



Technical Assistance: Individualized Education Program (IEP) Development

Updated December 2023

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Welcome Letter

Dear Fellow Texas Educators,

Thank you for your service and dedication to all students in the Lone Star state! As a committed stakeholder in public education, you are charged with preparing all students for success in college, a career, or the military by providing students access to high-quality learning experiences, curriculum, and instruction.

The Special Education Technical Assistance Team at the Texas Education Agency (TEA) has developed a series of [technical assistance guidance documents](#). These technical assistance guides are intended for use by Texas educators to support the implementation of services for students with or suspected of having disabilities.

There is so much useful information out there for school staff! Our goal with these guides is to gather and link information into one, easy-to-read resource. While you can read the documents from beginning to end, you do not have to use them that way. The table of contents links each section, so you can click to skip directly to that area. These guides help clarify TEA's recommendations for practice.

For a glossary of special education terms, please see: [The Legal Framework Glossary](#). At the end of the document there is a resource page that provides links to the Texas SPED Support website, the TEA Special Education webpage, and other key state-level resources.

If you ever have a question, concern, comment, suggestion, or find a broken link within these documents, please email the TEA Special Education Division at sped@tea.texas.gov.

Again, thank you for all you do, and we hope this document helps you in your journey of serving our students with disabilities and their families.

Sincerely,

The Special Education Technical Assistance Team at TEA

The Texas Education Agency has developed this document to provide technical assistance to local education agencies and parents. The intention of this document is to provide helpful, general information. It does not constitute legal advice nor is it a substitute for consulting with a licensed attorney. The information should not be relied upon as a comprehensive or definitive response to a specific legal situation. This document may not include a complete rendition of federal law.

Guidance Document Terms, Key, and Revisions:

Terms:

“Parent or parents”:

Throughout this guide when the term “parent or parents” is used, the term includes the definition aligned to [34 CFR § 300.30](#). That definition includes biological or adoptive parent, foster parent, guardian, an individual acting in the place of a biological parent with whom the child lives or is legally responsible for the child's welfare, or a surrogate parent as defined in [34 CFR § 300.519](#).

“A student identified as emergent bilingual” or “emergent bilingual”

The federal language currently used to describe students as Limited English Proficient or English Language Learner is different from Texas regulations and language, which uses “a student identified as emergent bilingual” or Emergent Bilingual (EB). Throughout this guide the term “a student identified as emergent bilingual” or “emergent bilingual” will be used. The federal language currently used to describe students as Limited English Proficient or English Language Learner is different from Texas regulations and language, which uses “a student identified as emergent bilingual” or Emergent Bilingual (EB). Throughout this guide the term “a student identified as emergent bilingual or emergent bilingual” will be used.

Key:

Included in the guide are legal citations, informational links to resources, best practice tips, changes/updates, and more. The following information will help you navigate the technical assistance guides:



→ **NOTE:** “Notes” point out important reminders or considerations.



→ **Best Practice Tips:** are highlighted with blue rectangle.



→ **Changes/Updates:** Information that has been changed or updated since the last release.



→ **New/Added:** Information that is new or has been added since the last release.

[links](#)

→ **Informational Links:** Links that are in lowercase will take you to a related website, resource, or document that supports the information which you are reading.

[LINKS](#)

→ **Legal Citation Links:** Links that use all capital letters will take you to a legal citation and definition.

Resources → **RESOURCES:** Various resources are linked within each section. All resources are provided in a categorized list at the end of the guide.

Revisions:

In addition to the changes/updates and new/added icons above, as each guide is updated, the following global revisions are also made:

- Repaired broken links, including updated Texas Legal Framework and Texas SPED Support hyperlinks
- Updated Table of Contents, Welcome Letter, and added Guidance Document Terms, Key, and Revisions section
- Added additional resources to the “Resources” section and reorganized them into a list by category
- Corrected minor changes and copyedit errors
- Deleted any outdated or irrelevant information
- Updated graphics throughout the guide

IEP Overview

Setting Rigorous Expectations

Before digging into the details of Individualized Education Program (IEP) development, take a minute to set your mind toward high expectations and rigorous goals for students with disabilities. Without this mindset, the IEP will fall short, and our students will not achieve all of which they are capable. TEA believes that there is shared responsibility across the state to ensure that all students, including students with disabilities, are held to rigorous academic standards and high expectations. The IEP must be individualized, based on the unique needs of that child, and designed to enable the student to work towards grade-level content standards and achieve challenging goals. Proper provision of a free appropriate public education (FAPE) means that all students have access to the supports and services that will prepare them for success in college, careers, and independence. We encourage you to ensure that the IEP provides all students with the opportunity to meet challenging goals and achieve their full potential. To support quality IEP development, each Education Service Center (ESC) offers the state-level [Standards-Based IEP Process Training](#). In addition, [Texas SPED Support website](#) (TSS) offers an online course, [A Step Toward IEP Quality and Rigor](#), designed to support educators in developing high-quality standards-based IEPs for students with significant cognitive disabilities.

The What, When, and Who of an IEP



What is the IEP, and why is it developed?

An IEP is the written document that is completed by an Admission, Review, and Dismissal (ARD) committee for every public-school child ages 3-21 receiving special education services in Texas. The IEP is the centerpiece of the federal legislation we call the [Individuals with Disabilities Education Act](#) (IDEA). The IDEA [ENSURES](#) “that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.”



NOTE: Individual Family Service Plans (IFSPs) are beyond the scope of this document. To learn more about IFSPs and Early Childhood Intervention (ECI) services for children with disabilities ages 0-3 please refer to the [Texas Health and Human Services Commission](#).



What is required to be in an IEP?

The Model Individualized Education Program (IEP) Form was developed by TEA in compliance with [Texas Education Code \(TEC\) §29.0051](#), which requires TEA to develop an optional model IEP form that includes only information found in the federal model IEP form and in any state-imposed requirements relevant to an IEP that are not required under federal law. Use of the Model IEP Form is not required, but it details the required elements of the IEP.

TEA’s Guidance for the Model Individualized Education Program (IEP) Form, is a companion document to the Model IEP Form. It is not inclusive of all options but assists in understanding what is required to be included in an IEP. Both [The Model IEP Form and the Guidance for the Model IEP Form](#) can be found on the Texas Legal Framework documents page.

State law provides that the written statement of a student’s IEP is only required to include information in the model form. Therefore, the content offered in this guidance that goes beyond the Model IEP Form represents best practice and not required IEP elements.



When and where is the IEP developed?

The ARD committee develops the IEP during an ARD committee meeting. The meeting must be held at a time and place that is mutually agreeable, and the school **MUST** take steps to ensure that one or both parents are present at every ARD committee meeting or are given the opportunity to participate. The local education agency (LEA) must keep a record of its attempts to arrange a meeting at a mutually agreed on time and place. If a parent cannot attend an ARD committee meeting, the LEA must allow the parent to participate through other means, such as by telephone or video conference. Schools may draft components of the IEP before the ARD committee meeting but must make parents aware that these portions are a draft and can be modified by the ARD committee.

Best Practice Tip

Send draft information home to parents prior to the ARD committee meeting so they can review it and have the opportunity for meaningful input into the IEP.

IEPs are reviewed at least annually. However, the IEP can be revised more frequently as appropriate. The IDEA requires the ARD committee to **REVISE THE IEP** as appropriate to address:

- a lack of expected progress toward the annual goals;
- reevaluation results;
- information provided to or by the parents that is needed to determine eligibility or continued eligibility, as well as the educational needs of the student;
- the student's anticipated needs; or
- other matters.

Frequent data collection and progress monitoring toward annual goals are critical to know when the ARD committee needs to revise the IEP due to a lack of expected progress. With strong progress monitoring, teachers can typically calculate the student's rate of progress on goals after 6-8 data points. Adjustments to the IEP may be needed if the student is not on track toward goal mastery. Another way to consider when the ARD committee may need to revise the IEP is when there is a lack of progress toward the goal at the end of a grading period. For example, if after a grading period with data collection, the student has made limited or no progress and is off-track towards meeting the goal(s), then the ARD committee should reconvene to discuss options.



NOTE: In federal regulations, the ARD committee is referred to as the IEP team or IEP committee. For additional guidance, review this [question and answer document](#) from the US Department of Education.



Who are the **REQUIRED MEMBERS** at the ARD Committee meeting?

- Parent or adult student with a disability
- Regular education teacher who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the IEP
- Special education teacher, or where appropriate, special education provider of the student

IEP Development

- LEA representative (most often a school administrator) who:
 - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - Is knowledgeable about the general education curriculum; and
 - Is knowledgeable about the availability of resources of the LEA
- Individual who can interpret the instructional implications of the evaluation results.



NOTE:

- » If the student has more than one regular education teacher responsible for carrying out a portion of the IEP, the LEA may designate which teacher or teachers will serve as ARD committee members, considering the interests of the student.
- » The adult student or ARD committee may invite the parent of an adult student, but once the student is an adult the parent's rights transfer to the adult student. See Transfer of Rights at Age of Majority Section for more information.
- » Both the IDEA regulations and the [STATE RULE](#) provide that the evaluation representative on the committee may also serve as the general education teacher, special education teacher, LEA representative, or someone else on the committee who is invited by the LEA or the parent.
- » [34 CFR § 300.321\(d\)](#) further provides that the LEA may designate a public agency representative.

Best Practice Tip

- In situations where the student has more than one regular education teacher, seek input from teachers who are not in attendance to share at the ARD committee meeting.
- It is recommended as a best practice that a school administrator serves as the public agency representative at the ARD Committee meeting.

Members required to attend the ARD committee meeting in certain circumstances:

- At the discretion of the LEA or parent, other individuals who have knowledge or special expertise regarding the child (e.g., specialists, school counselors)
- Student with a disability, when appropriate, including when a purpose of the meeting will be the consideration of postsecondary goals and needed transition services
- Representative of any participating agency likely to be responsible for providing or paying for transition services (with consent of the parent or adult student)
- Language Proficiency Assessment Committee (LPAC) member if the child is identified as an [emergent bilingual student](#). In addition, as to the LPAC member state rule provides that the professional staff member who serves as the LPAC representative may also serve on the committee as a general or special education teacher or special education provider of the student.
- Career and Technical Education (CTE) representative, preferably the teacher, if the student is being considered for initial or continued placement in [career and technical education](#). The CTE representative may not serve in a dual role as another required ARD committee member.



IEP Development

- Teacher of the Visually Impaired (TVI) if the child is suspected of or identified with a visual impairment
- Teacher of the Deaf or Hard of Hearing (TODHH) if the child is suspected of or identified as deaf or hard of hearing
- TODHH and TVI if the child is suspected of or identified as deaf blind.
- Early Childhood Intervention (ECI) coordinator or representative, at the request of the parent, at the initial ARD committee meeting for a child who was previously served under ECI
- Administrator or designee of the Juvenile Justice Alternative Education Program (JJAE) MUST be invited to an ARD committee meeting convened to discuss the expulsion and discretionary placement of a student with a disability in the JJAE
- + When dyslexia is suspected, a person with specific knowledge in the reading process, dyslexia and related disorders, and dyslexia instruction must serve on the LEA’s Multidisciplinary Team (MDT) and any ARD committee that is convened to determine eligibility for special education and related services. [TEC §29.0031](#), lists three means to satisfy this membership requirement:
 - Be a licensed dyslexia therapist (LDT);
 - Be an individual who holds the most advanced dyslexia-related certification issued by an association recognized by the State Board of Education (SBOE), and identified in, or substantially similar to an association identified in, either the rules or Handbook adopted by the SBOE; or
 - If neither of the first two is available, be an individual who meets applicable training requirements adopted by the SBOE.

+ **NOTE:** Because the SBOE must decide on certain qualifications and training requirements by June 2024, each LEA should analyze the current credentials and qualifications of existing staff and determine who is most appropriately trained to meet the specific knowledge required.

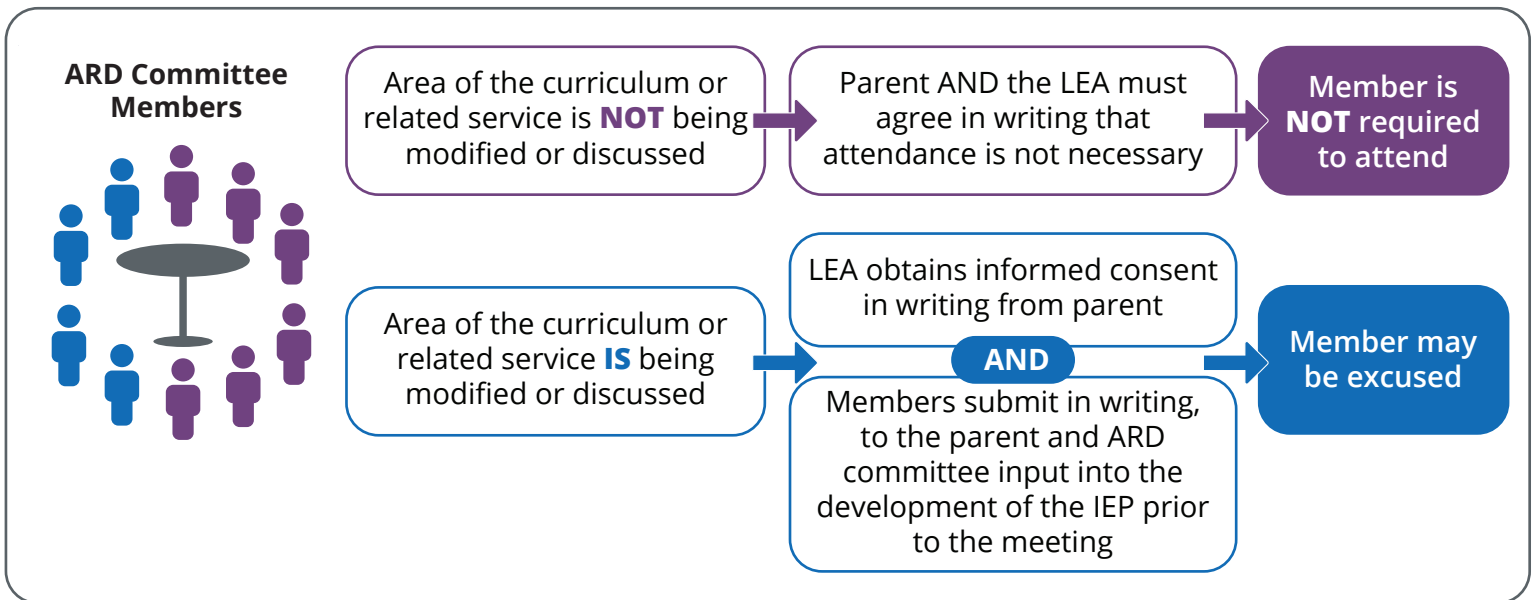
Required members at the ARD Meeting:	Additional participants who may be required or invited to attend based on student needs or eligibility:	
Parent or Adult Student	Student with a disability	TVI
Regular Education Teacher	Agency Representatives	TODHH
Special Education Teacher	LPAC Member	JJAE Administrator
LEA Representative	CTE Representative	ECI Representative
Individual who can interpret instructional implications of evaluation results	Others with knowledge or special expertise (e.g. related service providers, dyslexia specialist)	

+ **NOTE:** » The parent or adult student may invite additional persons to participate in the meeting.

