



# **Fort Hood Annual Education Summit**

**Special Education Requirements, Resources, and  
Technical Assistance**

**Steven Prater, Technical Assistance Manager  
Dana Garza, Technical Assistance Specialist**



## True North Statement

“

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

”



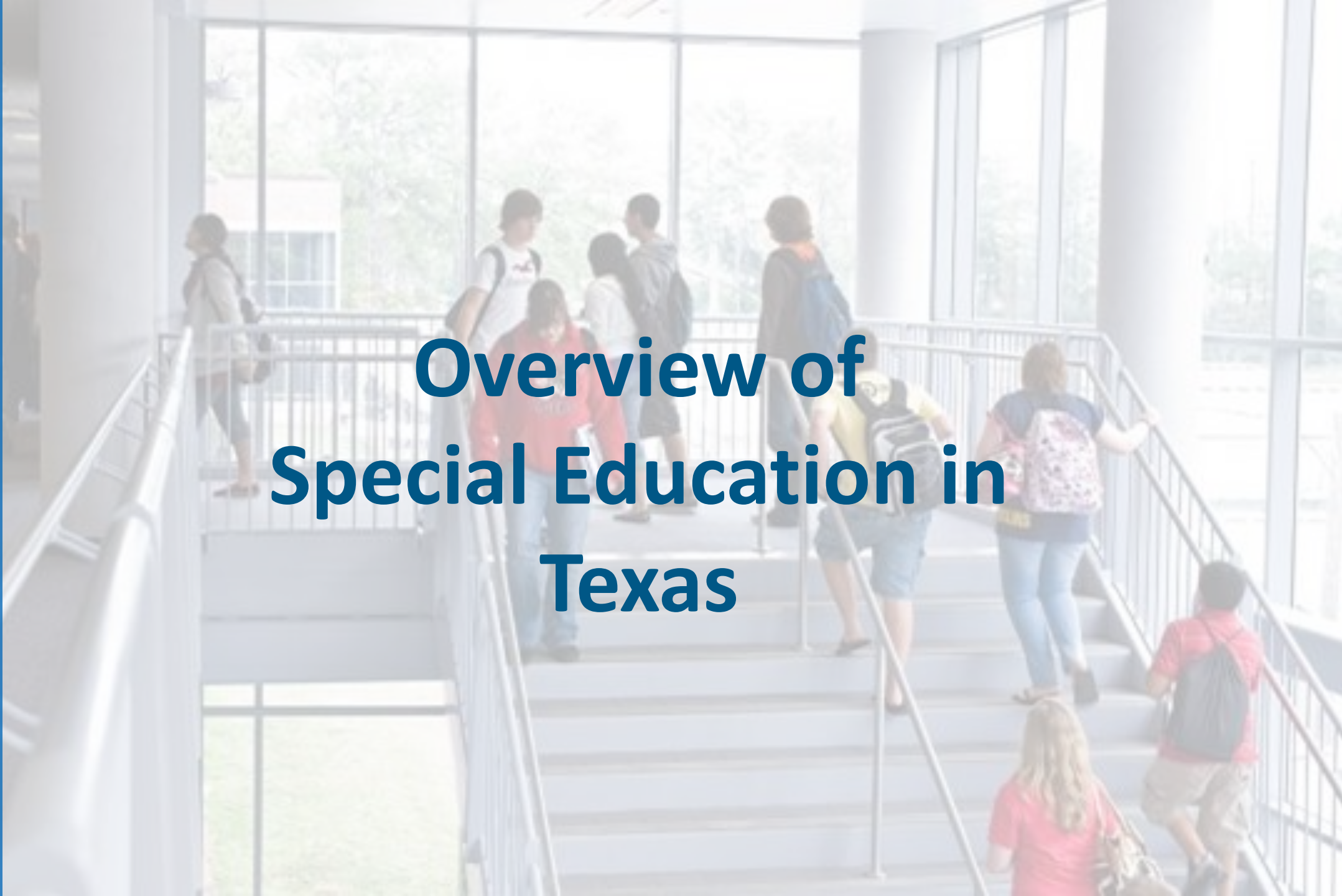
OFFICE OF SPECIAL  
POPULATIONS  
AND MONITORING  
TEXAS EDUCATION AGENCY

# Objectives

Participants will learn:

- The basics of Special Education requirements in Texas
- What a Technical Assistance Network is
- How the Technical Assistance Networks can provide guidance for students being served by special education and identified as military connected
- How to access the resources for special education available on the TEA website



A background photograph of a modern school building with large glass windows. A group of students is walking up a wide, light-colored concrete staircase. The students are wearing backpacks and casual clothing. The scene is brightly lit, suggesting daytime. The text "Overview of Special Education in Texas" is overlaid in the center of the image in a large, bold, dark blue font.

# Overview of Special Education in Texas

# What is Special Education?

## The Individuals with Disabilities Education Act of 2004 (IDEA)

Ensures that children with disabilities have available to them a **free appropriate public education (FAPE)** that emphasizes special education and related services designed to meet their unique needs.

