, if applicable, and the administrator agreed or disagreed with the decisions of the ARD committee?	TEC § 29.005(b-1)(3); 19 TAC § 89.1055(q)(3)

IEP Content

Question	Citation
Did the ARD committee discuss how the student will access the evidence-based dyslexia program, including whether the student's present levels of academic achievement and functional performance (PLAAFP) or other areas of the IEP show evidence that the program must be supplemented with a focus on one or more components?	TEC § 38.003(b); The Dyslexia Handbook (pg. 38-39)
Did the ARD committee address how the dyslexia program addresses the required instructional delivery methods described in the handbook, and whether the student's PLAAFP or other areas of the IEP show evidence that the program must be supplemented to meet the student's needs?	TEC § 38.003(b); The Dyslexia Handbook (pg. 40-41)
Did the ARD committee address the fidelity statements/requirements that are included with the dyslexia program, and how those will be delivered and/or intensified for the student?	TEC § 38.003(b); The Dyslexia Handbook (pg. 40-41)
Did the ARD committee confirm that the provider of dyslexia instruction (PDI) is fully trained in the instructional materials to implement the program?	TEC § 38.003(b), TEC §29.0032;
Is there evidence that the student's behavior impedes his/her learning or that of others?	34 CFR §300.324(a)(2)(i)
Is there evidence that the ARD committee considered positive behavioral intervention strategies and supports to address behavior?	34 CFR § 300.324(a)(2)(i); 19 TAC § 89.1053(g)(2)
Did the ARD committee determine that a BIP is appropriate for the child? If so, was the BIP provided to the service provider(s) of the student?	TEC § 29.005(g); 19 TAC § 89.1055(j)
If the student was removed from his/her current placement pursuant to 34 CFR 300.530(c) or (g), is there evidence that the student continued to receive educational services to enable the student to continue to participate in the general education curriculum although in another setting, and to progress toward meeting the goals in the IEP?	34 CFR § 300.17(d), 34 CFR § 300.530(d)(1)(i)
Did the student have a manifestation determination (MD) when a decision was made to change the placement of the student who had engaged in behavior that violated the code of conduct of the district?	34 CFR § 300.536; 34 CFR § 300.530(e)
Was the MD meeting conducted within 10 school days of the decision to change the student's placement?	34 CFR § 300.530(e)(1)
Is there evidence that the ARD committee reviewed the BIP following any determination of manifestation?	34 CFR § 300.530(f)(1)(ii); TEC §§ 37.004(b-1)(1); (B)
If the ARD committee determined the behavior was a manifestation or failure to implement the IEP, was the student returned to the placement from which he/she was removed, unless the parent and district agreed to a change of placement as part of the BIP, or unless the conduct involved drugs, weapons, or serious bodily injury?	34 CFR § 300.530(e)(1); .530(f)(2); TEC § 37.004(b)(4)

If a school district takes a disciplinary action regarding a student with a disability who receives special education services that constitutes a change in placement under federal law, did the ARD Committee address an FBA and BIP?	34 CFR § 300.530(d)(1); TEC § 37.004 (b-1)
If the student folder indicates that restraint was used, did the written notification include the efforts made to deescalate the situation and the alternatives to restraint that were attempted?	TEC § 37.0021(d)(3)(A)(ix); 19 TAC § 89.1053(e)(5)(H);

IEP Development

Question	Citation
Is the date of the annual IEP within one calendar year of the previous IEP?	34 CFR § 300.324(b)(1)(i)
Did the ARD committee determine and include the following within the child's IEP: the projected beginning date of services and modifications, the anticipated frequency, the anticipated duration, and the anticipated location of the services and modifications? This includes students receiving evidence-based dyslexia instruction through an IEP.	34 CFR § 300.320(a)(7); 19 TAC § 74.28
Did the ARD committee consider the need for extended school year (ESY) services at the annual ARD review?	34 CFR § 300.106(a)(2); 34 CFR § 300.320-.324; 19 TAC § 89.1065
If the current IEP is an initial placement or provision of services, is there consent for initial provision of services?	34 CFR § 300.300(b)
Does the PLAAFP for this student describe the child's present levels of academic achievement and functional performance including a description of how the child's disability affects the child's involvement and progress in the general education curriculum? For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities?	34 CFR § 300.320(a)(1)
Does the IEP contain a description of how the student's progress toward meeting annual goals will be measured?	34 CFR § 300.320(a)(3)(i)
Does the IEP indicate when progress reports will be provided to the parent?	34 CFR § 300.320(a)(3)(ii), TEC § 29.0031(d)
For a student receiving dyslexia instruction who is provided an evidence-based dyslexia program, did the ARD committee determine if the IEP progress report will meet the intent of the requirement in state law for a progress report on dyslexia instruction?	TEC § 29.0031(d)
In addition to measurable annual goals, does the IEP include benchmarks or short-term objectives aligned to alternate achievement standards?	34 CFR § 300.320(a)(2)(ii); 19 TAC § 89.1055 (b)(2)(i)
For a student with autism, did the ARD committee consider whether peer-reviewed research-based educational programming practices are needed?	19 TAC § 89.1055(g)-(h)
For a student with visual impairments, does the IEP or Individualized Family Service Plan (IFSP) meet the requirements of TEC §30.002(e)?	TEC § 30.002(e); 19 TAC § 89.1055(f)
For a student who is deaf or hard of hearing (DHH), did the ARD committee consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full ranges of needs, including opportunities for direct instruction in the child's language and communication mode?	34 CFR § 300.324(a)(2)(iv)

