

# Special Education Requirements

Charter and Virtual Monitoring & Support Team



# True North Statement

“

Together, we are committed to high expectations and strong systems that achieve equitable outcomes for every student with a disability.”

# Objectives

1

Charter School Data



2

Year One Support



3

Special Education Charter Monitoring



4

Special Education Frequently Asked Questions



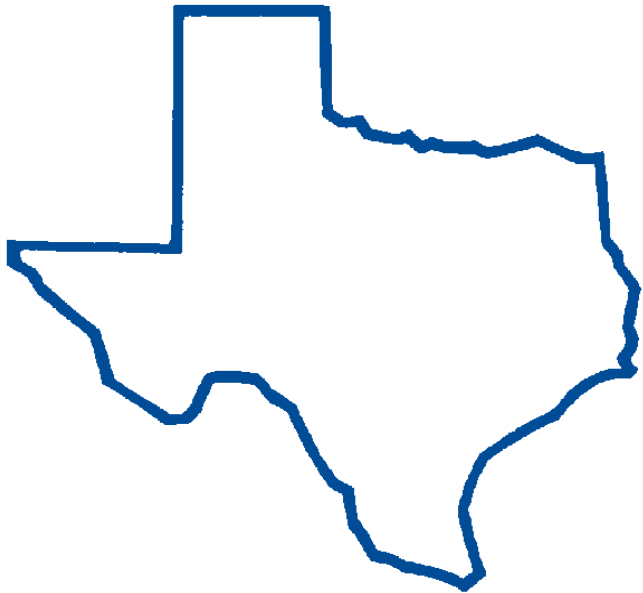
# Charter School Data



5,402,928  
Texas Students



# Texas Special Population Representation



**Students receiving special  
education services – 11.7%**



**Emergent Bilingual – 21.9%**

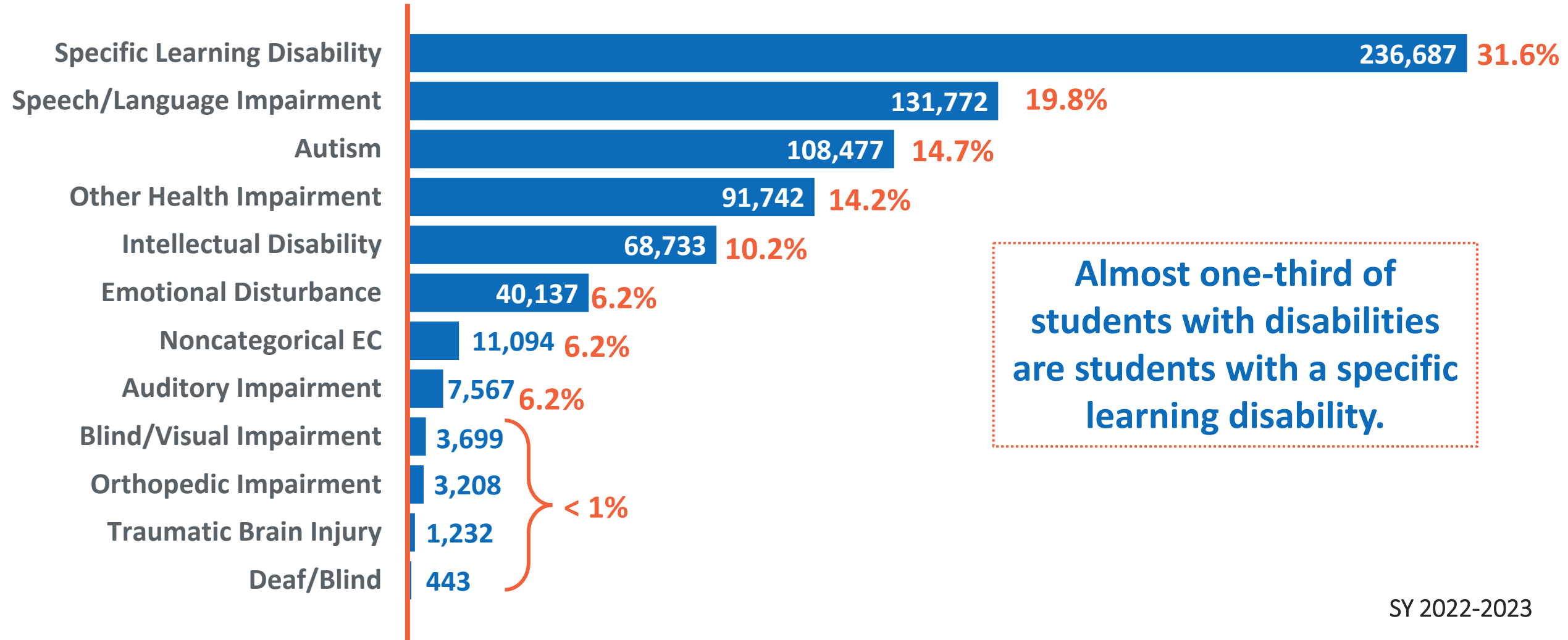


**Gifted and Talented – 8%**

**504**

**Students in Section 504 – 7%**

# Eligibility Categories in Texas for Special Education

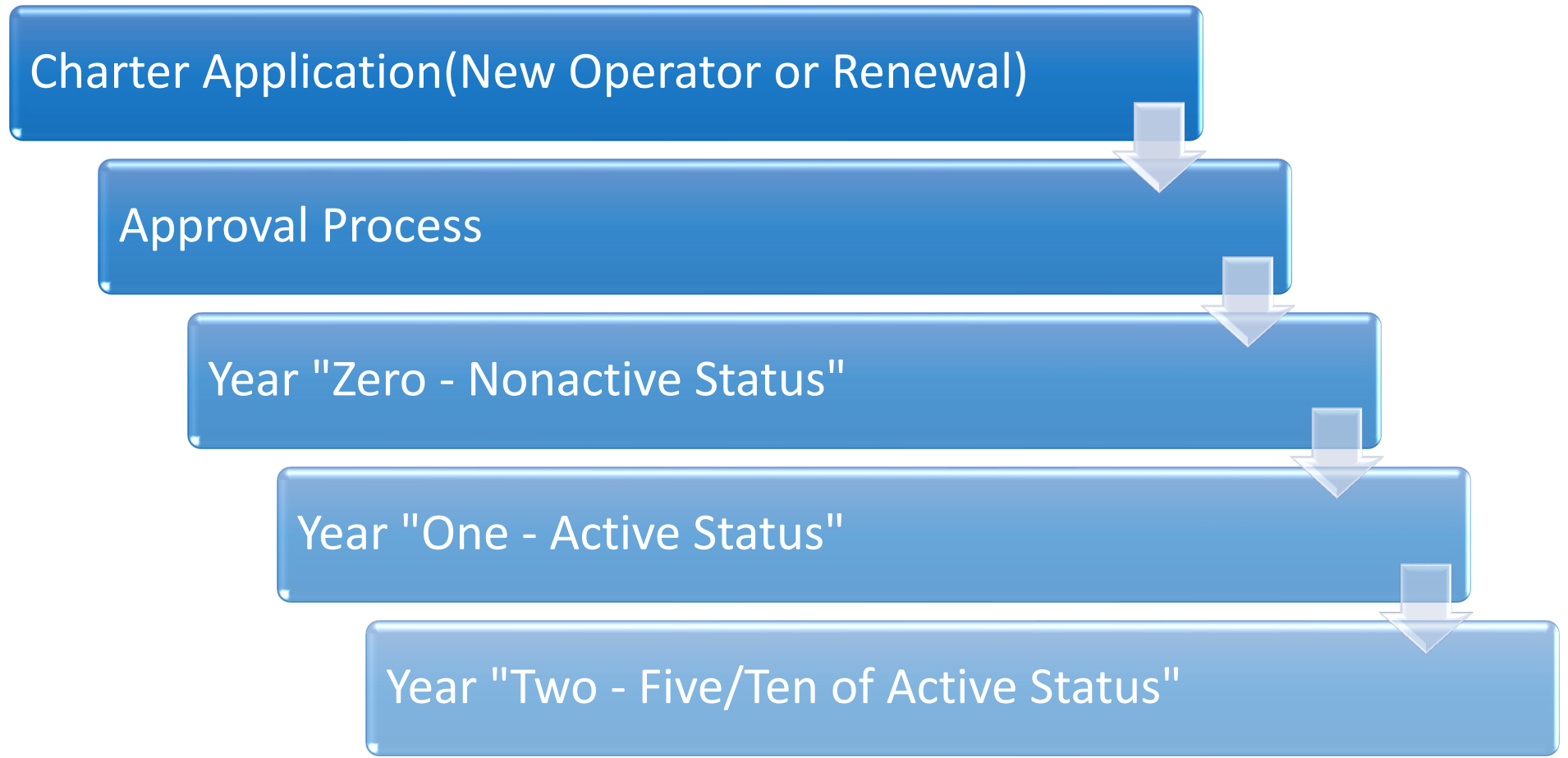


# Year One Support





# Charter Monitoring Life Cycle



# Planning the First Five Years

## Year Zero (Approved, but inactive)

- Needs to have plan in place for transfer Annual Review Dismissal (ARD) meetings, Individual Education Plan (IEP) Implementation, and Multi Tiers of Student Supports before the doors open
- Self Monitoring system for State Performance Plan 11, SPP 12, SPP 13

## Year 1

- Active for enrollment
- Self-Assessment
- Strategic Support Plan monthly monitoring
- Year 1 on-site
- State Performance Plan (SPP) submission

## Year 2 - 4

- Self-Assessment
- SPP submission
- Cyclical Monitoring (only one time)

## Year 5

- Renewal application
- Feedback from Office of Special Population Monitoring (OSPM)