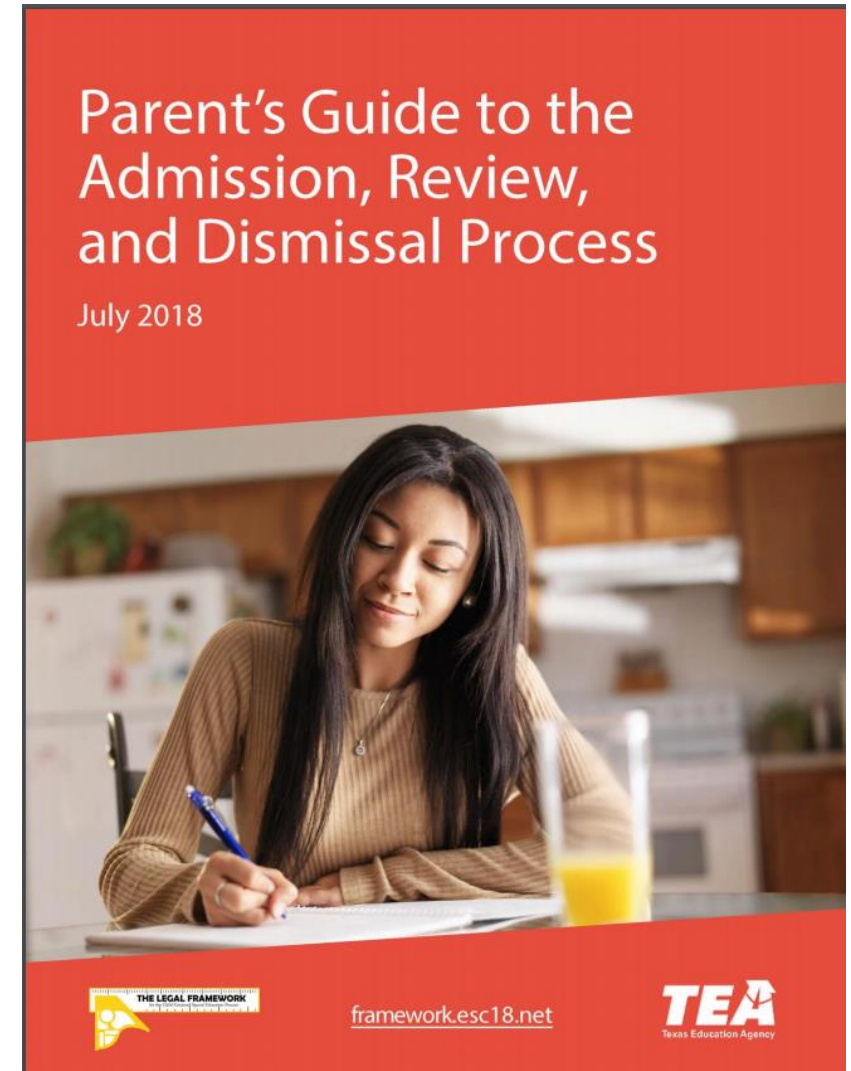
**Special education** means specially designed instruction to meet the unique needs of a child with a disability.

**Related services** are special services needed to support students' special education services so they can make progress to meet their academic and functional goals. Related services can include services such as occupational therapy, physical therapy, speech-language therapy, counseling services, orientation and mobility services, and/or transportation services.

*(Parent's Guide to the Admission, Review, and Dismissal Process, July 2018, p. i)*

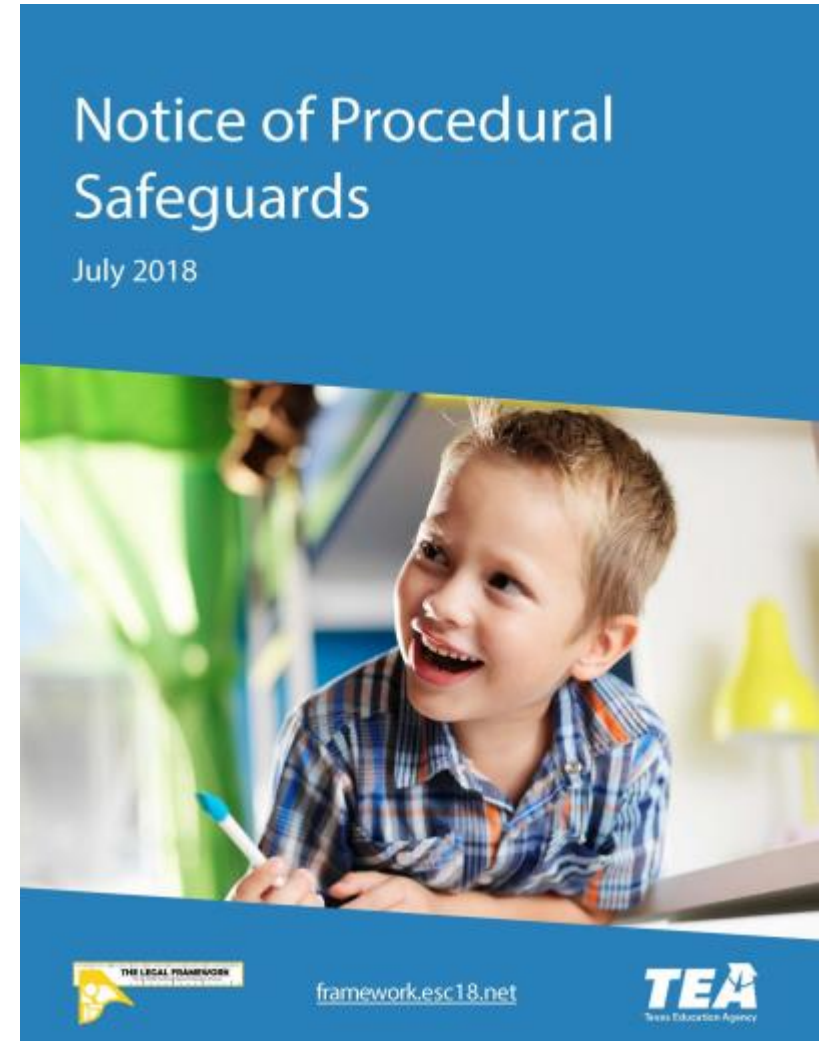
# Admission, Review, and Dismissal (ARD) Committee

- In Texas, a child's eligibility for special education services and most of the major decisions about a child's special education program are made by an admission, review, and dismissal (ARD) committee.
- You may also hear this group referred to as an individualized education program (IEP) team, which is the term used in federal law.