Best Practice Tip:

The best representative of the needs of an emergent bilingual student on the ARD committee is the bilingual or English as a Second Language educator who directly instructs the student and has detailed knowledge of the student's linguistic needs and strengths.

Excusal from ARD committee meetings



The **EXCUSAL** requirements do not apply to the following ARD committee members:

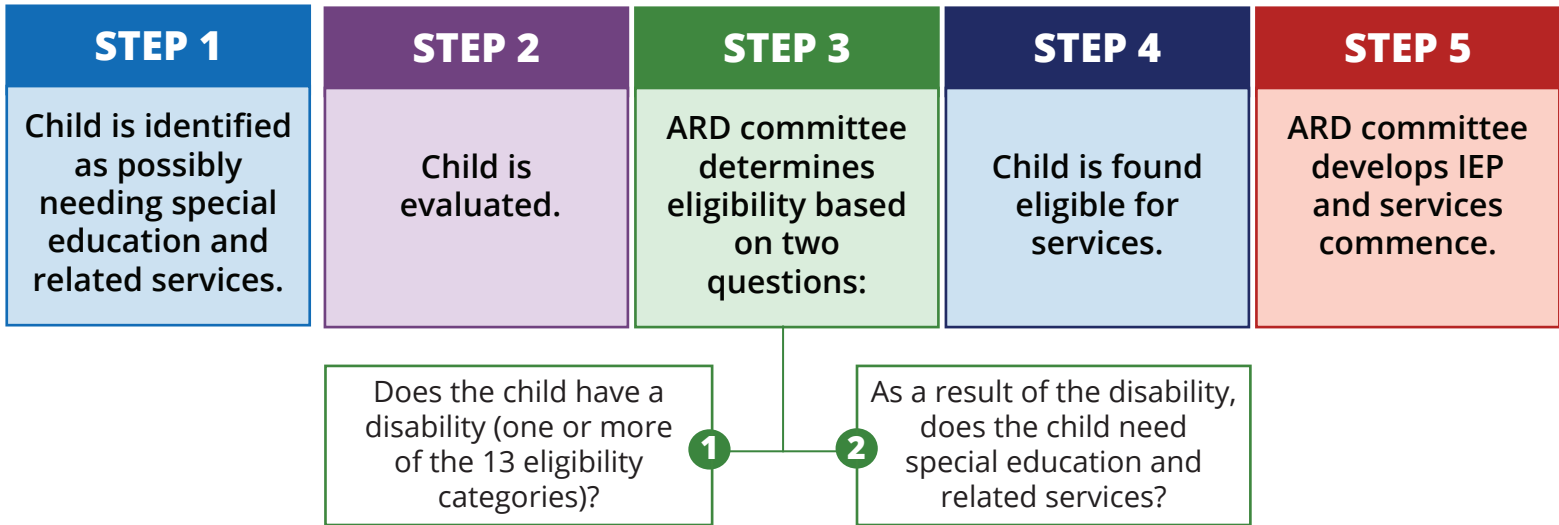
- Parent
- Student with a disability
- Adult student following a transfer of rights
- A discretionary member



NOTE: There are specific requirements for obtaining **INFORMED CONSENT** in writing from parents that must be followed prior to excusal of an ARD committee member.



Identification and Eligibility Overview



Resources:

- [IRIS Center – Overview of High-Quality IEPs](#)
- [TEA Guidance for Inviting Agency Representatives to ARD committee Meeting](#)
- [TEA FAQ-LPAC and Emergent Bilingual Students/English Learners](#)
- [LPAC Deaf/Hard of Hearing Guidance](#)
- [TEA’s Informed Consent Quick Guide](#)

IEP Identifying Information

Student Identifying Information

There are no legal requirements mandating specific demographic or identifying student information that must be included in the IEP. Typically, school teams include pertinent information to assist personnel in identifying the student. ARD committees are not required to identify the disability type in the IEP. Even so, including the qualifying eligibility/eligibilities is common practice.

Examples of the types of information that the ARD committee may want to include are as follows:

- Student Name
- Gender
- ID Number
- Home Address
- Date of Birth
- Current Age
- Grade
- Disability(ies)



IEP Development

- Parent(s) Name
- Parent Contact Information
- Campus Name
- District Name
- Other Information as Appropriate

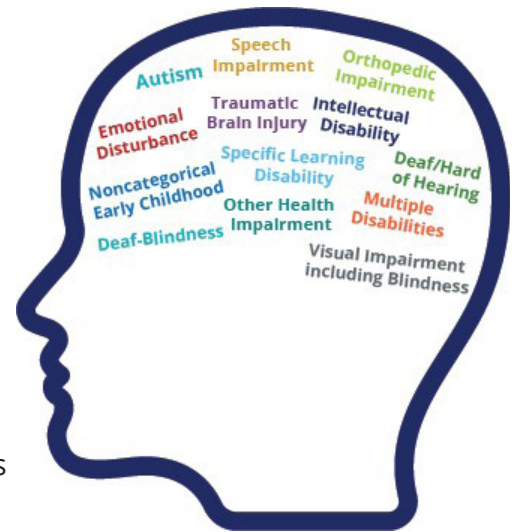
Eligibility

To determine whether a student qualifies for special education services, the ARD committee must answer the following two questions:

1. Does the child meet the criteria for a qualifying disability? **AND**

2. As a result of the disability, does the child have a need for special education services?

IDEA defines the [13 AREAS](#) of eligibility for special education services. See also the state eligibility [DEFINITIONS](#) found in the Texas Administrative Code. Descriptions of the 13 disabilities categories and more information about evaluation can be found in [TEA's Technical Assistance: Child Find and Evaluation Guidebook](#).

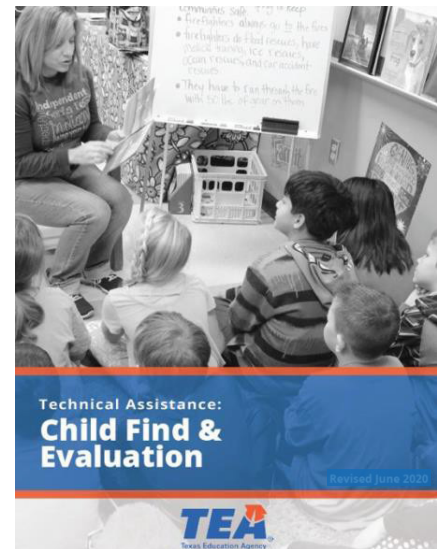


13 Disability Categories

- Autism
- Deaf or Hard of Hearing
- Deaf-Blindness
- Emotional Disturbance
- Intellectual Disability
- Multiple Disabilities
- Noncategorical Early Childhood
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury
- Visual Impairment Including Blindness



NOTE: Dyslexia and related disorders fall under the disability category of specific learning disability.



Resources:

- [TEA's Dyslexia and Related Disorders Webpage](#)
- [Parent's Guide to the Admission, Review, and Dismissal Process \(available in multiple languages\)](#)

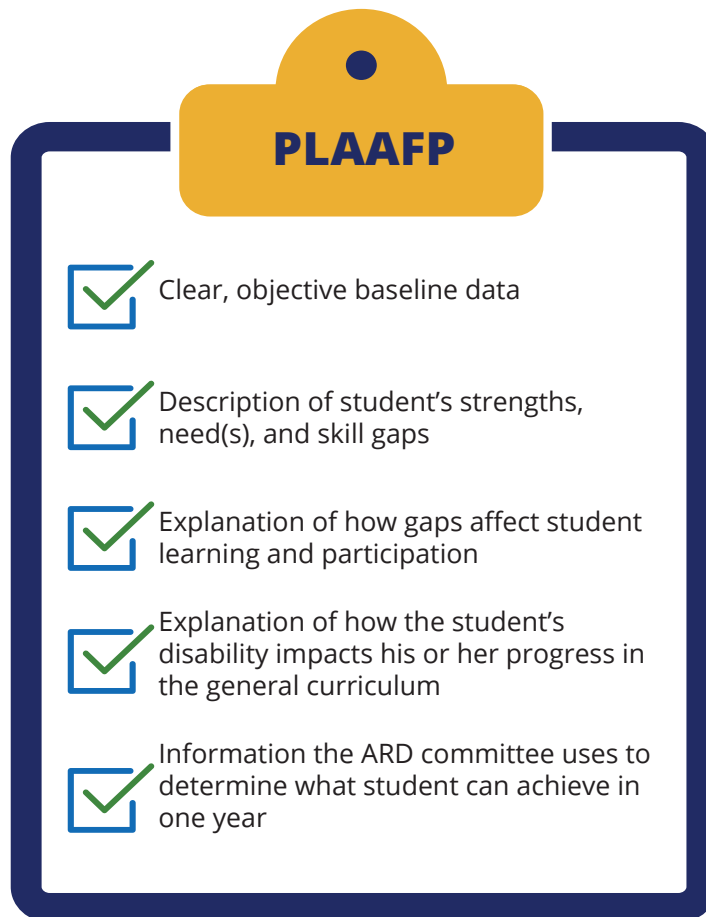
Present Levels of Academic Achievement and Functional Performance

The Present Levels of Academic Achievement and Functional Performance (PLAAFP) is a statement (or statements) in a student's IEP that provides information on how the disability affects involvement and progress in the general curriculum, which is described in the [Texas Essential Knowledge and Skills \(TEKS\)](#), [Texas Prekindergarten Guidelines](#), or the [Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines](#).



What should a PLAAFP include?

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



Best Practice Tips

Make sure the PLAAFP is written in parent-friendly language (i.e., no jargon, no acronyms, clear easy to understand language). See section [Vague versus clear PLAAFP statements](#) for an example.

? What areas of development are included in a PLAAFP?

The ARD committee **MUST CONSIDER** multiple factors, including the student's strengths and academic and nonacademic needs in the development of the IEP. Therefore, the PLAAFP must establish an overall baseline of the student's strengths and needs across academic and functional areas so that the ARD committee can effectively develop the annual and if necessary, short-term goals in the IEP.



Academic Achievement:

- Reading, spelling, and writing
- Math calculation and math problem solving
- Listening comprehension
- Vocabulary development
- Science
- Social Studies



Functional Performance:

- Daily living or self-help skills - dressing, eating, using the restroom
- Social skills - turn-taking, participation, play
- Behavior - attention, focus, inhibition, self-control, executive function
- Sensory skills - hearing, seeing
- Communication skills - talking, listening, participating in conversation
- Mobility - getting around school and the community

? What data should be used to develop a PLAAFP?

To accurately describe the student's academic and functional strengths and needs, meaningful data should be collected, reviewed, and described such as:

- Work samples
- Behavioral data
- Parent information and observations
- Teacher input and observations
- Curriculum-Based Assessments (e.g., oral reading fluency, math calculation probes)
- Student inventories
- Anecdotal records
- IEP progress report data
- Classroom observation data
- Intervention progress data
- Statewide assessments
- Benchmark and local assessments



- Classroom tests and quizzes
- Full and Individual Initial Evaluation (FIE) or reevaluation
- Medical records
- Outside evaluation(s)
- Discipline records
- Attendance records

Vague versus clear PLAAFP statements

Below, review an example of a vague PLAAFP statement and a clearly written PLAAFP statement. The vague example utilizes acronyms to describe assessments and does not describe specific language difficulties. Members of the ARD committee and others implementing the IEP may not be able to interpret these acronyms or gain an understanding of the student's challenges. Additionally, although the PLAAFP notes that the child's language skills are below average, it does not specify in what area(s) she needs additional supports. In the clearly written example, the PLAAFP statement provides information on how the disability affects language.

Vague:

Alicia's language and conversation skills are well below age expectations based on scores on the EOWPVT- R and ROWPVT-R given as part of her evaluation.