# Year One Monitoring Site Visit



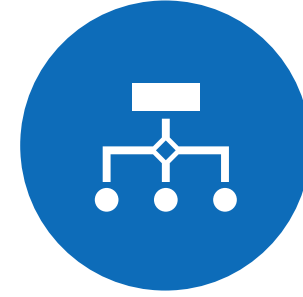
Child Find



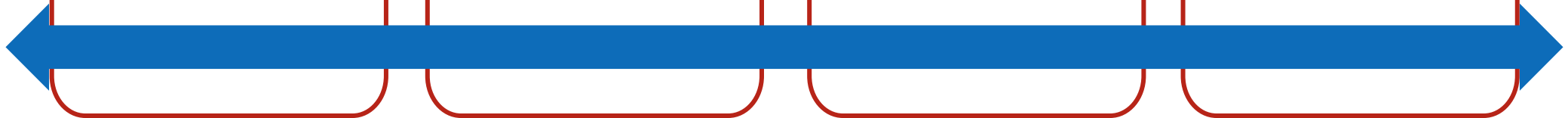
Professional  
Development



Self-  
Monitoring  
Procedures



Effective  
Staffing and  
Operations



# Year One Site Visit Evidence

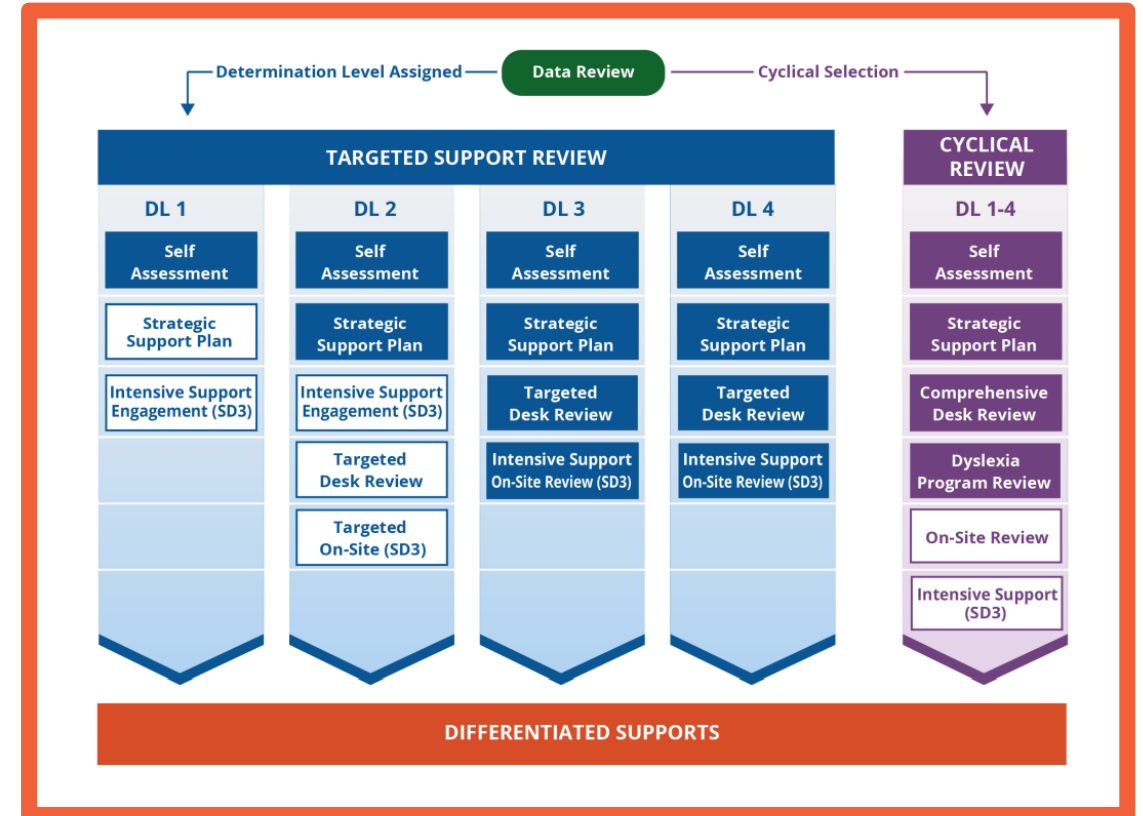
Element	Required	Additional Considerations
<b>Child Find</b>	<ul style="list-style-type: none"><li>✓ School board policies and procedures linked in the Legal Framework</li></ul>	<ul style="list-style-type: none"><li>✓ Procedures for reviewing student progress using an intervention framework</li><li>✓ In-state and out-of-state student transfer procedures</li></ul>
<b>Professional Development</b>	<ul style="list-style-type: none"><li>✓ Training for teachers and staff on special education topics</li></ul>	<ul style="list-style-type: none"><li>✓ Training artifacts (presentation handouts, sign-in sheets, etc.) for Special Education</li></ul>
<b>Self-Monitoring Procedures</b>	<ul style="list-style-type: none"><li>✓ Internal monitoring system used to evaluate IEP implementation compliance</li></ul>	<ul style="list-style-type: none"><li>✓ Forms or checklists used in IEP development (including software)</li><li>✓ Progress reporting documents</li></ul>
<b>Effective Staffing and Operations</b>	<ul style="list-style-type: none"><li>✓ Certifications of special education staff</li></ul>	<ul style="list-style-type: none"><li>✓ System of professional learning Plan</li><li>✓ Inter-agency agreements or contracts address qualification requirements</li></ul>