# Admission, Review, and Dismissal (ARD) Committee

- Typical ARD Committee Members:
  - the parent;
  - at least one regular education teacher of the child who, when possible, be a teacher who is responsible for implementing a portion of the child's IEP;
  - at least one special education teacher or provider of the child;
  - a representative of the school;
  - a person who can interpret the instructional implications of the evaluation results;



# Whom Must Schools Serve?.....Everyone!

- Schools must have the capacity to provide:
  - Full array of nondiscriminatory evaluation services
  - Full array of special education services and related services
  - Full continuum of placement options



## Continuum of Placements

- A core part of the special education process involves determining the appropriate educational placement for implementing a student's IEP.
- Placement refers to the points along the continuum of placement options (i.e., regular classes, special classes, special schools, homebound instruction, instruction in hospitals and institutions) available for a student with a disability.

■ *(Parent's Guide to the Admission, Review and Dismissal Process, July 2018, p. 11)*

### Parent's Guide to the Admission, Review, and Dismissal Process

July 2018



[framework.esc18.net](http://framework.esc18.net)

## Individualized Education Programs (IEPs)

- If the student is eligible for special education and related services, the ARD Committee will develop a written IEP for the student that outlines all special education and related services the student needs and how the student will be educated in the least restrictive environment (LRE).
- LRE mandates that students with disabilities must be educated in the general education environment **with their non-disabled peers, to the maximum extent appropriate.**
- The IEP must be developed in accordance with IDEA and state special education laws.
- The school **must provide** the student with **all special education services, supports, and related services identified in the student's IEP.**

## Each student's IEP must include, among other things:

- A statement of the student's annual goals, including academic and functional goals, all special education, related services and supplementary aids and services, and the program modifications or supports for school personnel.
- The program of services set out in the student's IEP must enable the student to advance appropriately toward attaining his or her annual goals and to be involved and make progress in the general education curriculum, i.e., the same curriculum as for nondisabled students.
- Once the IEP is developed, the ARD committee must then determine how to implement the student's IEP in accordance with IDEA's LRE requirements.

## Are there limits on the amount or type of special education or related services that can be provided to students with Individualized Education Programs (IEPs) who are military connected?

**No.** Students identified as being military connected students with disabilities attending school and their parents retain all rights under Part B of IDEA, as they would in other public schools.

A school may not unilaterally limit the services it will provide a particular student with a disability.



## Are there limits on the amount or type of special education or related services that can be provided to students with Individualized Education Programs (IEPs) who are military connected?

When a student's IEP includes special education and related services that the school does not currently offer, the school has **several options** to address the student's needs. It does not have the option of refusing to ensure that the student is provided all necessary special education and related services at public expense and at no cost to the parents in accordance with the student's IEP.

# IEP FOR THE CHILD WHO TRANSFERS WITHIN THE STATE

- Once the receiving LEA verifies from the parents or the previous LEA that the student is in special education, the receiving school must provide comparable services until they either:
  - Adopts the IEP from the previous LEA; or
  - Develops, adopts, and implements a new IEP
- The new LEA has 30 school days from the date the child is verified as being eligible for special education services to either adopt or develop an IEP.

# IEP FOR THE CHILD WHO TRANSFERS FROM OUTSIDE THE STATE

- If the receiving LEA determines that an evaluation is not necessary, the same process applies to students transferring within the state (30 school days to adopt or develop an IEP)
- If the receiving LEA determines that an evaluation is necessary, the new LEA has:
  - 45 days to conduct an evaluation
  - 30 days to conduct an ARD after completion of the evaluation



## CHILD FIND DUTY

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

### [Additional Resources](#)

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
<a href="#">P</a>	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.	<a href="#">300.111(a)(1)(i)</a>
<a href="#">P</a>	<i>Special education</i> means specially-designed instruction, at no cost to the parents, to meet the unique needs of the 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.	<a href="#">300.39(a)(1)</a>
<a href="#">P</a>	<i>Specially-designed instruction</i> means adapting, as appropriate to the needs of an eligible child under the Individuals with Disabilities Education Act, the content, methodology, or delivery of instruction:	<a href="#">300.39(b)(3)</a>
<a href="#">P</a>	<ul style="list-style-type: none"><li>To address the unique needs of the child that result from the child's disability; and</li></ul>	<a href="#">300.39(b)(3)(i)</a>
<a href="#">P</a>	<ul style="list-style-type: none"><li>To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the local educational agency (LEA) that apply to all students.</li></ul>	<a href="#">300.39(b)(3)(ii)</a>

[EVALUATION PROCEDURES](#)

[SUMMARY OF PERFORMANCE](#)

[AUTISM](#)

[DEAF-BLINDNESS](#)

[DEAF OR HARD OF HEARING](#)

[EMOTIONAL DISTURBANCE](#)

[INTELLECTUAL DISABILITY](#)

[MULTIPLE DISABILITIES](#)

**framework.esc18.net**



# Interstate Compact on Education Opportunity for Military Children



Timely Enrollment



Qualifications and Eligibility



Placement Process



On-Time Graduation

# Special Education Services

## Interstate Compact on Education Opportunity for Military Children

### ***Covered***

- ✓ Receiving state must initially provide comparable services identified in the students' Individual Education Plan (IEP).
- ✓ Receiving state *may* perform evaluations to ensure the appropriate placement.

### ***Not Covered***

- × A requirement to provide the exact programs as sending state.
- × Anything above the individual requirements in the Individual with Disabilities Act (IDEA).