Does the IEP include a statement of measurable annual goals that address the child's academic/functional area(s) of need, including: timeframe, condition, behavior, and criterion, designed to meet the student's needs related to the disability to enable the student to be involved in and make progress in the general education curriculum and to meet the student's other educational needs that result from the disability?	34 CFR § 300.320 (a)(2)(i); 19 TAC § 89.1055 (b)
Did the ARD committee consider or identify assistive technology to enable the child to be involved and progress in the general education curriculum?	34 CFR § 300.105; 34 CFR § 300.324(a)(2)(v)
Does the IEP contain a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and districtwide assessments consistent with section 612(a)(16)?	34 CFR § 300.320(a)(6)(i) [Definition of individualized education program]

State Assessment

Question	Citation
Did the ARD committee address state assessments to be taken during the current school year?	34 CFR § 300.160(a); 34 CFR § 300.320(a)(6); 19 TAC § 89.1055(c)
If the student participates in an alternate state assessment, does the State of Texas Assessments of Academic Readiness (STAAR) Alternate 2 participation requirements form include how the student meets the requirements to participate in the alternate assessment?	34 CFR § 300.320(a)(6)(ii); 19 TAC § 89.1055(d)
For a child who does not perform satisfactorily on a state assessment or an end-of-course assessment instrument, at the child's next annual review meeting, the ARD committee will review the child's participation and progress in, as applicable, accelerated instruction, supplemental instruction, or an accelerated education plan.	TEC § 28.0211 (i)
In the case of a student who is emergent bilingual (EB) who receives special education services, did the ARD committee, in conjunction with the LPAC, determine and document the need for allowable testing accommodations in accordance with administrative procedures established by the Texas Education Agency?	TEC § 101.1005(e)

Transition

Question	Citation
Was the student's first transition ARD committee meeting held prior to his/her 14th birthday?	TEC § 29.0111; 19 TAC § 89.1055(k)-(o)
Is there evidence that the student was invited to the ARD committee meeting to consider postsecondary goals? If the student did not attend, is there evidence that the ARD committee took other steps to ensure that the student's preferences and interests were considered?	34 CFR § 300.321(b)(1); 34 CFR § 300.321(b)(2); 34 CFR § 300.322(b)(2)
Did the ARD committee consider and, if appropriate, address and document an appropriate functional vocational evaluation?	TEC § 29.011(a)(5); 19 TAC § 89.1055(k)(4)
Did the ARD committee consider, and, if appropriate, document a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under the Social Security Act (42 U.S.C. Section 1396(c)), §1915(c)?	TEC § 29.011(a)(9); 19 TAC § 89.1055(k)(5)
To the extent appropriate, with the consent of the parents or adult student, was a representative of a participating agency that is likely to be responsible for providing or paying for transition services invited to the ARD meeting?	34 CFR § 300.321(b)(3); 19 TAC § 89.1050(c)(1)(H)
By age 14 (and if under 18), did the ARD committee consider, and, if appropriate, address involvement in the student's transition, by the student's parent/guardian and other persons invited to participate by: the student's parent/guardian or by the LEA in which the student is enrolled?	TEC § 29.011(a); TEC § 29.0111; 19 TAC § 89.1055(k)(2)
By age 14, is there evidence the ARD committee considered and, if appropriate, addressed the use and availability of supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills and supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Texas Estates Code, Chapter 1357?	TEC § 29.011(a)(10); 19 TAC § 89.1055(k)(6)
Beginning not later than the first IEP to be in effect when the student turns 14 and updated annually thereafter, does the IEP include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living, beginning not later than the first IEP to be in effect when the student turns 14 and updated annually thereafter?	34 CFR § 300.320(b)(1); 19 TAC § 89.1055 (l)(1)
Beginning not later than the first IEP to be in effect when the student turns 14, or younger if determined appropriate by the ARD committee, and updated annually thereafter, does the IEP include the transition services (including courses of study), needed to assist the student in reaching the postsecondary goals?	34 CFR § 300.320(b)(2); 19 TAC § 89.1055 (l)(2)

By age 17, does the student's IEP include a statement that a written notice regarding the transfer of rights of the student, information, and resources regarding guardianship, alternatives to guardianship including a supported decision-making agreement, and other supports and services that may enable the adult student to live independently?	TEC § 29.017(c); 19 TAC § 89.1049(a)
By age 18, did the ARD committee consider and, if appropriate, address involvement in the student's transition and future by the adult student's parent and other persons, if the parent or other person: 1) is invited to participate by the adult student or the LEA; or 2) has the adult student's consent to participate pursuant to a supported decision-making agreement?	TEC § 29.011(a)(3); 19 TAC § 89.1055(n)
By the age of 18 did the ARD committee consider and, if appropriate address the availability of age-appropriate instruction environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the adult student's transition goals and objectives?	TEC § 29.011(a)(7); 19 TAC § 89.1055(n)