# Differentiated Monitoring System: Charters

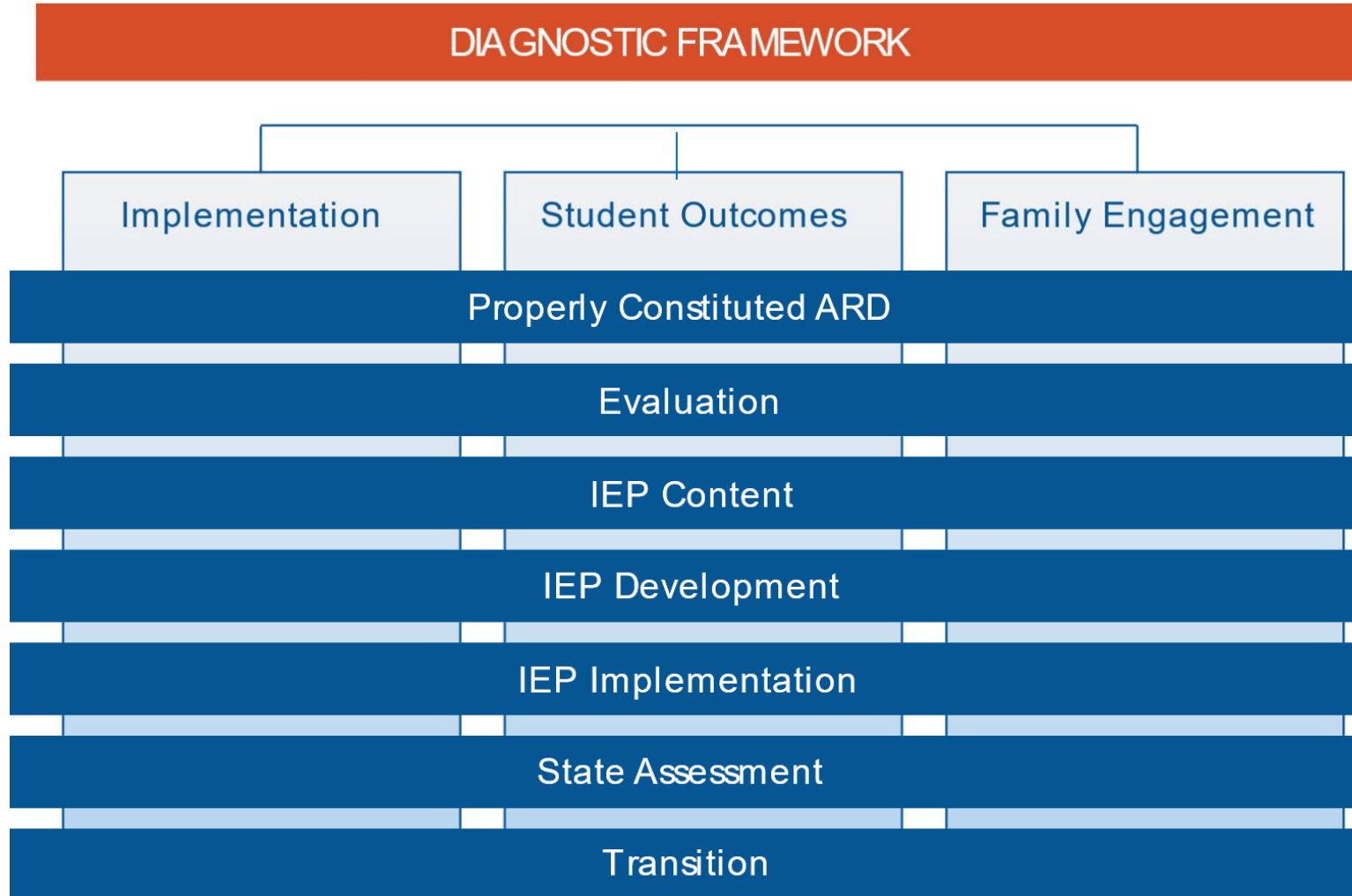


## Charter Monitoring Support

- Self-Assessment
- Strategic Support Planning
- Desk Review
- Technical Assistance Recommendations