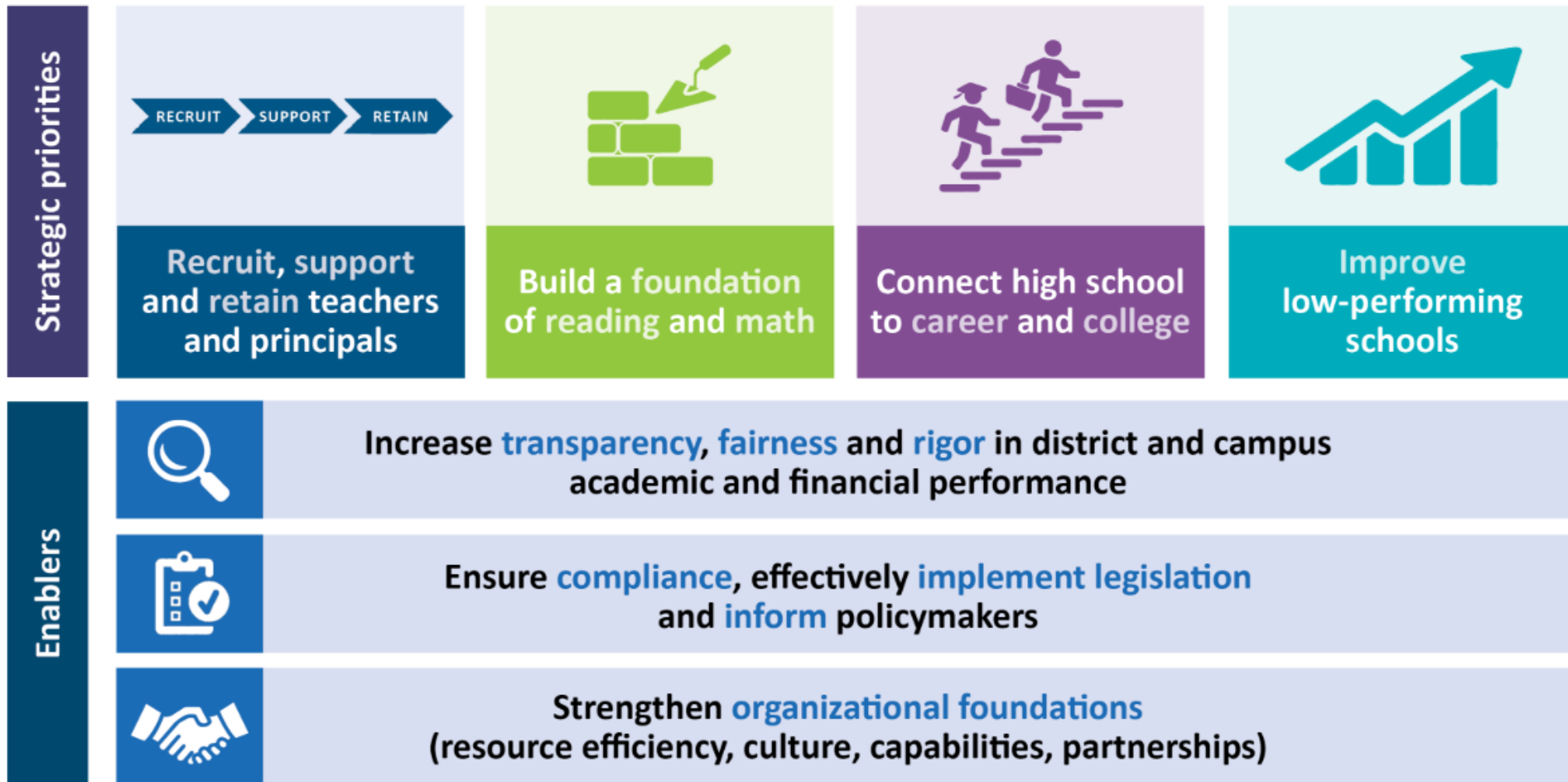
# Dispute Resolution

- There are several options available to resolve disputes under federal and state special education law:
  - **State IEP Facilitation** is used when a parent and a school district cannot agree in an ARD committee meeting on important issues related to a student's IEP or when a meeting is expected to address difficult issues.
  - **The complaints process** is used to investigate alleged violations of special education requirements relating to one or more students.
  - **Mediation** may be used any time a parent and a school district cannot agree about a student's special education and/or related services.
  - **A due process hearing** is a formal way for parents and school districts to resolve disagreements about a student's special education and/or related services.
- \*On the TEA Dispute Resolution webpage, there is a Comparison of Services chart and Special Education Dispute Resolution Handbook.