Specific:

Alicia needs to continue developing in the area of language and communication, specifically with conversation skills. Based on information provided by Alicia's pre-school education teacher, speech therapist, her mom, and data from the August 30, 2018 evaluation, Alicia inconsistently (less than 50% of observations) takes one turn in a conversation (e.g., responds to greetings, answers simple questions) when provided a visual prompt. She consistently (over 80% of observations) provides an appropriate response to a conversational cue when given a verbal model of "say_____". She has been observed responding independently to conversation cues on only 2-3 occasions over the past year based on parent and teacher report. Her inability to respond independently may hinder her academic and functional progress by decreasing her ability to interact with her teachers and peers. Alicia needs to improve her conversation skills to access the curriculum and engage meaningfully with her teachers and peers.



What is the role of the PLAAFP in developing measurable annual goals?

The decision of what goals to include in a student's IEP should be made only after examining the student's PLAAFP. The ARD committee will utilize the student's PLAAFP to identify areas of critical need that are keeping the student from accessing and/or progressing in the general curriculum. The goal should be something the student can reasonably be expected to attain within one year.



Where can I learn more about how to develop a meaningful PLAAFP?

TEA has developed several trainings and resources, such as quality rubrics, to support educators with PLAAFP development. Learn more by exploring these resources:

- **[Standards-Based IEP Process Training:](#)**
All ESCs offer Standards-Based IEP Training in their regions. The training focuses on developing the PLAAFP, drafting annual goals, and collecting data for reporting progress.
- **[Question and Answer Document: IEP Measurable Annual Goals:](#)**
This document provides answers to common questions and guidance to LEAs regarding writing annual IEP goals, including specific questions about PLAAFPs.
- **[A Step Toward IEP Quality and Rigor:](#)**
This free six credit asynchronous course is designed to support educators in developing high quality IEPs for students with significant cognitive disabilities. However, the training can assist any special educator needing to learn more about developing quality IEPs.



Resources:

- [PLAAFP Resources](#)
- [USDE Dear Colleague Letter IEP Alignment with State Standards](#)
- [The Progress Center IEP Tip Sheet: PLAAFPs](#)
- [IRIS Center – High-Quality PLAAFP Statements](#)

Goals and Objectives

Background

IDEA requires that all students who receive special education services have measurable annual goal(s) included in their Individualized Education Programs (IEPs). According to IDEA, measurable annual goals are designed to:

- **meet the child's needs that result from the child's disability to enable the child to be involved in and to make progress in the general education curriculum and,**
- **meet each of the child's other education needs that result from the child's disability.**

These goals may consist of academic and/or functional goals, which are based on the individual student's needs as documented in his or her present levels of academic achievement and functional performance (PLAAFP) statements.

The purpose of these goals, as is the purpose of all special education services, is to assist the student in accessing and progressing in the general curriculum. Academic (standards-based) goals are directly linked to progressing toward enrolled grade-level content standards. Functional goals, such as independence skills or behavior, assist the student in accessing the enrolled grade-level content standards.

Additionally, Every Student Succeeds Act (ESSA) and IDEA regulations require that all students, including those with disabilities, be included in the statewide assessment system. Because all students are included in the statewide assessment system, they must have access to the general education curriculum that is tested using this system. This access may be with or without accommodations and may include an alternate assessment. Due to these requirements, all students receiving special education services in academic areas must have corresponding standards-based annual goals that link to enrolled grade-level content standards.



Best Practice Tips

Measurable annual goals:

- Are statements that describe what a student with a disability can reasonably be expected to accomplish (within 12 months) in the student's special education program;
- Identify specific areas where a student with a disability needs assistance from a special education professional (e.g., special education teacher, speech-language pathologist, related services); and
- Address critical needs identified in a student's PLAAFP statement that are keeping the student from accessing and/or progressing in the general curriculum.

Remember, measurable annual goals include skills and/or knowledge that can be measured and mastered, not activities.



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? What are the four critical components of a measurable goal?

1. Timeframe

Identifies the amount of time in the goal period and usually specifies the number of weeks or a date for completion.

2. Conditions

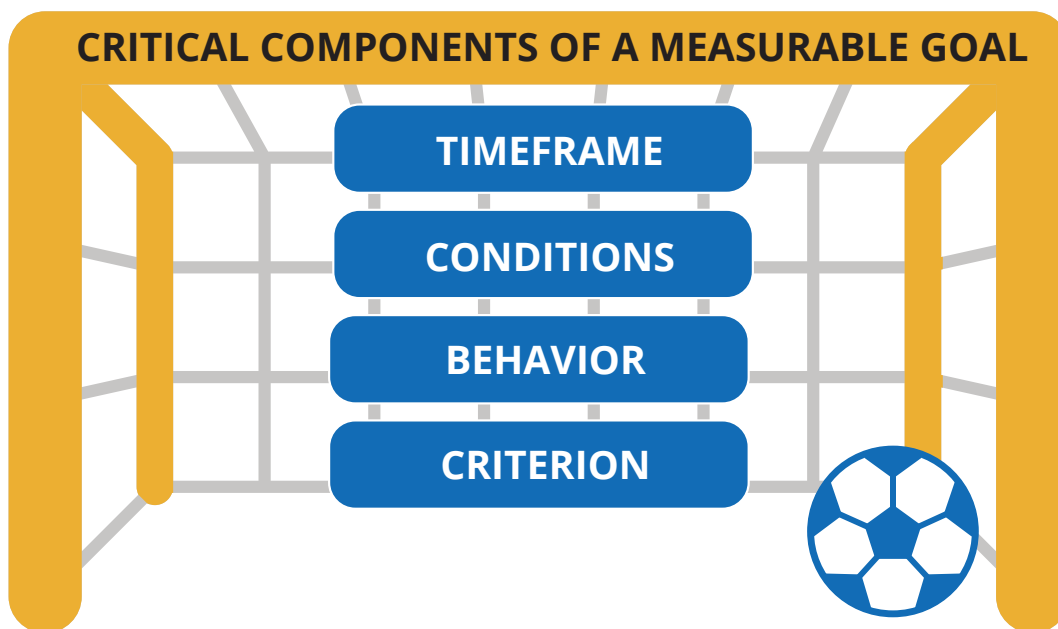
Specify how progress toward the goal occurs. Conditions describe the specific resources that must be present for a student to reach the goal and should outline or explain what facilitates learning for the student. The condition of the goal should link to the behavior being measured. For example, a goal relating to reading comprehension may require the use of a graphic organizer. The use of the graphic organizer is the condition.

3. Behavior

Identifies the performance that is being monitored. It represents an action that can be directly observed and measured.

4. Criterion

Identifies how much, how often, or to what level the behavior must occur to demonstrate that the goal has been achieved. The goal criterion specifies the amount of growth that is expected within the goal timeframe.



IEP Development

Below, please review an example of an annual measurable goal that includes a clear timeframe, condition, behavior, and criteria.

Timeframe:

By the end of the school year

Condition:

given a familiar two-step verbal direction stated one time (e.g. take off your coat and hang it on the hook)

Behavior:

Jamie will correctly complete both steps

Criterion:

across 80% of trials within a two-week period for mastery.

Vague versus specific goal statements

Below, review examples of IEP goals. Note how the vaguely written goal statements lack a specified timeframe, condition, behavior, and criteria.

Example 1:

Vague: Becca will improve oral skills.

Specific: In 36 instructional weeks, when provided a visual schedule of the daily routine and asked, "What comes next?", Becca, a four-year-old student, will verbally state the correct activity in 4 out of 5 daily trials across 3 consecutive days.

Example 2:

Vague: This school year DeJuan will read with greater accuracy and speed.

Specific: By the fourth reporting period, when given an unfamiliar third grade leveled text, DeJuan, a 3rd grade student, will read 75 words correct per minute (wcpm) with 95% or greater accuracy across three consecutive trials for mastery.

Measurable Goals in Practice

TEA's [Question and Answer Document: IEP Measurable Annual Goals](#) provides considerations the ARD committee can use to help ensure that IEP goals are measurable (Q 1.3).

A measurable annual goal meets the following requirements:

- Is observable
- Allows a calculation of how much progress it represents
- Indicates what to do to measure mastery of the goal
- Can be measured without additional information
- Yields the same conclusion if measured by several people



Keep in mind that just because a goal includes a timeframe, condition, behavior, and criterion it does not automatically mean the goal is measurable.

Using this checklist can help you decide. Consider the following goal:

TIMEFRAME	CONDITION	BEHAVIOR	CRITERIA
By the end of the IEP period (mm/dd/yy),	given verbal cues, manipulatives, picture cues, and/or instructional guidance,	the student will increase their language skills by asking for help	with 70% accuracy over 3 consecutive days, as measured by teacher observation.

This goal has the four components, but is it measurable? Apply the questions derived from the checklist above to help you decide. Compare your thoughts to the sample responses.

Question to ask:	Sample response:
Is the goal observable (i.e., Can you see and count the goal's behavior)?	Yes. I can observe the student asking for help and I can count how many times they ask. Based on the conditions I would count every time they ask for help even if it was with verbal cues, manipulatives, picture cues, and/or instructional guidance.
Can you calculate progress (i.e., will you be able to tell from one data point or monitoring period to the next if there is improvement)?	No. I can see and count asking for help, so I would be able to record the frequency of asking for help each day, but I am not sure how I would calculate 70% accuracy. What does 100% accurate vs. 70% accurate look like? The conditions indicate that I am counting prompted requests, so I don't understand what "inaccurate" asking for help might be, so I can't calculate progress.

IEP Development

Question to ask:	Sample response:
Can you measure this goal as written? (i.e., would you need additional information to set up data tracking/ progress monitoring for this goal?)	No. Because the criterion is a percentage, I would probably need a rubric or task analysis with steps to asking for help to determine an accuracy level with the skill (i.e., Did the student complete 70% of the steps?). I am also unsure when I would be observing this: all day long and tracking every time the student asked for help including counting the prompted requests specified in the conditions? How would I know when they should have asked for help but did not?
Do you know what to do to measure mastery of the goal (i.e., It's clear when the goal is "mastered")?	No. The student needs to ask for help with 70% accuracy across 3 days in a row. But because it is not clear how to calculate 70% accuracy, I would not be able to know when this is mastered.
Would different people measuring this goal reach the same conclusion?	No. Different people would likely reach different conclusions about what 70% accuracy is for this goal.

While you may have different thoughts and responses to the questions, hopefully you can see that this goal needs revision to improve clarity and measurability. Assume that the PLAAFP indicates that the student needs to learn to ask for help and that it is currently something they only do with multiple verbal prompts (baseline is zero instances where the teacher has observed the student independently ask for help). A measurable goal might look something like this:

TIMEFRAME	CONDITION	BEHAVIOR	CRITERIA
By the end of the IEP period (mm/dd/yy),	given a visual of the steps to ask for help and presented with various pre-planned trials where the student needs to ask for help (e.g., student given an uncharged device, broken or missing materials, unclear directions),	the student will independently follow the steps and verbally ask for help	across 5 consecutive teacher documented trials for mastery.

You will notice that the condition lists a visual of the steps for asking for help. When teaching the skill, it is likely that the teacher will still use verbal prompting and direct instruction, but for goal mastery we are looking for the student to only need the visual support. For progress monitoring, trials where the student is prompted would not count towards meeting the mastery criteria. Similarly, trials where the student follows some, but not all steps on the visual would also not count towards the mastery criteria. For example, if the visual says to raise your hand first, but they blurt out that they need help the trial would not be "correct" towards mastery, although it will still inform the teacher about progress towards the goal. Using pre-planned trials where the teacher intentionally stages a situation to ensure that the student needs help, prevents having to infer (subjective) if the student should or should not have asked for help in all the situations students encounter throughout the day. For this goal the teacher might, for example, set up a few trials per week to monitor the skill. They are, however, teaching the skill of asking for help throughout the day and looking for generalization to naturally occurring situations. This is only a sample; how might you improve this goal even further?



TEA Photo Library



What is the difference between academic and functional goals?

The IEP must contain meaningful educational goals. Academic and functional goals are written using the same four required elements: timeframe, condition, behavior, and criterion. The only difference between the two is that functional goals do not require a link to the enrolled grade-level content standards (TEKS, Texas Prekindergarten Guidelines, or the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines and/or district-adopted prekindergarten curriculum).



For students in grades kindergarten through twelfth grade, a goal is either related to a student learning the TEKS (academic goal) or related to the student learning a skill he or she needs to access the TEKS (functional goal).

Because of the developmental nature of young children, many of the standards in the Texas Prekindergarten Guidelines and/or the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines may seem to

be both academic and functional in nature. While it is possible for a goal to be both academic and functional for students of this age, it is likely that the goal is one or the other. If the behavior being measured is within the adopted curriculum, it would be considered an academic goal. For example, in the Texas Prekindergarten Guidelines, there is a standard in the Physical Development Domain that addresses good habits of personal health and hygiene. While hygiene skills may seem to be functional in nature, for a prekindergarten student this would be an academic goal aligned with the curriculum.

While all students must have measurable annual goals, some students may have both academic and functional goals, and some students may have only academic or functional goals to enable them to have access to the general curriculum. For example, a student's PLAAFP may indicate that a student has the academic skills to progress in the general curriculum, but engagement in challenging behavior is impeding his or her access to the general curriculum. In this case, the ARD committee may determine the student only needs functional goal(s) for learning appropriate replacement behavior. However, if the student's behavioral needs require him or her to be removed from the general education setting for any portion of the day, then he or she would also need a goal-specific to the course/curriculum from which he or she is removed, regardless of whether or not the content is modified.



Benchmarks or Short-Term Objectives

Benchmarks or short-term objectives are the intermediate steps of progress toward mastering the annual goal. They provide a means to monitor a student's progress toward reaching the related annual goal.