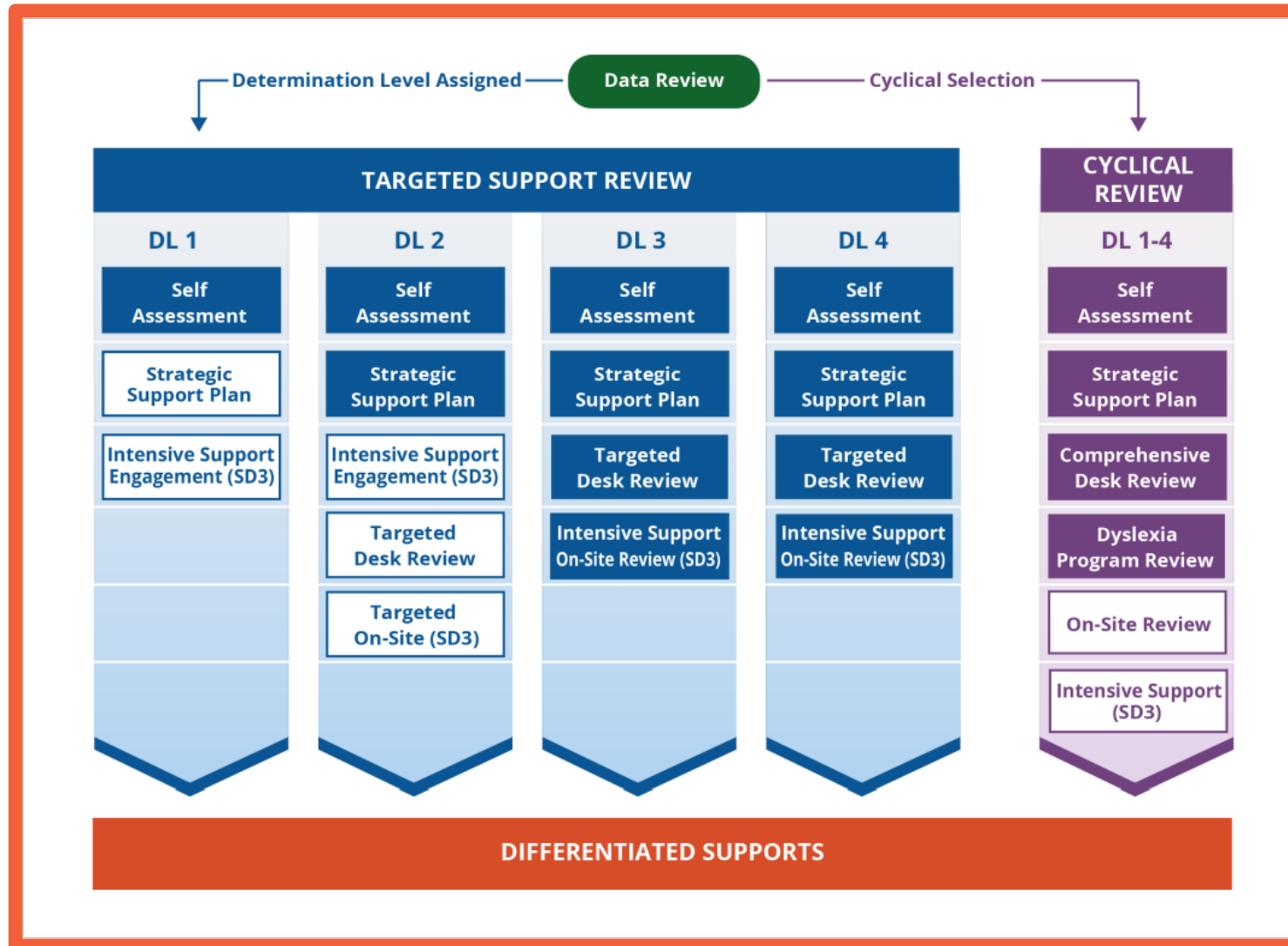
# Diagnostic Framework



Three IDEA  
implementation  
domains

Seven focus  
areas of  
compliance

# Differentiated Monitoring and Support

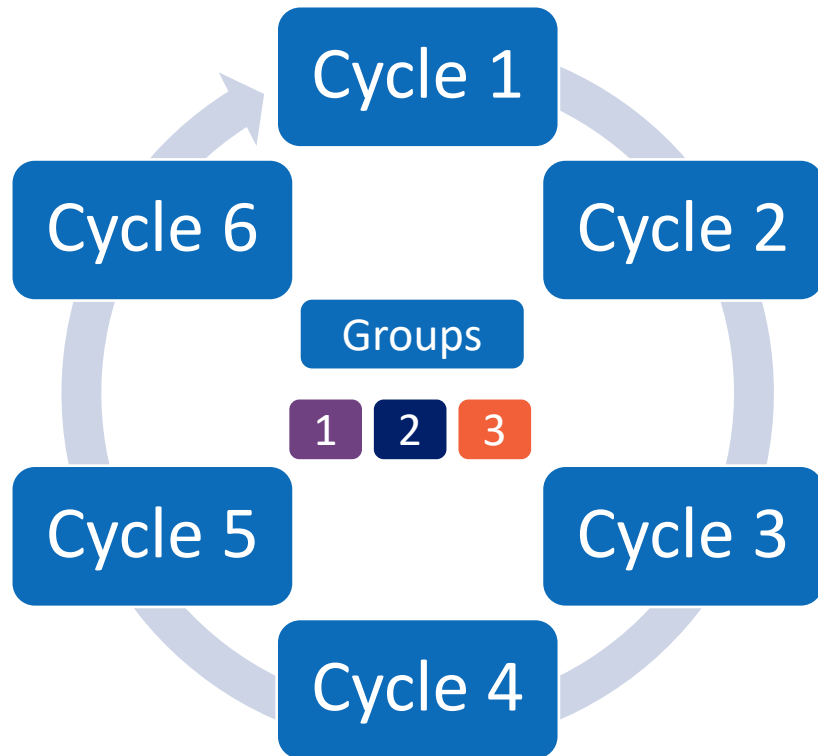


Determination	
DL1	Meets Requirements
DL2	Needs Assistance
DL3	Needs Intervention
DL4	Needs Substantial Intervention



# Cyclical Monitoring

Occurs on a six-year rotating schedule, by the end of 6 school years (Cycles) all Texas Local Education Agencies (LEAs) will be monitored.