# **Alignment of Technical Assistance Networks to Agency Strategic Plan and Special Education Plan**

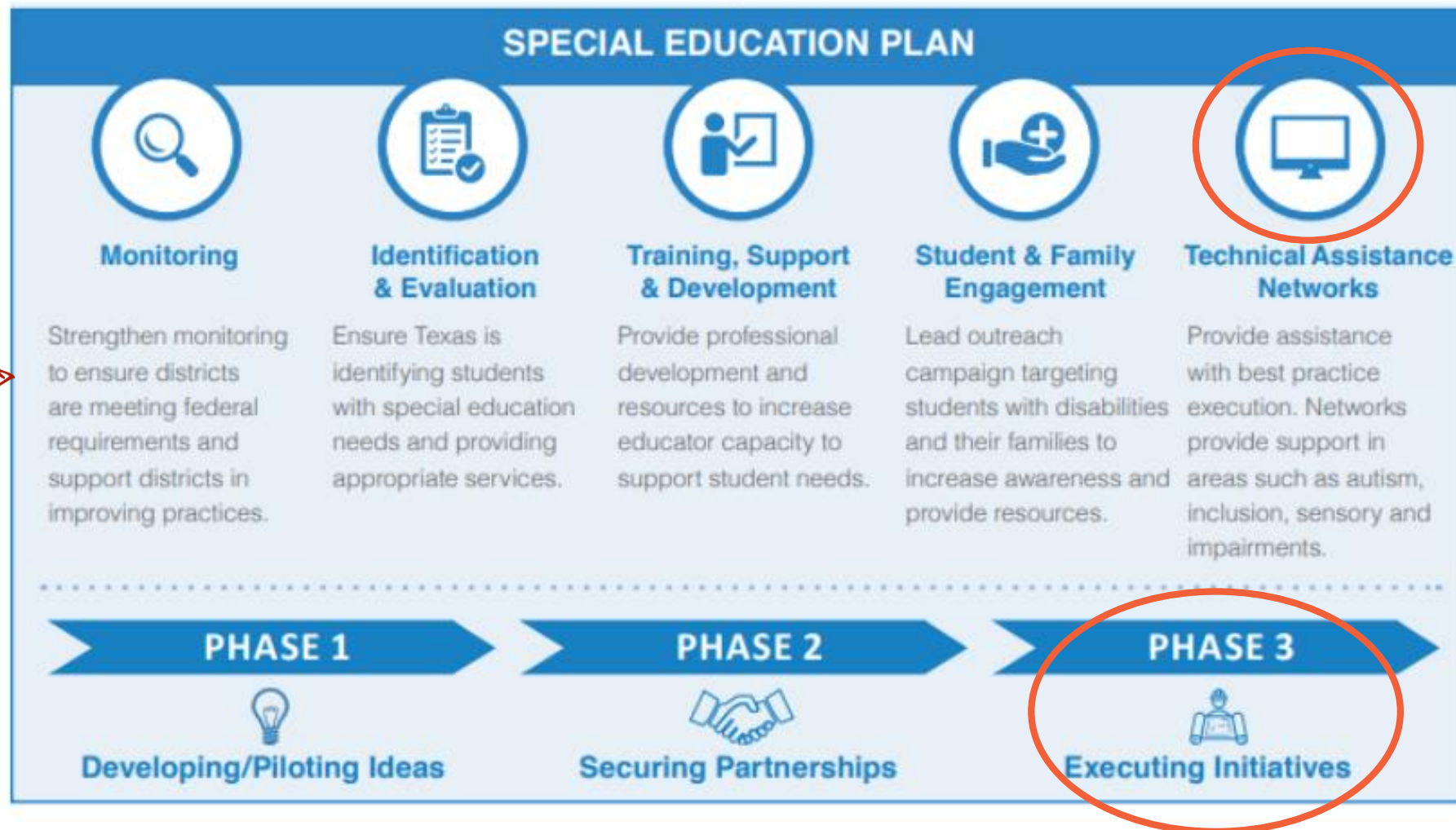


# Every child, prepared for success in college, a career or the military.



# Alignment to Special Education Plan

OSEP  
Report



# Technical Assistance Networks

- Provide training, technical assistance, materials, and leadership to improve outcomes for students with disabilities
- Composed of 10 networks led by an Education Service Center (ESC) or an Institute of Higher Education (IHE)

TEA awards a Technical Assistance Network grant to a University or ESC who is responsible for coordinating a 20-region network.

ESCs have a network member(s) located at their ESC for each network.

The grantee is tasked with directing the 20 network members on the activities and goals of the network.





# Objectives/Purpose



**Provide** resources and training for LEA staff **and families**



**Align** practices across the state



**Increase** outcomes for students with disabilities

# Statewide Leadership Networks

**Child Find,  
Evaluation,  
ARD Supports**

**School, Family,  
and Community  
Engagement**

**Inclusion  
in  
Texas**

**Texas  
Statewide  
Leadership for  
Autism Training  
(TSLAT)**

**TIER (Tiered  
Interventions  
using Evidence-  
based Research)**

**Texas Complex  
Access Network  
(Texas CAN)**

**Texas  
Sensory  
Support  
Network**

**Small  
and Rural  
Schools  
Network**

**Student  
Centered  
Transitions**

**Multiple  
Exceptionalities  
and  
Multiple Needs**

# Statewide Leadership Networks

**1**

**Child Find,  
Evaluation, ARD  
Supports**

**2**

**School, Family,  
and Community  
Engagement**

**3**

**Inclusion  
in Texas**

**4**

**Texas  
Statewide  
Leadership for  
Autism Training  
(TSLAT)**

**5**

**TIER (Tiered  
Interventions using  
Evidence-based  
Research)**

**Provide school personnel and pre-service educators with a deep understanding of MTSS and its components to allow them to implement an integrated, comprehensive framework for all students' academic, behavioral, and social achievement.**

# Technical Assistance Networks

**6**

**Texas Complex  
Access Network  
(Texas CAN)**

**7**

**Sensory  
Support  
Network**

**8**

**Small  
and Rural Support  
Network**

**9**

**Student  
Centered  
Transitions**

**10**

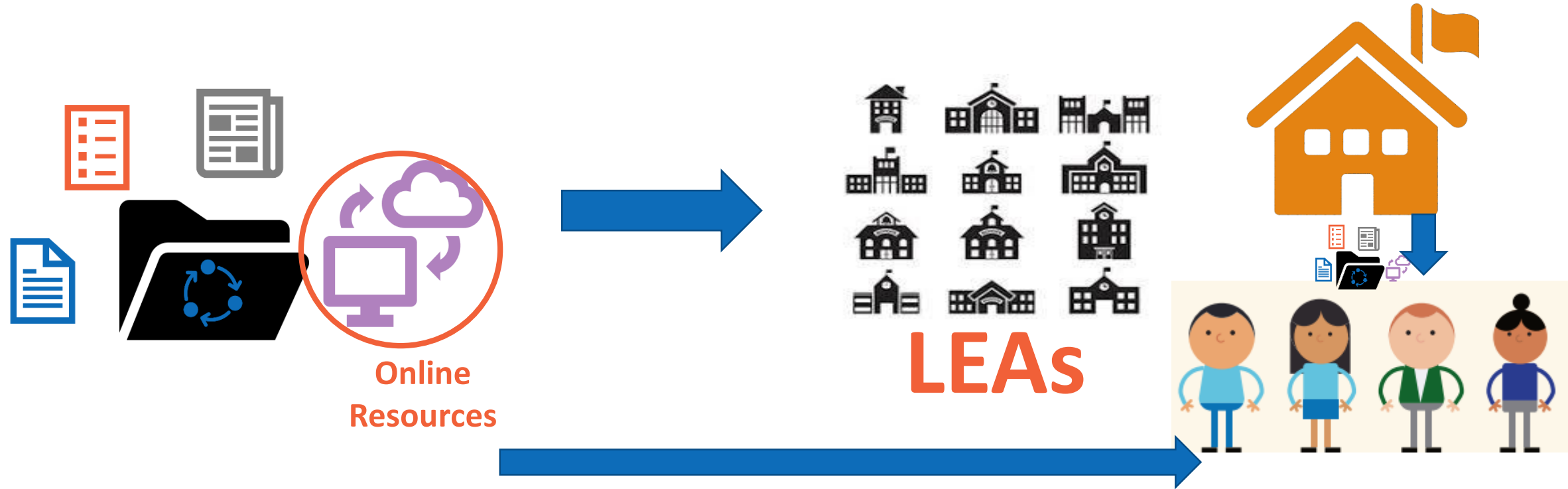
**Multiple  
Exceptionalities and  
Multiple Needs**