IDEA requires that benchmarks or short-term objectives be part of the annual goal for any student who takes an alternate assessment based on alternate academic achievement standards [34 CFR § 300.320\(a\)\(2\)](#). Therefore, all students who take the State of Texas Assessments of Academic Readiness (STAAR) Alternate 2 must have benchmarks or short-term objectives as part of all measurable annual goals. It does not matter if the goal is academic or functional or if the area is tested on the alternate state assessment. For a student who takes STAAR, the ARD committee may choose to include benchmarks or short-term objectives as part of the annual goals to assist in monitoring the student's progress toward mastery of IEP goals. Please refer to question 1.16 in the [TEA document Question and Answer Document: IEP Measurable Annual Goals](#) for more information.

IEP Development

Below review two examples of IEP goals and related benchmarks. The first example is an academic goal with associated benchmarks, and the second is a functional goal with associated benchmarks.

Academic goal:

Academic	Timeframe	Conditions	Behavior	Criterion
IEP Goal: Mathematic Processes	By the end of the fourth nine weeks grading period	Given a 100's chart or number line and a set of mixed coins totaling up to one dollar	Claudia, a 2nd - grade student * will correctly count the total value	in 4 of 5 trials for mastery.
Mathematics TEKS 2-(5)(A) Number and operations. The student is expected to determine the value of a collection of coins up to one dollar.				
Benchmark 1	By the end of the first nine weeks grading period	given a 100's chart or number line and a set of mixed coins totaling up to twenty-five cents	Claudia will correctly count the total value	in 5 of 5 trials.
Benchmark 2	By the end of the second nine weeks grading period	given a 100's chart or number line and a set of mixed coins totaling up to fifty cents	Claudia will correctly count the total value	in 5 of 5 trials.
Benchmark 3	By the end of the third nine weeks grading period	given a 100's chart or number line and a set of mixed coins totaling up to seventy-five cents	Claudia will correctly count the total value	in 5 of 5 trials.

Functional goal:

Functional	Timeframe	Conditions	Behavior	Criterion
IEP Goal:	In 36 instructional weeks	given a visual schedule and one verbal prompt that it's time to transition	Niko, a 5th- grade student*, will arrive at the correct location within 5 minutes	in 5 of 5 consecutive trials for mastery.
There is no academic standard associated with this goal, as it is functional.				
Benchmark 1	By the end of the first nine weeks grading period	given a visual schedule and two verbal prompts to transition from the bus to school	Niko promptly exit the bus, enter the school using assigned door, and arrive at his classroom within 5 minutes	across 4 consecutive daily trials for mastery.
Benchmark 2	By the end of the second nine weeks grading period	given a visual schedule and two verbal prompts to transition from the bus to school	Niko will promptly exit the classroom and school, walk to and get on the bus, and sit in his assigned seat within 5 minutes	across 4 consecutive daily trials for mastery.
Benchmark 3	By the end of the third nine weeks grading period	given a visual schedule and one verbal prompt to transition from his classroom to other locations in the school, including the playground, gym, music room, art room, and cafeteria	Niko will safely walk to and from locations on the school campus and his classroom arriving at the designated location within 5 minutes	in 4 of 5 trials.

IEP Development

*Please note, the student's enrolled grade level should be documented within the IEP but does not have to be included or repeated within the annual goal(s) or objectives. It is included in these examples as information for the reader.

Resources:

- [IEP Quality and Rigor Rubric](#)
- [The Progress Center IEP Tip Sheet: Measurable Annual Goals](#)
- [Iris Center: Challenging, Ambitious, Measurable Annual Goals](#)
- [Strategies for Setting Data-Driven Behavioral IEP Goals](#)
- [Frequently Asked Questions STAAR Alternate 2 Participation Requirements](#)

How Progress Will Be Measured

The student's IEP must describe the method used to measure a student's progress toward goal mastery. Some examples of how progress toward meeting the annual goal(s) may be measured include, but are not limited to, the following:



- » **Checklists**
- » **Curriculum-based assessments (i.e., progress monitoring probes)**
- » **Inventories**
- » **Recorded observations**
- » **Performance assessments**
- » **Rubrics**
- » **Portfolios**
- » **Unit or chapter tests**
- » **Work samples**

Best Practice Tip:

- Select progress methods that can be reported objectively using numbers
- Measure progress frequently, consistently and systematically
- Ensure those collecting data are trained and understand what is necessary to capture accurate data
- Report progress in the same way the criteria is written in the goal

🔄 Frequency for Reporting the Student's Progress to Parents

The IEP must include a description of how progress towards annual goals will be measured and [WHEN](#) progress reports will be provided to parents. At a minimum, progress reports are provided to parents concurrent with the issuance of report cards. The ARD committee may determine if more frequent progress reporting is necessary.

At least once each grading period, and more often if provided for in an IEP, a school district must provide the parent of a student receiving [DYSLEXIA INSTRUCTION](#) with information regarding the student's progress as a result of the student receiving that dyslexia instruction.

IEP Development

The reporting of progress is distinct and different than issuing grades for the courses the student is enrolled in. If a student fails to make the expected progress towards his or her IEP goals, the ARD committee must meet and/or consider [REVISING THE STUDENT'S IEP](#).

Resources:

- [IRIS Center: Monitoring and Reporting Student Progress](#)

Special Education and Related Services

The IEP must include a statement of the special education and related services, as well as the supplementary aids and services, based on peer-reviewed research to the extent practicable, that the school will provide to or on behalf of the student.

The IEP must also contain a statement of the program modifications (accommodations and modifications) or supports for school personnel that will be provided to enable the student to advance appropriately toward meeting the annual goals, as well as to be involved in and make progress in the general education curriculum.

The programs and services to be provided to the student must be individually determined by the ARD committee based on the student's abilities and needs. The programs and services for a student cannot be based on factors such as:

- category of the student's disability,
- availability of special education programs or related services or personnel,
- current availability of space,
- administrative convenience; or
- how the school has configured its special education service delivery system.



NOTE: [TEA's Model IEP Form](#) details the required elements of the IEP. Information in this section may also reflect common and/or best practices that are not required elements. In addition, [Guidance](#) has been developed using the Model IEP Form.

Special Education

Special education means specially designed instruction (SDI), at no cost to the parent, to meet the unique needs of the student with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, as well as physical education. The term specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student and/or ensure the student's access to the general education curriculum.

Resources:

- [Progress Center IEP Tip Sheet: Overview of the Statement of Services and Aids](#)
- TEA's Texas SPED Support website has [State Guidance Documents](#) which contain resources and guidance specific to SDI.

Related Services

[Related services](#) mean transportation and such developmental, corrective, and other supportive services that are required to assist the student in benefiting from special education.

Related services include, **but are not limited to**, the following:

- Assistive technology
- Audiology services
- Counseling services
- Interpreting services
- Medical services
- Music therapy
- Occupational therapy
- Orientation and mobility (O&M) services (only for students with visual impairments)
- Parent counseling and training
- Physical therapy
- Psychological services
- Recreation
- Rehabilitation counseling services
- School health services
- Social work services in school
- Speech-language therapy *
- Transportation



*In Texas, speech-language therapy is an instructional service that can be a stand-alone service as well as a supportive service.



NOTE: Related services do not include a medical device that is surgically implanted such as a cochlear implant, the optimization of that device's functioning (mapping), maintenance of the device, or the replacement of the device.

Special education and related services are based on peer-reviewed research to the extent practicable, which means there is reliable evidence to demonstrate that the program or services are effective in meeting the needs of the student. Peer-reviewed means that the quality of the research meets the established standard of the field. Peer-reviewed research may apply to academic, as well as non-academic areas, such as behavioral interventions.

Assistive Technology

The ARD committee must consider whether the student needs assistive technology (AT) devices and services. An assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of any assistive technology device. An assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified or customized, used to increase, maintain, or improve the functional capabilities of a student with a disability.

When a student requires an assistive technology device or service, consideration must be given to the instruction that the student might require to use the assistive technology device as well as any supports and services the student and/or the student’s teachers may need related to the use of the device.

The [Texas 4-Step AT Consideration Model](#) is a process that ARD committees may use in the development, review, and revision of IEPs. The use of a model ensures consistency, and that AT is equitably considered for all students with disabilities. The Texas 4-Step Model incorporates best practices in AT consideration as described by the [Quality Indicators for Assistive Technology](#) (QIAT).



Resources:

- [IRIS Center: Assistive Technology Module](#)
- [TEA Assistive Technology Webpage](#)

Frequency, Duration, and Location of Services

The U.S. Department of Education has previously instructed that: "the amount of services to be provided must be stated in the IEP so that the level of the agency's commitment of resources will be clear to parents and other IEP team members." Each IEP must include the frequency, duration, and location of the services to be provided. ARD committees should review all IEPs to be sure that the LEA's commitment of resources is clear.

For each special education and related service to be provided to the student, the following is to be included in the IEP:

- **Frequency** — how often the service is to be provided
- **Amount of time** — the minutes per session for the service
- **Beginning/ending date** — the starting and ending dates of the specific service
- **Location of service** — the setting (e.g., general education or special education) where the service is to be provided.

Frequency	Duration	Location
<p>How often will the service be provided (daily, weekly)?</p> <p>If a service is provided less than daily then the conditions for the provision of the services must be clearly specified within the ARD committee documents using a weekly reference (1 hour a week, 30 minutes every two-weeks).</p>	<p>How long will the services be provided?</p> <p>The beginning and ending dates must be specified.</p> <p>How long will each session be (15 minutes, 30 minutes)?</p> <p>If a term (1 class period) is used in the IEP to define duration of service, the term must be defined in the IEP (example: 1 class period = 50 minutes).</p>	<p>Where will the services be provided?</p> <p>Select the general education classroom or another setting such as a special education resource classroom, or both wherever services will be provided.</p>

Resource:

- [Documenting Frequency, Duration, and Location of Related Services](#)

Supplementary Aids and Services

[SUPPLEMENTARY AIDS AND SERVICES](#) are aids, services, and other supports provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings for the teacher and the student to enable the student with disabilities to be educated with nondisabled students to the maximum extent appropriate in the least restrictive environment.

Supplementary aids and services include, but are not limited to, the following:

- Assistive technology
- Consultation
- Curricular or instructional accommodations/modifications
- Educational aide (paraprofessional) or teacher assistant
- Interpreter
- Monitoring a student's progress in regular education classes
- Reduction of the ratio of student to instructional staff
- Classroom accommodations
- Special materials/equipment
- Staff development

Accommodations and Modifications

Accommodations are intended to reduce or even eliminate the effects of student's disability on academic tasks but do not change learning expectations. The objectives of the course or activity remain the same. Accommodations change how the student learns or demonstrates knowledge. ARD committees should consider whether changes in presentation, response, setting, or timing/scheduling are required for students to access the general curriculum.

- Presentation Accommodations allow students to access instructional materials when visual, physical, or learning difficulties impede decoding and comprehension of text.
- Response Accommodations allow students to record their work in alternate ways or to solve or organize their work using some material or device.
- Timing/Scheduling Accommodations adjust time and scheduling requirements for assignments, homework, and assessments. Students may also require increased use of breaks or reminders to stay on task.
- Setting Accommodations change the location in which instruction is given or the conditions of the setting.

Modifications change what the student is expected to master. ARD committees should keep in mind that using modifications may have adverse implications, as students accessing below grade-level content may not close achievement gaps.

Accommodation:

Changing

H O W

they are learning

Modification:

Changing

W H A T

they are learning

IEP Development

Modifications typically require a student to learn less material or learn material below grade level and/or complete or be tested over easier or less complex problems. The decision to modify is a significant one, however some students will require modifications. Decisions to modify should be data driven and individualized for the student.

Examples of Accommodations and Modifications

Whether a specific support is an accommodation or a modification is dependent on the content being taught. Review the following scenarios to see examples of when supports are considered accommodations or modifications.

Area	Accommodation	Modification
Spell check software	If the objective of the assignment is to write a three-paragraph essay to describe the water cycle, the use of spell-checking software to support composition and editing is likely an accommodation.	If the objective of the assignment is to demonstrate mastery of specific spelling rules, the allowance of spell check software is likely a modification.
Text to speech	If the objective of the assignment is to access grade-level science content, text to speech technology to support accessibility when the student is reading below grade-level is likely an accommodation.	If the objective of the assignment is to demonstrate reading comprehension at grade level, the use of text to speech is likely a modification.
Calculator	If the objective of the assignment is solving multi-step word problems, the use of a calculation device to support math calculation is likely an accommodation.	If the objective of the assignment is to demonstrate 3- digit x 2-digit multiplication with regrouping, the use of a calculation device to support math calculation is likely a modification.
Time	If the objective of the assignment is to demonstrate an understanding of the content, extra time to complete the assignment or exam is likely an accommodation.	If the objective of the multiplication fact quiz is to demonstrate fact fluency, the allowance of extra time is likely a modification.