**Group 1: October - December**

**Group 2: January - March**

**Group 3: April - June**



Cycles  
1 and 2

Cycles  
3 and 4

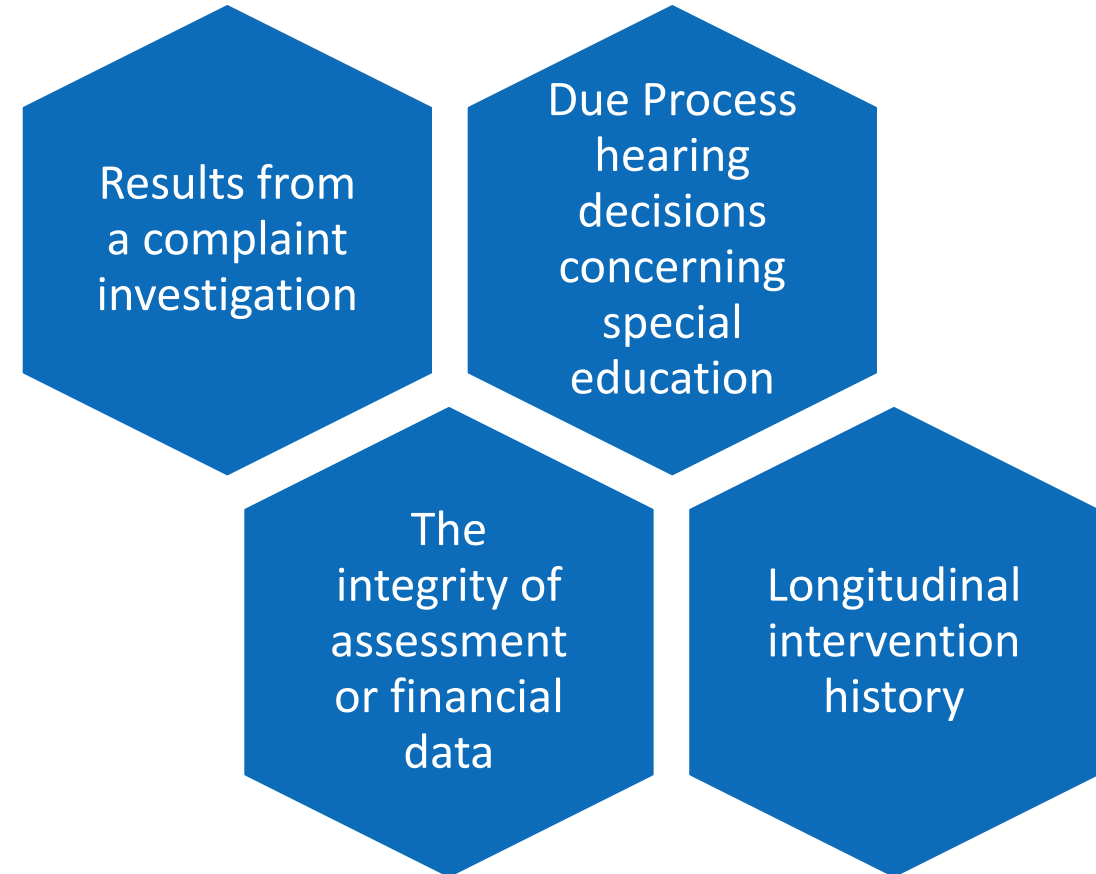
Cycles  
5 and 6



## TEC §39.056.

The commissioner may conduct monitoring reviews and random on-site visits at any time under Texas Education Code §39.056.

### Selective Review Considerations

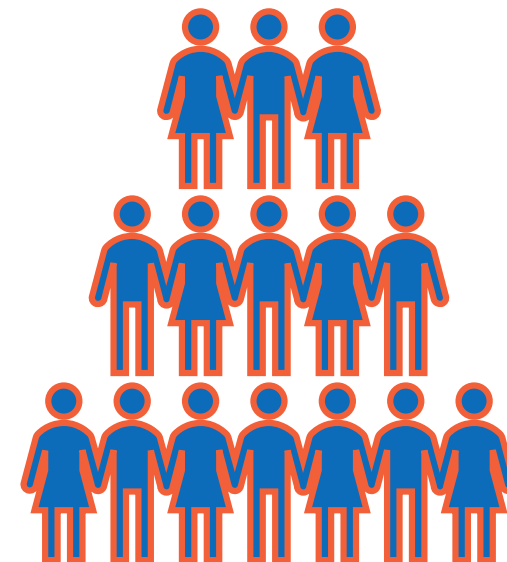


# FAQs

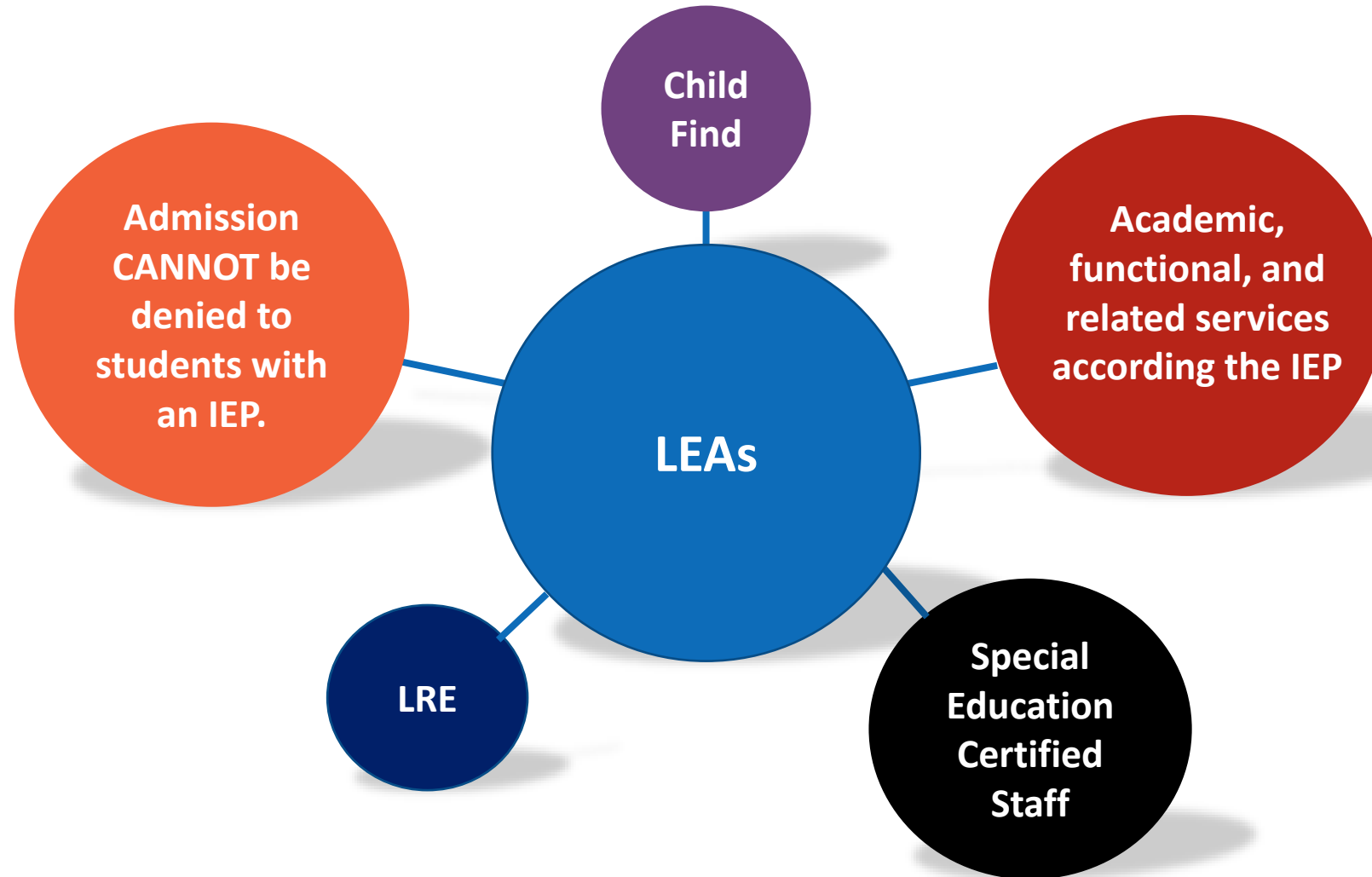


# Who Supports Special Populations?

**Everyone**



# Special Education Requirements are the SAME for ALL LEAs



# Do Parents Have to Consent for Services Prior to Development of the IEP?

The consent describes the initial provision of special education and related services and ensure the:

**Parent is informed in native language**

**Consent describes provisions**

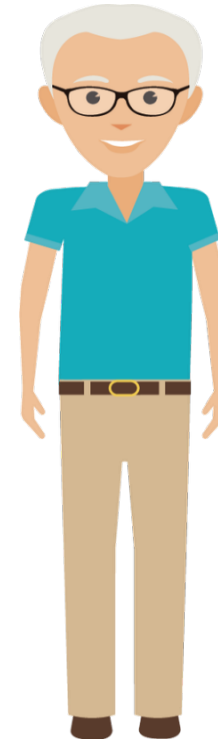
**Parent agrees in writing**

**Parent understands Consent is voluntary**

**Consent can be revoked at anytime**

# Do Special Education Staff Need to Be Certified?

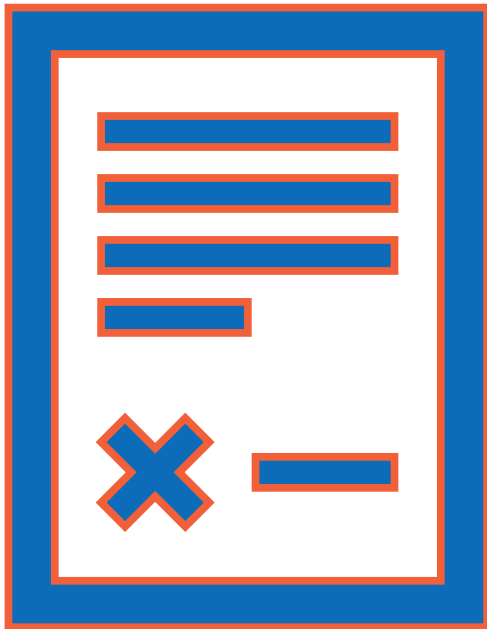
**Charter Schools have the same certification, endorsement, and licensing requirements for special education providers as all other public schools**



34 Code of Federal Regulations, §300.156; the Texas Education Code (TEC), §§ 21.002, 21.003. and 29.304



# Can I Contract with a Third Party for Special Education Services?



**LEAs are accountable for all oversight and provision of services provided by any contracted agreement.**



# What are IEP Content Considerations?



Accommodations and/or Modifications

Frequency/Duration of Services

Consideration for Extended School Year (ESY)

Transition Supports

Training

# What is a Present Level of Academic Achievement and Functional Performance (PLAAFP)?

## What should a PLAAFP include?

A PLAAFP is the foundation to build the IEP and should include:



Technical Assistance:  
**Individualized Education  
Program (IEP) Development**

p. 9



# What is Least Restrictive Environment (LRE)?

To the **maximum extent appropriate**, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled.



General education  
should always be the  
first consideration.



Special classes, separate schooling, or other removals of children with disabilities from the regular education environment occur only when the nature or severity of the disability of a child is such that education and regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

**LRE placement is determined at least annually.**

# Continuum of Services

LRE mandates Charter Schools, like all public schools, must provide a continuum of alternative placements to students with disabilities.

This continuum includes the following placement options, as noted in 19 TAC §89.63, instructional arrangements and settings. The entire continuum can be seen in The Legal Framework at this [site](#), here are some examples:

## MAINSTREAM:

Provides services in the **general education classroom** in accordance with the student's IEP.



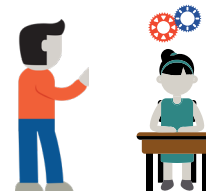
## RESOURCE ROOM/SERVICES:

Provides services in a setting other than general education classroom for less than 50% of the regular school day



## SELF-CONTAINED:

Provides services in a self-contained program for 50% or more of the regular school day



## HOMEBOUND:

Provides services to students who are served at home or hospital bedside



# Individualized Education Program (IEP) Development



Technical Assistance:

## Individualized Education Program (IEP) Development



[Link to IEP Development  
Guidebook](#)



# What is a Section 504 Plan?

**Section 504 plans are formal plans that the  
Section 504 committees develop to give  
students with disabilities the support they need.  
The plan covers any condition that limits daily  
activities in a major way.**



# Who Qualifies for Special Education?

**A Child is eligible to receive special education and/or related services if the child:**



## Is determined to have a disability



**As a result of the disability, needs special education and related services**



# Are There Tips for Child Find?





# Who Can Make a Referral to SPED?



Student's Parents or  
Legal Guardian



School Personnel



Another Person Involved  
in the Education or Care  
of the Student

## POINTS TO REMEMBER

**Referrals Can be made verbally and NOT required to be in writing**

**All LEAs must respond no later than 15 School Days after receiving request**

**Prior to beginning an evaluation, LEA's MUST give parents prior written notice AND Notice of Procedural Safeguards**

# How Long Do I have to Complete an Initial Evaluation?

LEAs have 15 school days to respond to a request for an evaluation.






Full and Individual Initial Evaluation (FIIIE) must be completed in 45 school days after consent from the family.











ARD meeting must be held 30 calendar days from the date of the FIIIE report.