**Build capacity for LEAs by developing training and resources specific to identification and programming for students with disabilities who are also English Learners, gifted and talented, from military connected and other highly mobile families, or any combination of these situations.**

# How does this information get to the LEAs?



# How does this information get to the LEAs?





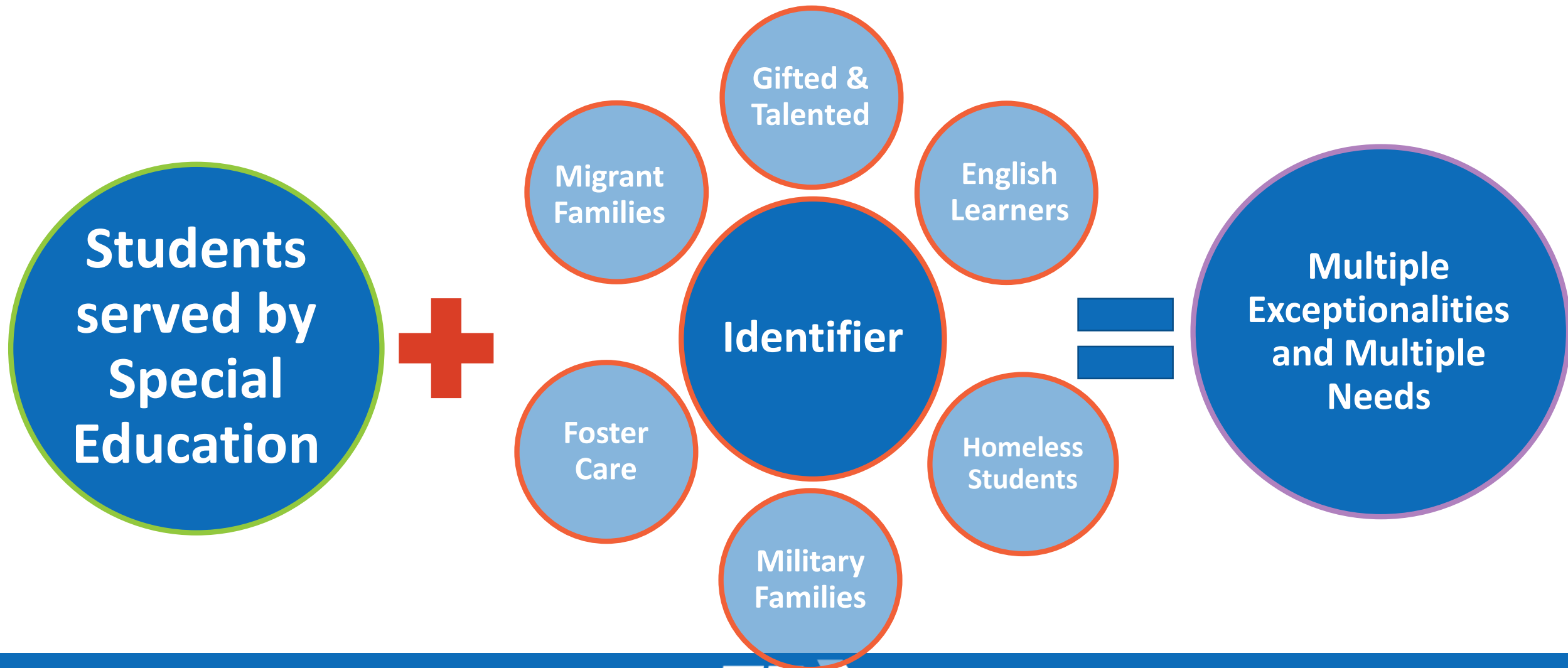
# Multiple Exceptionalities & Multiple Needs



[txmemn.tea.texas.gov](http://txmemn.tea.texas.gov)



# Multiple Exceptionalities & Multiple Needs

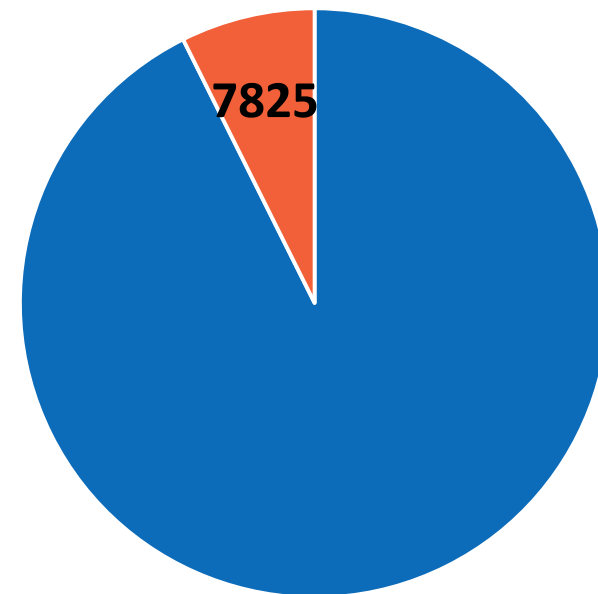


# Students who are identified as military connected

89,736 total students identified as military connected across the state

8.7% (7825) students who are identified as military connected are served by SPED

Students Served By Special Education and military connected



# Multiple Exceptionalities & Multiple Needs

## Highlighted Network Activities



Increase awareness of students with multiple exceptionalities and multiple needs



Equip teachers, families, and administrators with tools to facilitate the IEP development process, identification, and programming for MEMN students.