Supports for School Personnel

Supports for school personnel assist education providers in meeting the unique needs of the student and helping the student be successful. Supports for school personnel include, but are not limited to, the following:

- Workshops or trainings related to the individual needs of a student
- Assistance needed for curriculum modifications
- Necessary training for assistive technology service and/or devices



Resources:

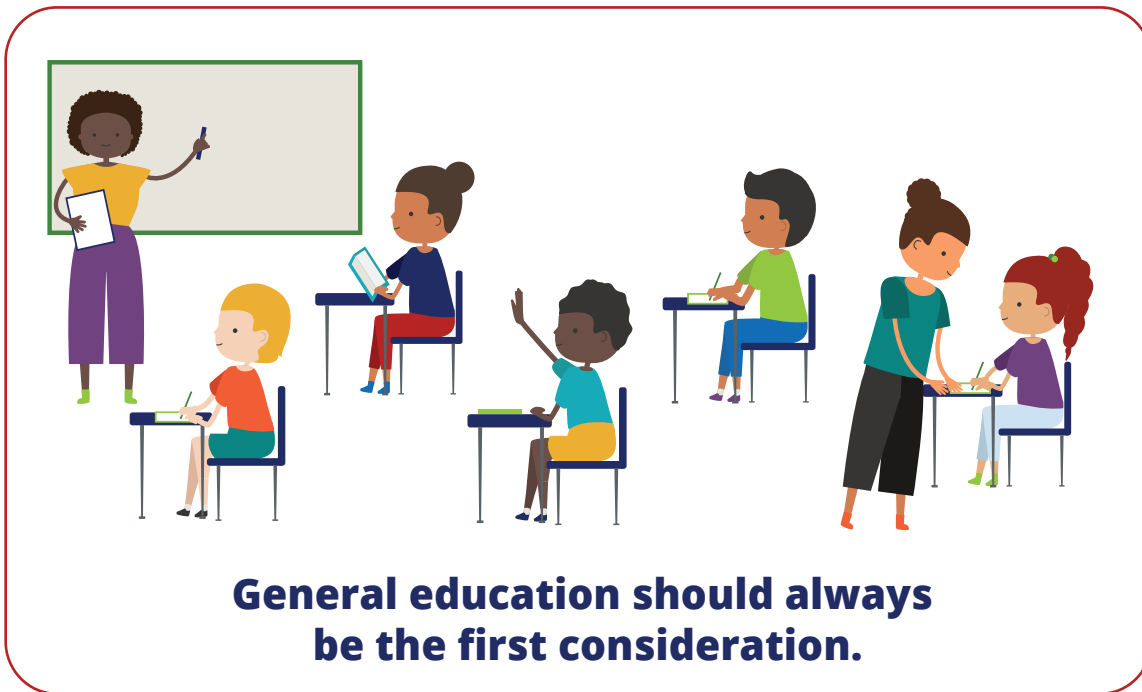
- [ESC 13 Accommodation Central](#)

Least Restrictive Environment (LRE)

IDEA requires students with disabilities, including students in public or private institutions or other care facilities, are educated with students without disabilities to the maximum extent appropriate. Additionally, schools must ensure that a student with a disability is not removed from the general education environment (including removal to separate schools or special classes) unless the nature or severity of the student's disability is such that he or she cannot be educated in general education classes, even with the use of supplementary aids and services. A student's educational placement is determined at least annually.

General education should be the first consideration when deciding placement. A group of persons knowledgeable about the child, the meaning of the evaluation data, and placement options (the ARD committee) is responsible for identifying the student's needs and the appropriate placement in which these needs can be met.

Placement decisions must be based on the student's IEP. When making the placement decision, the first consideration should be whether the student can be educated in the general education classroom with or without supplementary aids and services. A student can only be placed in a more restrictive environment when the placement committee (the ARD committee) concludes that education in a lesser restrictive setting, even with appropriate supports and services, cannot be achieved satisfactorily.



Best Practice Tip:

IEP goals must be developed based on a student's PLAAFP. Because well-written goals support the attainment of achievement and functional skills specific to the student's needs, ARD committees develop annual measurable goals before determination of student placement.

Instructional Arrangements and Placement (Least Restrictive Environment)

1 General education with no supplementary aids or services

Special Education Settings:

2 General education with supplementary aids and/or services (least restrictive)

3 Resource placement in special education classroom less than 40% of the day

4 Self-contained placement in special education more than 40% of day

5 Separate school

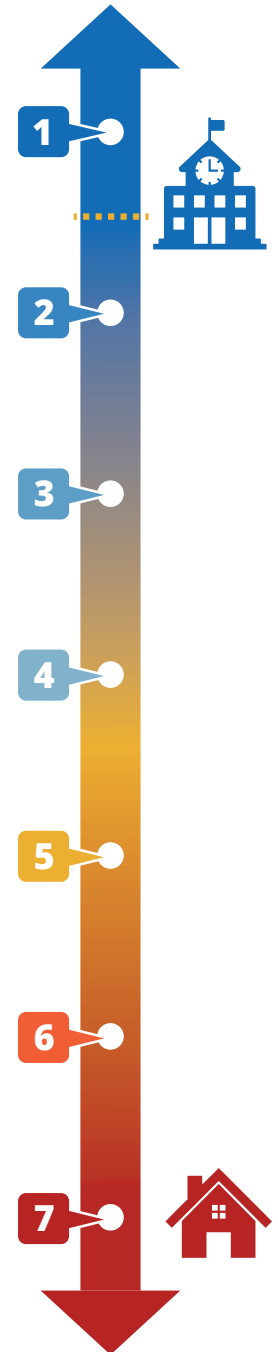
6 Residential placement

7 Hospital or home placement (most restrictive)

IDEA requires that each LEA ensures that a [CONTINUUM OF ALTERNATIVE PLACEMENTS](#) is available to meet the needs of students with disabilities in the least restrictive environment (LRE) whereas, general education is the least restrictive (blue) and hospital or home placement are the most restrictive placements (yellow to red on the image). This continuum must include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. Additionally, each LEA must make provisions for [SUPPLEMENTARY SERVICES](#), such as resource room or itinerant instruction, to be provided in conjunction with regular class placement.

In Texas, available [INSTRUCTIONAL ARRANGEMENTS AND SETTINGS \(page1\)](#) include:

- Mainstream;
- Homebound;
- Hospital class;
- Speech therapy;
- Resource room or services;
- Self-contained (mild, moderate or severe)
- Regular campus;
- Off-home campus;
- Nonpublic day school;
- Vocational adjustment class/program;
- Residential care and treatment facility; and
- State supported living center for persons with intellectual disabilities.



IEP Development

While LEAs do not always have to have all placements available, the placements must be made available when an ARD committee determines it is appropriate to the individual needs of a student. This placement must be specified in the student's IEP. Additionally, the IEP must document the necessary supplementary aids and services the student needs in the setting.

If the ARD committee determines the student will not participate in the general education classroom and/or curriculum, an explanation as to why that decision was made must be documented in the IEP. More information about Public Education Management System (PEIMS) coding for the above instructional arrangements can be found in the [Student Attendance and Accounting Handbook \(SAAH\)](#).

Removal from Home Campus

ARD committees are required to review data to determine placement and must ensure that students with disabilities are educated with their nondisabled peers to the maximum extent appropriate, regardless of campus. If the ARD committee is considering placement other than on the student's home campus, the committee should consider:



- The specific supplementary aids and services provided or tried to support the student on the home campus;
- Why the supplementary aids and services were not educationally beneficial; and
- Why the supplementary aids and services did not provide access to or progress in the general curriculum.

Length of School Day

The length of the school day for a student with a disability must be commensurate with that of students without disabilities unless the ARD committee determines that the student needs a modified instructional day. This requirement applies equally to public school students in charter, public, or private institutions or other care facilities. The length of day must be specified in the student's IEP.



Consideration of Harmful Effects

Consideration should be given to any potentially [HARMFUL EFFECTS](#) on the student or quality of services that he/she needs when placement is determined. Consideration must be given to both of the following criteria:

- Any potentially harmful effects on the student with disabilities if the student is removed from general education classes; and
- Any potentially harmful effects on the quality of services provided to the student with disabilities if the student is removed from general education classes.



NOTE: Consideration of potentially harmful effects could be documented in a variety of ways, including a checklist, narrative, or other evidence that describes one of the situations above. A statement that “the ARD committee reviewed potential harmful effects” is NOT sufficient documentation unless the ARD committee has described the specific potential harmful effects that were discussed.

LRE and Early Childhood Special Education (ECSE)

The requirements of placement decisions in the LRE apply to [preschool children with disabilities ages three to five](#) who qualify for special education services under IDEA.

The [Early Childhood Education Division at the Texas Education Agency](#) is responsible for key early learning investments. More information about Early Childhood Education is available as described in the [Frequently Asked Questions](#) document.

It is very important for LEAs to include eligible students with disabilities in high quality inclusive programs (see Dear Colleague Letter on Preschool LRE in the Resources below). Public schools that do not operate programs for nondisabled preschool children are not required to develop programs solely to satisfy the IDEA requirements regarding placement in the LRE. Some alternative methods for meeting the requirements include:

- providing opportunities for the participation of preschool children with disabilities in other preschool programs operated by public agencies (such as Head Start);
- placing children with disabilities in private school programs for non-disabled preschool children or private school preschool programs that integrate children with disabilities and non-disabilities; and
- locating classes for preschool children with disabilities in regular elementary schools.



Behavior

When a student's behavior impedes the student's learning or that of others, the ARD committee must consider the use of positive behavioral interventions and supports, and other strategies, to address the behavior, such as, but not limited to:

- Initiation of a functional behavior assessment
- Implementation of a behavioral intervention plan
- Participation in social skills training
- Provision of counseling and/or social skills training
- Modification of classroom or school environment to reduce stimuli known to trigger challenging behavior
- Explicit teaching and reinforcement of replacement behaviors
- Implementation of visual schedules and/or scheduled reminders
- Provision of structured break time
- Development and usage of behavior contracts
- Use of reinforcement strategies
- Progress monitoring of behavior



IEP Development

If the child's behavior in the general education classroom, even with the provision of appropriate behavioral supports, strategies, or interventions as described above, would significantly impair the learning and/or threaten the safety of others, that placement may not be appropriate for that child. The ARD committee must:

- Determine whether the student's behavior is so disruptive or threatening that the education of other students is significantly impaired;
- Consider the use of supplementary aids and services to address both issues (such as the use of a paraprofessional).

If the ARD committee determines that the student's behavior is so disruptive or threatening that the education of other students is significantly impaired, and the district has considered or implemented supplementary aids and services without achieving satisfactory results, then the ARD committee could determine that the general education classroom is not the appropriate setting for the student with a disability.

Please see TEA's [Behavior Supports and Guidance for Students with Disabilities](#) document on the TEA guidance webpage for more information about behavior supports in Texas.

Resources:

- [Dear Colleague Letter on Preschool Inclusion](#)
- [Joint Policy Statement on Preschool Inclusion](#)
- [The Texas Legal Framework: Least Restrictive Environment](#)
- [Progress Center IEP Tip Sheet: Explanation of Education Setting](#)

Statewide and District Assessments

Under federal and/or state law, state assessments must be given to all children to determine whether schools have been successful in teaching children the state academic content standards. In Texas, the academic content standards are known as the [Texas Essential Knowledge and Skills \(TEKS\)](#). Children who receive special education services will take the appropriate state assessments which are based on grade-level content per [FEDERAL REGULATIONS](#).

The ARD committee's decisions regarding a student's participation in [STAAR](#) must be based on the student's present levels of academic achievement and functional performance (PLAAPF), annual goals, accommodations, and modifications.

The state's student testing program requires that all students be tested in grades 3-8. Students in high school are required to take end-of-course (EOC) assessments. Students in grades K-12 that are English learners are also required to take the [Texas English Language Proficiency Assessment System \(TELPAS\)](#) or [TELPAS Alternate](#) to assess their progress in learning the English language.

Districtwide assessments are those tests that school districts administer as part of their assessment programs to measure grade-level and/or content-specific knowledge.



Assessment/Content Area

The ARD committee will determine whether a student will take the state assessment or an alternate version of the state assessment. Students must meet all of the [participation requirements for STAAR Alternate 2](#) in order to be eligible for this assessment.



For a student who takes STAAR Alternate 2, there must be a corresponding academic standards-based IEP goal for all content areas in which the student is taking the alternate assessment. Students with the most significant cognitive disabilities access all enrolled grade-level TEKS through prerequisite skills including math, reading language arts, science, and social studies, and any other TEKS based course. These goals must link to the student's enrolled grade-level TEKS. For STAAR Alternate 2, each knowledge and skills statement has been summarized into an essence statement that serves as a link to the grade-level TEKS. However,

essence statements alone do not contain the four required components of a measurable annual goal and should be crafted by ARD committees to reflect a measurable annual goal.

Justification for Alternate Assessment

The justification for taking STAAR Alternate 2 and TELPAS Alternate is a statement that supports the necessity and appropriateness of the alternate assessment selected. In this case, the ARD committee must include the following information in the student's IEP:

- Why will the student not participate in the general assessment;
- Why the alternate assessment is appropriate; and
- In the case of TELPAS alternate, documentation, and justification for this decision, done in conjunction with the LPAC.

Testing Accommodations

Accommodations are the instructional materials or procedures that the ARD committee has determined are necessary to allow the student to participate meaningfully in testing. For a student who requires [testing accommodations](#), the individualized education program (IEP) must include the appropriate accommodations for the specific assessment. For the emergent bilingual student, the ARD committee, in conjunction with the LPAC, must document the need for allowable testing accommodations in the student's permanent record.

The ARD committee (in conjunction with the LPAC when appropriate) is to review the student's PLAAFP, instructional goals, and accommodations to determine how the student accesses the grade-level/course curriculum.

Participation in the general assessment is the first consideration when determining the appropriate assessment for a student.

If the statewide assessment, with or without accommodations, is not appropriate for a student, the ARD committee must review the participation requirements for the alternate assessments.



The ARD committee's decision (and, when appropriate, in conjunction with the LPAC) to use an allowable accommodation during an assessment is to be made on an individual student basis and take into consideration the needs of the student and whether the student routinely receives the accommodation during classroom instruction and testing.



Documented testing accommodations on state assessments must be consistent with the Texas Education Agency (TEA) accommodation policies. Some accommodations require TEA approval. For those that require approval through the submission of an Accommodation Request Form, the IEP is to document that the accommodations are pending the TEA approval.