Legal Framework: Legal Framework: Children Who Transfer

# Who Attends the ARD?

Required members at the ARD Meeting:	
	Parent or Adult Student
	Regular Education Teacher
	Special Education Teacher
	LEA Representative
	Individual who can interpret instructional implications of evaluation results

Additional participants who may be required to attend based on student needs or eligibility:	
	Student with a disability
	Agency Representation
	LPAC Members
	CTE Representative
	Others with knowledge or special expertise (e.g. related service providers)
	TVI
	TODHH
	JJAEF Administrator
	ECI Representative
	Dyslexia Specialist



# What is Specially Designed Instruction?

The term special designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student and/or ensure the student has access to the general education curriculum. (p. 17)

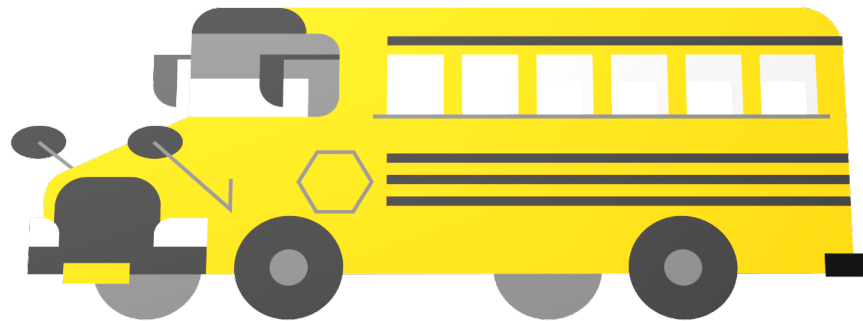


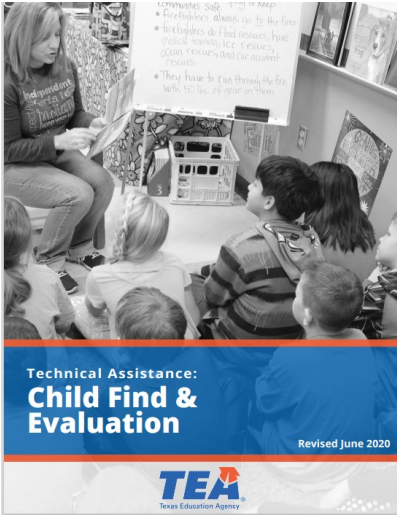
# What is meant by Special Education Transportation?

The ARD committee determines if a student will require transportation as a related service in order to attend and participate in

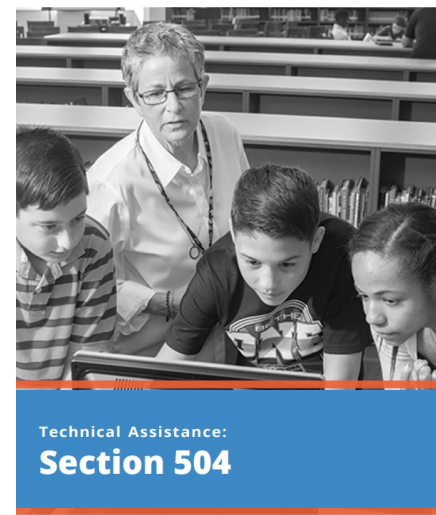
- academic services,
- extracurricular programs,
- and related services.

*The IEP must describe the way the transportation services will be provided*

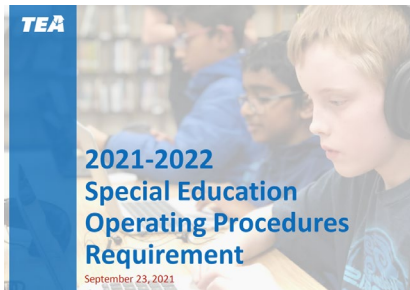




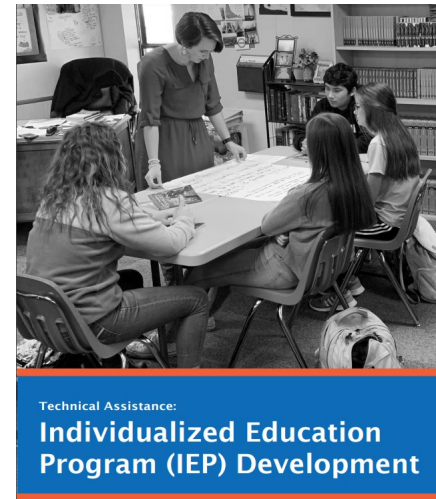
## Technical Assistance: Child Find & Evaluation



## Technical Assistance: Section 504



## Special Education Operating Procedures Requirements And Special Education Operating Procedures



## Technical Assistance: Individualized Education Program (IEP) Development



## Child Find, Evaluation and ARD Supports Network

[Link to the Child Find Network](#)

An ARD committee manager training will be available soon! It will be an online asynchronous course, made up of 6 courses.

[Child Find Resources!](#)

[Recorded Webinars on the Child Find Network](#)

### Coming Soon!

- ARD 101
- Best Practices for conducting a virtual ARD meeting
- Reevaluations from REED to Evaluation
- Documenting Growth in the FIE



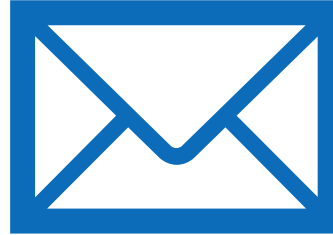
Check your local Education Service Center (ESC) for Standards Based IEP Process Training!



- Guidelines for Co-Teaching
- Working with Paraprofessionals
- Specially Designed Instruction – A Resource for Teachers
- Universal Design for Learning Course
- Assistive Technology
- Databased Individualization
- Inclusion for Administrators

[Link to Resources](#)

# Thank You



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