Develop Trainer-of-Trainer modules in the 4 areas to provide tools and resources for MEMN students to key stakeholders

Sped/GT

Sped/EL

Sped/Highly Mobile (Migrant/Military)

Sped/Highly Mobile (Homeless/Foster)

# Multiple Exceptionalities & Multiple Needs

## TEA Contact

### Multiple Exceptionalities and Multiple Needs

Dana Garza

[dana.garza@tea.texas.gov](mailto:dana.garza@tea.texas.gov)





# Special Education Resources





# Technical Assistance Guides



## IEP Development, Child Find and Evaluation, and Section 504



Online document that combines information with links to other resources



Created for school staff, but can be accessed by anyone

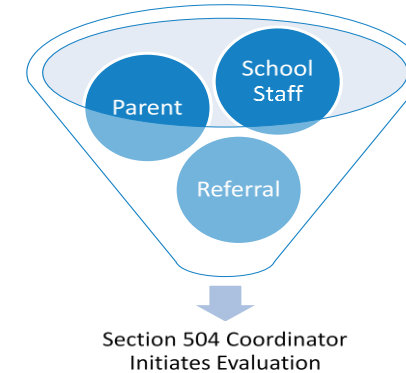
### Eligibility

#### The Referral Process

The school's duty to evaluate for Section 504 protections is triggered by the suspicion that the student has a disability that substantially limits a major life activity. Information on [how to request a referral](#) can be found in the local education agency or campus published student handbook including contact information for the designated contact person. Local education agencies may create procedures for referrals. A full individual evaluation under IDEA fulfills the school's obligation under Section 504 and ensure that a referral for special education is not delayed or denied.

Referrals can be made by parents or school staff. Examples of typical referral requests include:

- The student has a chronic medical condition that is not covered by [The Individuals with Disabilities Education Act](#) (IDEA).
- The student has a disability covered by IDEA but does not require special education services.
- Students who have "[hidden disabilities](#)," which include low vision, poor hearing, heart disease, or a chronic illness, such as diabetes.
- Parents have received an outside evaluation and are requesting Section 504 protections and/or accommodations.



#### Best Practice Tips:

- Upon receiving a request for a Section 504 evaluation and parental consent, the Section 504 coordinator will follow local education agency procedures for the Section 504 evaluation.
- Should the local education agency determine that an evaluation is not necessary, the parent may be provided with prior written notice (following [IDEA procedures](#) and [procedural safeguards](#)).
- Students who are suspected of having a disability and needing special education services should immediately be referred for an evaluation under the IDEA. Section 504 evaluations and/or interventions included in a Multi-Tiered System of Support cannot be used to delay or deny a referral for special education.

#### Initial Evaluation

Section 504 regulations require school districts to individually evaluate students before determining eligibility for protections under [Section 504](#) or IDEA (2004) [34 CFR §104.35(b)]. Procedures must be established at the local level for initial evaluation of students who need or are believed to need special education, Section 504 and/or related services.

# Online Resources

- [tea.texas.gov/TexasSPED](https://tea.texas.gov/TexasSPED)

## Special Education



### Special Education in Texas

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

  
Sign Up for Updates

  
Engage

  
Improving SpEd in Texas

## Special Student Populations

Bilingual - ESL Education

Dyslexia

Gifted and Talented Education

Review and Support

Special Education

Data and Reports

Dispute Resolution Processes

Parent and Family Resources

Programs and Services

## Contact Information

### Special Education or IEP-Related Questions?

Consult SPEDTex, the Texas Special Education Information Center. This is a resource backed by TEA to inform and support parents, teachers, and anyone committed to the success of children with disabilities.

# Online Resources

- [tea.texas.gov/TexasSPED](https://tea.texas.gov/TexasSPED)

## Explore Our Work

TEA is committed to providing families, students, and schools with high quality supports to enable students with disabilities to achieve the highest outcomes. The links below lead to information and resources provided by TEA toward achieving that goal.



### Data and Reports

The latest data regarding SpEd in Texas



### Dispute Resolution

Information to support stakeholders to resolve SpEd disputes



### Family Resources

Information & resources to help families understand SpEd processes



### Monitoring, Review, and Support

Information & resources regarding the monitoring of SpEd programs in Texas



### Regional Supports

TEA partners with Educational Service Centers to provide support



### Technical Assistance and Guidance

Guidance to Texas public schools in their implementation of strong and effective programs



Phone: 1-855-SPEDTEX<sup>®</sup> (1-855-773-3839<sup>®</sup>)

Website: [www.spedtex.org](http://www.spedtex.org)

**Office of Special Populations and Monitoring,  
Department of Special Education**

Monday-Friday (8:00 AM to 5:00 PM)

Phone: (512) 463-9414

Fax: (512) 463-9560<sup>®</sup>

Email: [sped@tea.texas.gov](mailto:sped@tea.texas.gov)



# Online Resources

- [tea.texas.gov/TexasSPED](https://tea.texas.gov/TexasSPED)

[Home](#) / [Academics](#)

## Technical Assistance and Guidance

TEA is committed to providing effective supports and guidance to Texas public schools in their implementation of strong and effective programs for students with disabilities.