Resources

[STAAR Alternate 2 Resources](#)

[Frequently Asked Questions STAAR Alternate 2 Participation Requirements](#)

[Student Assessment Division](#)

[Texas Assessment Program Frequently Asked Questions](#)

Accelerated Instruction (AI) and Intensive Program of Instruction (IPI):

Texas law requires all students who do not achieve approaches or higher on STAAR grades 3 through 8 or EOC assessments to be provided accelerated instruction. These requirements, as part of [TEC §28.0211](#), provide that qualifying students must be:

- Assigned a Teacher Incentive Allotment (**TIA designated teacher**) for the subsequent school year in the applicable subject area;

OR

- Provided supplemental instruction aligned with the research on high-impact tutoring in the TEKS for the applicable grade levels and subject area in the following manner:
 - No less than 15 or 30 hours** depending on student performance and is provided in the summer or at least once per week in the school year;
 - Limited to two subjects per year**, prioritizing math and reading language arts;
 - Provided in a group of **no more than four students**, unless the parent of each student in the group authorizes a larger group;
 - Designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area and includes **effective instructional materials** designed for supplemental instruction;
 - Provided by **a person with training in the applicable instructional materials** for the supplemental instruction and provided by one person for the entirety of their accelerated instruction.

An ARD committee may be convened if the committee feels that a student's IEP may need to be modified based on the accelerated and supplemental instruction requirements, but it is not required. If an ARD committee is not convened, the LEA will use the same processes and procedures for a student with an IEP as it does with all other students. The ARD committee must then review the student's participation and progress at the student's next annual review meeting. Students who were administered the STAAR-Alt 2 are not required to adhere to the requirements of TEC § 28.0211.

If a student who attends school in a homebound or other off-campus instructional arrangement, including at a residential treatment campus or state hospital, is unable to participate in an accelerated instruction program required due to the student's condition, the school district may determine that

IEP Development

the student be provided the accelerated instruction when the student attends school in an on-campus instructional setting. If the student's condition prevents the student from attending school in an on-campus instructional setting for the school year during which the accelerated instruction is required to be provided to the student, the district is not required to provide the accelerated instruction to the student for that school year.

If a student requires the development of an IPI due to not performing satisfactorily on STAAR or a STAAR EOC, the expectation to comply with the IPI requirement would be compliance with the accelerated instruction requirements under TEC § 28.0211. Therefore, the documents and processes used to comply with accelerated instruction requirements would also serve as the required IPI in this instance. The ARD committee will address participation and progress of the student in accelerated instruction as required by TEC § 28.0211 but is not expected to act specifically to address the IPI. If a student receiving special education services requires the development of an IPI based on the determination that the student is not likely to receive his or her high school diploma before the fifth school year following the student's enrollment in grade nine, the expectation to comply is a legally compliant IEP, as the IEP will already address expectations for academic growth of the student. If an IPI is required for a student who was administered the STAAR-Alt 2 assessment under TEC, §39.023(b), the expectation of IPI compliance for either reason (not performing satisfactorily on STAAR or a determination that the student is not likely to receive his or her diploma before the fifth school year following the student's enrollment in grade 9) is for a student to have a legally compliant IEP, as the IEP will already address expectations for academic growth of the student and the accelerated instruction requirements in TEC § 28.0211, would not apply.



Resources:

- [Accelerated Instruction](#)
- [Frequently Asked Questions HB 1416](#)
- [Minimum Middle/Junior High School Personal Graduation Plan \(PGP\) Standards and Guidance Associated with Intensive Programs of Instruction \(IPI\)](#)

Opportunities to Participate in Extracurricular and Nonacademic Activities

A student with disabilities must be provided an equal opportunity to participate in [NONACADEMIC AND EXTRACURRICULAR SERVICES](#) and activities to the fullest extent appropriate to the student's individual needs. These activities may include, but are not limited to, the following:



Athletics



Counseling Services



Health Services



Recreational Activities



Special Interest Groups or Clubs - Sponsored by the School



Lunch, Recess, Field Trips, and Assemblies



Transportation

Although this list is not exhaustive, it provides examples of the services and activities that may give students with disabilities an equal opportunity for participation in services and activities offered to students without disabilities. The student's IEP must include a statement of the special education and related services, supplementary aids and services, and program modifications or supports for school personnel that will be provided to enable the student to participate in extracurricular and other nonacademic activities.

Additional Requirements

Requirements for Transition Services

The requirements for transition services include the student's plan for the current year of a multi-year educational program for living, learning, and working after graduation from high school.

Transition services are a coordinated set of activities for the student with a disability that is designed as a results-oriented process focused on improving academic and functional achievement to facilitate

movement from school to post-school activities. These services are based on the individual needs of the student, considering strengths, preferences, and interests. They include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and the provision of a functional vocational evaluation.

Both the Individuals with Disabilities Education Act (IDEA) and the Texas Education Code (TEC) include provisions relating to transition planning. However, the timelines for beginning transition differ under the two. Although [TRANSITION PLANNING](#) may begin earlier, [NO LATER THAN WHEN THE STUDENT REACHES AGE 14](#), ARD committees must consider and, if appropriate address the state transition requirements in the IEP. The ARD committee must annually review these transition components and, if necessary, update the IEP.

In addition, beginning no later than the first IEP to be in effect when the student reaches age 16, or younger if the ARD committee deems appropriate, the committee must consider and include in the IEP the [FEDERAL TRANSITION REQUIREMENTS](#). The ARD committee must update these components annually. The student must be invited to these ARD meetings. If the student does not attend, the school must ensure that the student's preferences and interests are considered. To the extent appropriate, with the consent of the parents or adult student, the school must invite a representative of any participating agency likely to be responsible for providing or paying for transition services.

The ARD committee must consider, and if appropriate, address the following issues in the student's IEP and must annually review these issues:

- 1. Appropriate student involvement in the student's transition to life outside the public-school system.** The school will invite the student to attend the ARD committee meeting if the purpose of the meeting is to discuss transition. This discussion may include student interests, preferences, needs, and skills for the future and may be identified by age-appropriate transition assessments and information found in the PLAAFP statement, as it relates to the expectations for the student's future goals.
- 2. If the student is younger than 18 years of age, appropriate involvement in the student's transition planning by the student's parents and other persons invited by the student's parents or the school district in which the student is enrolled.** The parent of the student can be involved in the transition planning by attending the meeting and participating with the student in making vocational decisions about the future, such as assisting in the selection of appropriate classes.
- 3. If the student is at least 18 years of age, involvement in the student's transition and future by the student's parent's and other persons, if the parent or other person is invited to participate by the student or the school district in which the student is enrolled or has the student's consent to participate pursuant to a [SUPPORTED DECISION-MAKING AGREEMENT](#).** When the student reaches 18 years of age, the parent moves from primary decision-maker to a support system for the adult student. The student may request parental involvement in making educational decisions. When the student reaches the age of majority (18), the parent will continue to receive notice of the ARD committee meetings.
- 4. Appropriate postsecondary education options, including preparation for postsecondary-level coursework.** Postsecondary education options are the educational opportunities that the student may choose to pursue after completion of high school.
- 5. An appropriate functional vocational evaluation.** A functional vocational evaluation is a component of a transition program that is included if, after consideration by the ARD committee, deemed appropriate. This evaluation process provides information about job or career interests, aptitudes, and skills.

- 6. Appropriate employment goals and objectives are the measurable steps that are reasonably calculated to enable a student to achieve postsecondary employment. Discussing career education options may assist the student in identifying a career choice and the essential skills necessary for employment.** This component includes goals that address prerequisite skills for acquiring a job and maintaining competitive employment (full or part-time, at or above minimum wage), supported employment, or self-employment built on successful completion of school-based career exploration and work experiences. TEA has developed a course on [Writing Postsecondary Goals](#) to assist LEAs.
- 7. If the student is at least 18 years of age, the availability of age-appropriate instructional 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 student's transition goals and objectives.** The student will be provided the educational options and training necessary to gain knowledge and skills essential for attaining transition goals. Instructional environments may include vocational adjustment classes, career and technical education programs based on professional and industry standards, community service, and volunteer opportunities.
- 8. Appropriate independent living goals and objectives are steps reasonably calculated to enable the student to achieve postsecondary independent living skills (where appropriate), daily living skills, and community living skills.** These goals address the expected and desired independence level after completion of high school and identify the objectives required for mastery of independent living goals.
- 9. Appropriate circumstances for facilitating 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 for the waiver program established under the [SOCIAL SECURITY ACT](#).** The ARD committee determines if there is a need for additional outside assistance by a governmental agency for services based on the individual needs of the student. With the written and signed consent of the parent or adult student, any agency responsible for providing transition services may be invited to the ARD meeting.
- 10. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills, as well as supports and services to foster the student's independence and self-determination, including a supported decision-making agreement.**
- 11. Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the ARD committee, and updated annually after that, the IEP must include the following [FEDERAL](#) requirements:**

Appropriate, measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills. These goals outline a career pathway that will help guide the student to a preferred career, additional training, and education.

Transition services (including courses of study) are needed to assist the student in reaching their postsecondary goals. Courses of study are a multi-year description of coursework from the student's current to anticipated exit year that are designed to help achieve the student's desired post-school goals. The courses of study may be a four- to six-year plan, which may need to be updated as the student progresses.

Resources:

- [Secondary Transition Guidance](#)
- [The Texas Legal Framework: Transition Services](#)
- [TEA State Graduation Requirements](#)
- [TEA Graduation Guidance \(Special Education\)](#)
- [Texas Workforce Commission](#)
- [Texas Health and Human Services](#)
- [National Technical Assistance Center on Transition](#)

Transfer of Rights at Age of Majority

The student and the student's parents must be informed no later than one year before the student reaches the age of majority (18), of the [TRANSFER OF RIGHTS UNDER THE IDEA](#) that will take place when the student turns 18. The ARD committee must include a statement in the IEP that the student has been informed of the rights that will transfer to the student upon reaching the age of majority. The IEP must also include a statement that the student has been provided information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under [TEXAS ESTATES CODE, CHAPTER 1357](#), and other supports and services that may enable the student to live independently. The [Transfer of Rights Fact Sheet](#) provides a summary of these rights.

The transfer of rights to the adult student will occur unless the adult student has been determined to be incompetent under state law and a court of law has appointed an individual as the legal guardian for the adult student. When the student turns 18 and rights transfer, the school must notify the adult student and the parent of the transfer of rights.

Resources:

- [The Texas Legal Framework: Transition Services – Transfer of Rights At Age of Majority](#)
- [Notice of Transfer of Rights Model Form](#)
- [Texas Department of State Health Services](#)
- [211 State Services](#)

Requirements for a Student Who Is Blind or Visually Impaired



For a student who is blind or visually impaired (VI), the IEP **MUST PROVIDE** a detailed description of the arrangements made to provide the student with an evaluation of the impact of a student's impairment and instruction in an expanded core curriculum.

Evaluation of the impact of the impairment is a summary of assessments completed by qualified professionals to determine the educational needs that result from a visual impairment. The evaluation identifies how the student can be involved and progress in the general education curriculum and addresses other educational needs that result from the child's disability.

The assessments **MUST** include the following:

- A report from a licensed ophthalmologist or optometrist that states visual loss in terms of exact measures of visual field and corrected visual acuity in each eye or an estimate if exact measures cannot be obtained and state that an estimate was made.

IEP Development

- A functional vision evaluation (FVE) by a certified teacher of students with visual impairments (TVI) or a certified orientation and mobility specialist (COMS) that includes performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation. The report should also include a diagnosis and prognosis whenever possible and whether the student has: (I) no vision or visual loss after correction; or (II) a progressive medical condition that will result in no vision or a visual loss after correction.
- A learning media assessment (LMA) by a TVI that includes recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether there is a need for ongoing evaluation in this area, and
- As part of a full individual and initial evaluation, an orientation and mobility (O&M) evaluation performed by a COMS in a variety of lighting conditions and settings to include home, school, community, and environments unfamiliar to the student.

Additional assessments may include the following:

- A clinical low vision evaluation completed by an eye care professional to prescribe optical devices.
- Additional tools to document performance in areas of the expanded core curriculum.

Instruction in the [expanded core curriculum \(ECC\)](#), which includes:

- Assistive Technology
- Career Planning
- Compensatory Skills
- Independent Living Skills
- Orientation and Mobility
- Recreation and Leisure
- Self-Determination
- Sensory Efficiency
- Social Interaction Skills



The IEP must also describe the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours (if needed) to ensure the student learns the skills and receives instruction in the ECC.

The student's [IEP MUST INCLUDE INSTRUCTION IN BRAILLE \(see \(f\)\)](#) and the use of braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy medium for the student. The ARD committee must make its determination based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs. Each person who assists in the development of the IEP must receive information describing the benefits of braille instruction.

The student's IEP must address collaboration between school and home settings, including the possible need for parental training and counseling, as well additional training necessary for school district staff related to the specialized needs of students with visual impairments.



NOTE: Each year, the school district must provide the parent of an eligible student with visual impairments with the TSBVI information packet in writing [PRIOR TO PLACEMENT](#) decisions. Best practice is to document the discussion in the IEP/service plan (birth -2). Here is the [TSBVI Parent Guide](#). Please note the TSBVI information packet is not complete, please also share [3.3 Comprehensive Programs from the District Guide](#).