**SpEd Policy and Guidance**



**Technical Assistance for Schools**

## Recent TEA Guidance

[Multi-Tiered Systems of Support \(MTSS\) Questions and Answers \(PDF\)](#)

[TEA Multi-Tiered Systems of Support \(MTSS\) Questions and Answers \(powerpoint\)](#)

[Frequently Asked Questions: Dyslexia and Related Disorders- March 2019](#)

[Technical Assistance: Child Find and Evaluation \(2019\)](#)

[Senate Bill 712 Summary and Frequently asked Questions](#)

[Dyslexia, Dysgraphia, and Dyscalculia in the IEP Guidance Document](#)

- [tea.texas.gov/TexasSPED](https://tea.texas.gov/TexasSPED)



Technical Assistance:  
**Child Find &  
Evaluation**



## Monitoring, Review, and Support

Information & resources regarding the monitoring of SpEd programs in Texas



## Regional Supports

TEA partners with Educational Service Centers to provide support



## Technical Assistance and Guidance

Guidance to Texas public schools in their implementation of strong and effective programs

## Recent and Upcoming TEA Webinars

### Recent TEA Presentations

### Recent TEA Guidance



Print

## Recent TEA Presentations

[Data-Based Individualization Webinar](#)

[Special Education Technical Assistance Guides Webinar](#)

[Behavior- 504 PowerPoint](#)

[Behavior - 504 Webinar](#)

[Statewide Leadership Networks Webinar](#)

[Statewide Leadership Networks PowerPoint](#)

[Review and Support Monitoring Process Pilot Project Webinar](#)

[Review and Support Monitoring Process Pilot Project PowerPoint](#)

[Review and Support Monitoring Process Webinar](#)

[Review and Support Monitoring Process PowerPoint](#)

[State of the State in Special Education, TCASE Interactive - July 23, 2019](#)

[Webinar: Section 504](#)

[Section 504 \(Powerpoint\)](#)

[Webinar: Multi-Tiered Systems of Support \(MTSS\) Questions and Answers](#)

[Webinar: Dyslexia and Related Disorders in the IEP](#)

[Dyslexia and Related Disorders in the IEP \(Powerpoint\)](#)

[Webinar: Senate Bill 748 Implementation and SHARS for RDSPDs](#)

[Update on the Texas Strategic Plan for Special Education Webinar – February 28, 2019](#)



- Previous topics
  - Section 504
  - Multi-Tiered Systems of Support Q&A
  - Dyslexia and Related Disorders in the IEP
  - Previous TEA Presentations at Conferences
  - And More!
- Find information and resources, view past webinars and other TEA presentations, and sign up for future webinars at [tea.texas.gov/TexasSPED](https://tea.texas.gov/TexasSPED)




# Online Resources


- [https://tea.texas.gov/Academics/Special Student Populations/Special Education](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education)

[Home](#) / [Academics](#)

## Technical Assistance and Guidance

TEA is committed to providing effective supports and guidance to Texas public schools in their implementation of strong and effective programs for students with disabilities.

  
SpEd Policy and Guidance

  
Technical Assistance for Schools


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## Statewide Technical Assistance Networks






As part of the dissemination of discretionary funds that TEA receives under IDEA-B for state-level activities, TEA provides grants for statewide leadership networks. Networks address major, thematic topics that are identified as critical technical assistance and support needs for the state. A network is comprised of:

- The grantee who serves as the network lead alongside TEA
- Network members (At least 1 from each of the 20 Education Service Centers (ESCs) across the state)
- TEA special education program staff

Many networks also utilize stakeholder or advisory groups in the design and implementation of network activities. Technical assistance, resources and trainings from these networks are available to any local education agency (LEA) in the state and are intended to leverage best practices.

As part of the April 2018 special education strategic plan, TEA incorporated stakeholder feedback, data, and interviews to reimagine the network structure. As a result, the current networks launched July 1, 2019. 

[Child Find, Evaluation, and ARD Support Network](#)  
**Network Lead: ESC 4**



- Dyslexia Handbook

[https://tea.texas.gov/sites/default/files/2018-Dyslexia-Handbook\\_Approved\\_Accomodated\\_12\\_11\\_2018.pdf](https://tea.texas.gov/sites/default/files/2018-Dyslexia-Handbook_Approved_Accomodated_12_11_2018.pdf)

# THE DYSLEXIA HANDBOOK

2018 Update

Procedures Concerning  
Dyslexia and Related  
Disorders

# Resources for more information:

- IDEA Regulations:
  - <http://idea.ed.gov/explore/view/p/%2Croot%2Cregs%2C>
- Legal Framework: <http://framework.esc18.net/display/Webforms/LandingPage.aspx>
- Texas Administrative Code, Chapter 89: <http://ritter.tea.state.tx.us/rules/tac/chapter089/>
- Texas Education Agency's Website:  
[http://tea.texas.gov/Curriculum\\_and\\_Instructional\\_Programs/Special\\_Education/](http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/)
- Texas Education Code:
  - <http://www.statutes.legis.state.tx.us/?link=ED>

# Resources for more information:

- Find OSEP Policy Documents Regarding the Education of Children and Youth with Disabilities at <https://www2.ed.gov/policy/speced/guid/idea/letters/revpolicy/tpchar.html>
- See OSERS *Frequently Asked Questions about the Rights of Students with Disabilities in Public*
- For more information on procedural safeguards and dispute resolution, see the *Questions and Answers on the IDEA Part B Dispute Resolution Procedures* available at: <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/accombinedosersdisputeresolutionqafinalmemo-7-23-13.pdf>
- OSERS's *Questions and Answers on Discipline Procedures, Revised June 2009* is available at: <http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C7%2C>
- Slide:

The background of the slide is a faded photograph of a classroom. A female teacher with short dark hair and glasses is sitting on the floor, reading a book to a group of young students. The students are also sitting on the floor, looking at the book. In the background, there are bookshelves filled with books and blue storage bins.

**Questions?**

**[sped@tea.Texas.gov](mailto:sped@tea.Texas.gov)**

**512-463-9414**

**[tea.Texas.gov/texassped](http://tea.Texas.gov/texassped)**



A large group of diverse elementary school children are sitting together, smiling and looking towards the camera. They are of various ethnicities and ages, ranging from young children to pre-teens. They are wearing casual clothing like t-shirts, sweaters, and hoodies. The background is a plain, light-colored wall.

**Thank you!**