Resources:

- [The Texas Legal Framework: Special Factors – Blind or Visually Impaired](#)
- [Students with Visual Impairments: Eligibility for Special Education](#)
- [TEA Sensory Impairments](#)
- [Texas School for the Blind and Visually Impaired \(TSBVI\)](#)
- [Texas Workforce Commission](#)
- [Texas Health and Human Services](#)
- [Required Annual Dissemination for Students who are DHH, VI, DB](#)

Requirements for a student who is Deaf or Hard of Hearing (DHH)

The [EVALUATION DATA](#) reviewed by a MDT in connection with the determination of a student's eligibility based on an auditory impairment must include:

- DHH evaluation performed by an otolaryngologist, commonly referred to as an Ear Nose and Throat doctor (ENT), to determine if there are any physical findings of structural abnormalities of the ear, nose, or throat. The exam may also be performed by a licensed medical doctor, with documentation that an otolaryngologist is not reasonably available.
- Audiological evaluation performed by a licensed audiologist to screen the student's hearing loss in a variety of listening environments with and without amplification.

Information from the evaluations will provide data on how the student is using their hearing.

The [STATEWIDE PLAN](#) ensures that each student will be "assessed thoroughly so as to ascertain the student's potential for communications through a variety of means, including through oral or aural means, fingerspelling, or sign language."

A [COMMUNICATION ASSESSMENT \(number 6\)](#) is typically given by the teacher of the deaf in conjunction with the speech language pathologist to identify language and communication needs.



Data from the FIE, including the otological and audiological evaluation and communication assessment will assist LEAs in identifying additional factors to consider adding to an IEP to support academic and functional needs for students who are DHH.

Best practices

To consider language and communication special factors the ARD committee should ask:

- What is the student's primary language and mode of communication?
- What communicative needs and opportunities does the student have?
- Can the student comprehend what is said in school?
- Does the student have the skills and strategies, such as self-advocacy and social skills, necessary to meet those communicative needs and take advantage of communication opportunities?
 - Can the student fulfill their need to communicate in different settings, including effectively participating in social situations and learning when in noisy environments?
 - Does the student communicate appropriately and effectively to be a full participant in class, and if not, why not?
 - How would the deficit in communication be described?

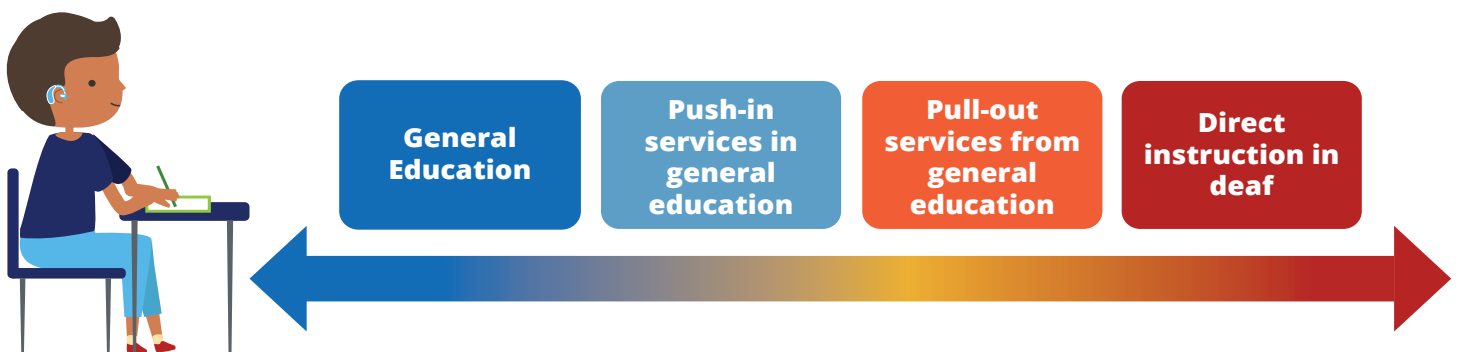


In addition to accommodations and/or modifications, the ARD committee shall consider the following:

- Language and communication needs (the student's primary language) both receptively and expressively, while understanding that there may be multiple modes of communication in both areas. "Students who are deaf or hard of hearing must have an education in which their [UNIQUE COMMUNICATION](#) mode is respected, used, and developed to an appropriate level of proficiency."
- Direct* communication opportunities with [PEERS](#) and other [DHH ROLE MODELS](#) (including academic and functional opportunities at school). [Title 2 communication requirements](#) may impact how some of these services are delivered and are not necessarily an IEP requirement but an Americans with Disabilities Act (ADA) requirement.
- Supports needed to achieve grade-level instruction and supports needed to continue proficiency in grade-level academic skills.
- Full range of needs addressed such as: functional skills (self-advocacy) related services, counseling, Hearing Assistive Technology devices, and access to extra-curricular activities.

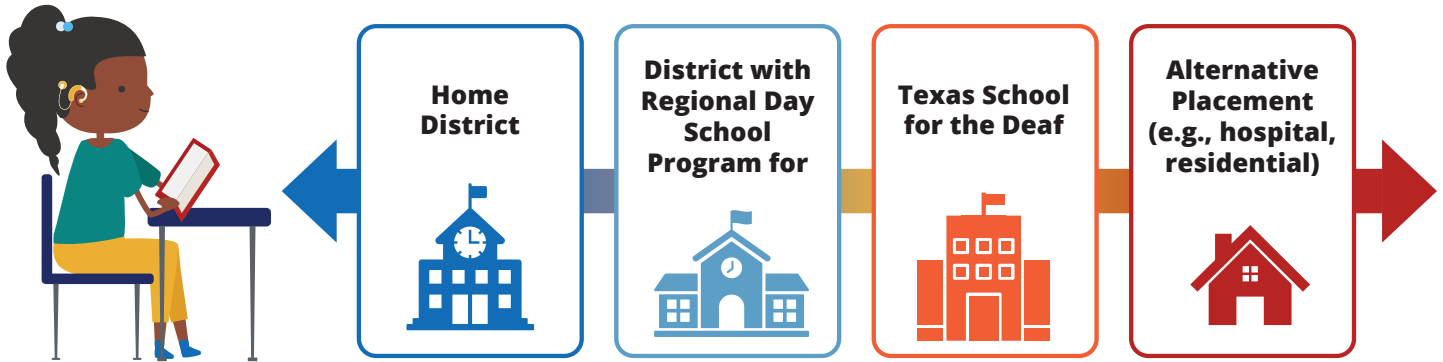
*Direct communication occurs person to person and not through an additional source such as an educational interpreter or captioner.

Once an IEP has been developed, the ARD committee will need to determine the intensity of the service delivery and the placement or instructional arrangement. A continuum of placement options must be reviewed with general education as the first placement to be considered. Students can receive services in several different placements and are not limited to just one type of placement. Any placement decisions must be based on the student's IEP.



IEP Development

The ARD committee needs to use all of the data discussed: PLAAFPs, special factors, goals, supplementary aids and services, special education and related services, and the continuum of placement options before determining whether the student's IEP can best be implemented on the home campus, Regional Day School Program for the Deaf (RDSPD), the Texas School for the Deaf (TSD) in Austin, Texas or another appropriate site.



NOTE: Each year, the school district must provide the parent of an eligible student with VI or DHH with the [TSD information packet](#) in writing [PRIOR TO PLACEMENT](#) decisions. Best practice is to document the discussion in the IEP/service plan (birth -2). Also, the TSD information packet is not complete and the [Frequently Asked Questions](#) would also need to be shared.

Resources:

- [Deaf and Hard of Hearing: Eligibility for Special Education](#)
- [Deaf and Hard of Hearing: Communication Assessments](#)
- [Deaf and Hard of Hearing: Least Restrictive Environment when Determining Placement](#)
- [The Legal Framework: Deaf or Hard of Hearing](#)
- [Statewide Outreach Center at Texas School for the Deaf \(SOC at TSD\)](#)

Requirements for a Student Attending the Texas School for the Blind and Visually Impaired (TSBVI) or the Texas School for the Deaf (TSD)

When the ARD committee determines that the student [WILL BE PLACED AT](#) the [TSBVI](#) or the [TSD](#), the IEP must describe:

- The services in the student's IEP that the TSBVI or the TSD can appropriately provide; and
- The criteria and estimated timelines for the student's return to the resident school district, as applicable.

Referral for placement at TSD may occur in various ways. The student may be placed at TSD by the student's ARD committee. In this instance, the student's resident school district is responsible for assuring that FAPE is provided to the student at TSD. In addition to an ARD committee placement at TSD, parents of an eligible student with a disability or an eligible adult student with a disability may refer the student for whom TSD is an appropriate placement if the referring person



chooses TSD as the appropriate placement instead of placement in the student's resident school district or regional program determined by the ARD committee. In this case, TSD is responsible for the provision of FAPE to the student at TSD.



When a student's ARD committee places the student at the TSBVI or the TSD, the student's resident school district shall comply with the following requirements. (1) For each student, the resident school district shall list those services in the student's individualized education program (IEP) which the TSBVI or the TSD can appropriately provide. (2) The district may make an on-site visit to verify that the TSBVI or the TSD can and will offer the services listed in the individual student's IEP and to ensure that the school offers an appropriate educational program for the student. (3) For each student, the resident school district shall include in the student's IEP the criteria and estimated timelines for returning the student to the resident school district. The student's resident school district is required to provide transportation at the beginning and end of the term and for regularly scheduled school holidays when students are expected to leave the residential campus. The resident school district is not responsible for transportation costs for students placed in a residential setting by their parents.

Best Practices

LEAs should communicate regularly with TSD/TSBVI (recommend monthly), consider assigning a staff member to be the lead when working with TSD/TSBVI for each student, and visit the students placed at TSD/TSBVI at least monthly to ensure appropriate placement and progress is occurring.

Requirements for Transportation

If the ARD committee determines that 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.

The IDEA defines TRANSPORTATION as follows:



- Travel to and from school and between schools;
- Travel in and around school buildings; and
- Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide transportation for a child with a disability.



The IDEA requires that school districts take steps to offer nonacademic and extracurricular activities in a manner that will afford students with disabilities an equal opportunity to participate in those activities. It expressly includes transportation as a nonacademic and extracurricular service and requires that those services be offered in the least restrictive environment (LRE).

Resources:

- [The Texas Legal Framework: Supplementary Aids and Services, Special Education, Related Services](#)
- [OSERS Questions and Answers on Serving Children with Disabilities Eligible for Transportation](#)
- [TEA Transportation Funding Guidance](#)

Requirements for Extended School Year (ESY) Services

EXTENDED SCHOOL YEAR (ESY) services are special education and related services provided beyond the regular school year. If the ARD committee determines that the student needs ESY services, then the IEP must identify which of the goals will be addressed during ESY services. An ARD committee considers ESY services for a student who has exhibited, or who reasonably may be expected to exhibit, severe or substantial regression that cannot be recouped within a reasonable period. Services may be offered during the summer months, before and after regular school hours, and during school vacations. ESY services must be aligned with the student's IEP provided at no cost to the parent and must meet the standards of TEA. ARD committees should consider and discuss critical areas addressed in the current IEP to determine whether ESY services are necessary for the student.



Resources:

- [TEA's ESY webpage](#)
- [The Texas Legal Framework: Extended School Year Services](#)
- [TEA Additional Days School Year \(ADSY\) Frequently Asked Questions](#)

Requirements for a Student with Autism

There are ELEVEN STRATEGIES that the ARD committee must consider for students with autism. The strategies must be considered, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP. The supplement is revised if changes are made in any of the eleven areas.

The eleven strategies are:

1. Extended educational programming
2. Daily schedules and minimal unstructured time
3. In-home and community-based training
4. Positive behavior support strategies
5. Futures planning
6. Parent/family training
7. Staff-to-student ratio
8. Communication interventions
9. Social skills support and strategies
10. Professional educator and staff support
11. Teaching strategies



Consideration of these strategies in no way implies a requirement to implement any particular strategy. It is the responsibility of the ARD committee to determine on an individualized basis which of the strategies, if any, are to be included in a student's IEP. If the ARD committee determines that services are not needed in one or more of the areas specified, the IEP must include a [STATEMENT](#) (see (e)) to that effect and the basis upon which the determination was made.

Resources:

- [The Texas Legal Framework: Special Factors – Autism](#)
- [Autism Supplement: Commissioner's Rule Related to Autism Guidance](#)
- [Texas Autism Circuit](#)
- [Texas Autism Resource Guide for Effective Teaching \(TARGET\)](#)

Requirements for a Student in Non-public/Off-Campus Program Placements

When an ARD committee determines that a [RESIDENTIAL PLACEMENT](#) or a placement in a nonpublic day or other off-campus program is necessary to provide a student with a FAPE, the IEP must describe:

- The services which the school district is unable to provide and which the facility will provide;
- The criteria and estimated timelines for the student's return to the school district; and
- The appropriateness of the facility or program for the student.

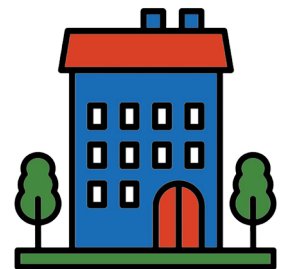


NOTE: Reintegration criteria and timelines must be determined at the same time as the ARD committee determines that an off-campus placement is required.

During the initial placement ARD committee meeting and at each subsequent annual ARD committee meeting, the ARD committee must verify that:

- The facility meets minimum standards for health and safety
- Residential placement is needed and is documented in the IEP
- The educational program provided at the residential facility is appropriate and the placement is the least restrictive environment for the student

When making a residential placement for educational purposes, the LEA must notify the TEA of residential placement within 30 calendar days. The process for notification is made through the Nonpublic Placement Notification and Application in [Texas Education Agency Login \(APEX\)](#). TEA will follow its approval procedures following receipt of the notice.



Resources:

- [The Texas Legal Framework: Residential Placements](#)
- [TEA Special Education in Nonpublic Schools: Approved Process for Private Facilities that Provide Special Education Instruction](#)
- [Community Resource Coordination Groups \(CRCG\) of Texas](#)

Requirements for Behavior Improvement Plan or Behavioral Intervention Plan

A behavioral improvement plan or a behavioral intervention plan (BIP) may be necessary when a student's behavior impedes the student's learning or the learning of others. If the ARD committee determines that a BIP is required, it must be [INCLUDED](#) as part of the student's IEP and provided to each teacher who has responsibility for educating the student. When a student has a BIP, the ARD committee must review and modify it as necessary to address the behavior. The ARD committee must review the plan at least annually and more frequently as needed, or when not found effective. When reviewing the student's BIP the ARD committee must address the safety of the student and others, and changes in [CIRCUMSTANCES \(see \(h\)\)](#), including but not limited to:



- placement of the student in a different education setting;
- an increase or persistence in disciplinary actions taken regarding the student for similar types of behavior;
- a pattern of unexcused absences; or
- an unauthorized unsupervised departure from an educational setting



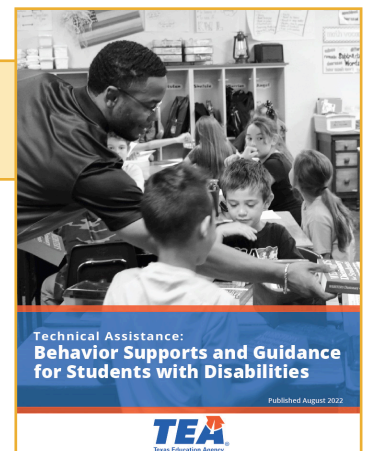
NOTE: Whenever a disciplinary action results in a [CHANGE OF PLACEMENT](#) the LEA must no later than the 10th school day after the change in placement:

- » Seek parental consent to conduct a functional behavioral assessment (FBA) of the student if an FBA has never been conducted on the student or the student's most recent FBA is more than one year old; and
- » Review any previously conducted FBA of the student and any BIP developed for the student based on that assessment; and as necessary
 - » Develop a BIP for the student if the student does not have a plan; or
 - » If the student has a BIP, revise the student's plan.

Please see TEA's [Behavior Supports and Guidance for Students with Disabilities](#) document for more information about BIPs.

Resources:

- [The Texas Legal Framework: Discipline \(scroll to Discipline section\)](#)
- [TEA Discipline and School Removals](#)
- [TEA House Bill 785 FAQ \(FBA and BIP\)](#)
- [TEA Senate Bill 712 Summary and FAQ \(aversive techniques\)](#)
- [Texas Behavior Support Initiative \(TBSI\) training course](#)
- [U.S. Department of Education: School Climate and Discipline](#)
- [OSEP Positive Behavioral Interventions and Supports](#)
- [TEA's FBA and BIP Issues and Strategies Course](#)
- [U.S. Department of Education guidance concerning students with disabilities and discipline](#)
- [Discipline Flowchart for Students Identified with or Suspected to Have a Disability Under IDEA](#)




ARD Committee Meeting Documentation

1 Meeting Participants
The IEP must include the name, position/title, and signature of each member PARTICIPATING in the meeting.

2 Indication of Agreement or Disagreement
The IEP must indicate whether the student’s parents, the adult student, if applicable, and the district representative/administrator AGREED or DISAGREED with the decisions of the ARD committee.

3 Statement of Disagreement
If the IEP was not developed by agreement of all ARD committee members, the IEP MUST INCLUDE a written statement of the basis of the disagreement. Each ARD committee member who disagrees with the IEP is entitled to include his or her statement of disagreement.

Name: 1	Position: 1	Signature: 1	Agree	Disagree 2
First Last	Parent(s)/Adult Student	<i>Signature</i>	X	
First Last	District Representative	<i>Signature</i>	X	
First Last	General Education Teacher	<i>Signature</i>		
First Last	Special Education Teacher/Provider	<i>Signature</i>		
First Last	Assessment	<i>signature</i>		
First Last	Speech Language Pathologist	<i>Signature</i>		
First Last	Student	<i>Signature</i>		
Statement of Disagreement: 3				
All participants agreed.				

+  **NOTE:** [TEC §29.0031](#) specifies that someone with specific knowledge of the reading process, dyslexia and related disorders, and dyslexia instruction must serve on the ARD committee when eligibility or continued eligibility for dyslexia will be discussed. This person must sign a document describing the member’s participation in the evaluation of a student described by that subsection and any resulting individualized education program developed for the student.

What happens when parents do not agree with the IEP?

There are times when parents may not agree with the recommendations made by the other members of the ARD committee about the student's education. In these situations, parents must be offered an opportunity to recess and reconvene the ARD committee meeting within 10 school days (unless mutually agreed otherwise). During the recess the ARD committee members must:

- Consider alternatives,
- Gather additional data,
- Prepare further documentation, and/or
- Obtain additional resource persons who may assist the ARD committee in reaching mutual agreement.

If a recess is implemented, and if the ARD committee still cannot reach mutual agreement, the LEA must implement the IEP that it has determined to be appropriate for the child.

Under the law, parents have the right to challenge decisions about their child's eligibility, evaluation, placement, and the services that the school provides to the child. If parents disagree with the school's actions, or refusal to act, they have the right to pursue several dispute resolution options. All options can be reviewed on the [TEA Special Education Dispute Resolution Processes](#) webpage including accessing the [Special Education Dispute Resolution Handbook](#).

Resources:

- [CADRE – The Center for Appropriate Dispute Resolution in Special Education](#)

ARD Committee Decisions



The statement of the IEP must accurately document the decisions of the ARD committee concerning issues discussed at each meeting. The IEP must accurately document the decisions of the ARD committee concerning issues discussed at the meeting. Decisions documented in other sections of the IEP do not have to be restated in the deliberations section.

A **"WRITTEN STATEMENT"** must document the decisions of the ARD committee with respect to issues discussed at each ARD committee meeting. The written statement must also include: the date of the meeting; the name, position, and signature of each member participating in the meeting; and an indication of whether the child's parents, the adult student, if applicable, and the administrator agreed or disagreed with the decisions of the ARD committee."

Copy of the IEP

Schools must [PROVIDE PARENTS A COPY](#) of the IEP at no cost. For parents who do not speak English, and their native language is Spanish, the school must provide a written copy or audio recording of the IEP translated into Spanish. For languages other than Spanish, the school is required to make a good faith effort to provide a written copy or audio recording of the IEP translated into the parents' native language.



NOTE:

- » A written translation means that all of the text is translated in written form.
- » An audio recording of an ARD committee meeting where an interpreter provided translation of the meeting is acceptable as long as all of the content in the IEP is orally translated and recorded.

IEP Amendment without a Meeting

In making changes to an IEP after the annual ARD committee meeting, the parent and the school [MAY AGREE](#) not to convene an ARD committee meeting to make changes, and instead may develop a written document to amend or modify the current IEP. If any changes are made to the IEP in this manner, the school must ensure that the ARD committee, including the parent, is informed of these changes.

An IEP may be amended without an ARD meeting when there are proposed changes to:



- PLAAFP (Present Level of Academic Achievement and Functional Performance)
- Goals and Objectives/Benchmarks
- State Assessments
- Progress Measurement
- Accommodations
- Transportation

An IEP amendment process may NOT be used for:



- Eligibility determinations
- Changes of placement
- Manifestation determination reviews
- Annual ARD meeting

Resources:

- [The Texas Legal Framework: Amendment Without a Meeting](#)

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ARD Committee & IEP Supports

- [Accelerated Learning Resources](#)
- [Child Find and Evaluation Technical Assistance Guide](#)
- [Documenting Frequency, Duration, and Location of Related Services](#)
- [ESC 13 Accommodation Central](#)
- [Extended School Year Services](#)
- [The Texas Legal Frameworks - ARD Committee Members for Certain Circumstances](#)
- [Model IEP Form](#)
- [Notice of Transfer of Rights Model Form](#)
- [Parent’s Guide to the Admission, Review, and Dismissal Process](#)
- [Placement Notification and Application – Nonpublic Day/Residential Schools](#)
- [The Progress Center IEP Tip Sheet: PLAAFPs](#)

[Question and Answer Document: Individualized Education Program \(IEP\) Annual Goals \(TEA\)](#)

[Questions and Answers on IEPS, Evaluations, and Reevaluations \(DOE\)](#)

[Related Services for Students with Disabilities Questions and Answers](#)

[Sensory Impairments](#)

[Standard-Based IEP Process Training](#)

[Specially Designed Instruction](#)

[Texas Essential Knowledge and Skills \(TEKS\)](#)

[Transportation Funding](#)

[Transportation -OSERS Q and A on Serving Children with Disabilities Eligible for Transportation](#)

[U.S. Department of Education: Dear Colleague Letter IEP Alignment with State Standards](#)

Assistive Technology

[Assistive Technology Resources](#)

[Quality Indicators for Assistive Technology](#)

[Considering Assistive Tech in Individualized Ed Program \(edl.io\)](#)

[TEA Assistive Technology Webpage](#)

Autism

[Autism Training and Resources on TSS](#)

[Autism Supplement: Commissioner's Rule Related to Autism Guidance](#)

[Texas Autism Circuit](#)

[Texas Autism Resource Guide for Effective Teaching \(TARGET\)](#)

Behavior

[Behavior Supports and Guidance for Students with Disabilities Technical Assistance Guide](#)

[Texas Behavior Support Initiative \(TBSI\) Modules](#)

[FBA and BIP Issues and Strategies Course](#)

[OSEP Positive Behavioral Interventions and Supports](#)

[OSEP Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders \(July 19, 2022\)](#)

[TEA Discipline and School Removals](#)

[U.S. Department of Education: School Climate and Discipline](#)

[Discipline Flowchart for Students Identified with or Suspected to Have a Disability Under IDEA](#)

Child Find, Evaluation, and ARD Supports

[Child Find: IEP Requirements](#)

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

Dispute Resolution

[CADRE – The Center for Appropriate Dispute Resolution in Special Education](#)

[Special Education Dispute Resolution Handbook](#)

[Special Education Dispute Resolution Processes](#)

Deaf or Hard of Hearing

[Deaf or Hard of Hearing: Communication Assessments](#)

[Deaf or Hard of Hearing: Eligibility for Special Education](#)

[Deaf or Hard of Hearing: Least Restrictive Environment when Determining Placement](#)

[Statewide Outreach Center at Texas School for the Deaf \(SOC at TSD\)](#)

[Texas School for the Deaf \(TSD\)](#)

[Title 2 communication requirements](#)

Dyslexia

[Dyslexia and Related Disorders \(TEA webpage\)](#)

Early Childhood Education

[Dear Colleague Letter on Preschool Inclusion](#)

[Frequently Asked Questions - Early Childhood Education](#)

[Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#)

[Texas Health and Human Services Commission – ECI](#)

[Texas Pre-K Guidelines](#)

[Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines](#)

[Joint Policy Statement on Preschool Inclusion](#)

Emergent Bilingual

[Bilingual and English as a Second Language Education Programs](#)

[Frequently Asked Questions – LPAC and Emergent Bilingual Students \(texas.gov\)](#)

[TEA Guidance Related to ARD Committee and LPAC Collaboration](#)

[TEA LPAC Decision-Making Process for the Texas Assessment Program](#)

Federal and State Rules, Regulations, and Guidance

[Code of Federal Regulations \(Title 34 Education\)](#)

[Individuals with Disabilities Education Act](#)

[Student Attendance Accounting Handbook](#)

[Texas Administrative Code \(Commissioner's Rules\)](#)

[Texas Education Code](#)

[The Texas Legal Framework](#)

Graduation

[TEA Graduation Guidance Special Education](#)

[TEA State Graduation Requirements](#)

Iris Center

[IRIS Center: Assistive Technology Module](#)

[IRIS Center: Challenging, Ambitious, Measurable Annual Goals](#)

[IRIS Center: High-Quality PLAAFP Statements](#)

[IRIS Center: Monitoring and Reporting Student Progress](#)

[IRIS Center: Overview of High-Quality IEPS](#)

IEP Resources for Students with Complex Access Needs

[PLAAFP Excerpt Document For a Student with Complex Access Needs – Jeff's PLAAFP](#)

[A Step Toward IEP Quality and Rigor for Students with Complex Access Needs](#)

Texas Statewide Assessment

[STAAR Accommodations](#)

[STAAR Alternate 2 Resources](#)

[STAAR Alternate 2 Participation Requirements](#)

[Frequently Asked Questions STAAR Alternate 2 Participation Requirements](#)

[Student Assessment Division](#)

[Texas Assessment Program Frequently Asked Questions](#)

Transition

[Career and Technical Education](#)

[Estates Code - Supported Decision Making for Students with Disabilities](#)

[National Technical Assistance Center on Transition](#)

[Secondary Transition Guidance](#)

[Social Security Act](#)

[Texas Department of State Health Services](#)

[TEA Guidance for Inviting Agency Representatives to ARD committee Meeting](#)

[Texas Transition](#)

[Texas Workforce Commission](#)

[Texas Workforce Commission – Vocational Rehabilitation](#)

[U.S. Department of Education: A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities](#)

[Writing Appropriate Measurable Postsecondary Goals Course](#)

Visual Impairments

[The Expanded Core Curriculum for Blind and Visually Impaired Children and Youths](#)

[Students with Visual Impairments: Eligibility for Special Education](#)

[Texas School for the Blind and Visually Impaired \(TSBVI\)](#)

Other Resources

[211 State Services](#)

[Community Resource Coordination Groups \(CRCG\) of Texas](#)

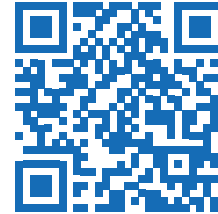
[Texas Health and Human Services](#)

Click on the title of each to visit the websites or scan the QR codes below.

Texas Special Education Educator Resources:



Texas SPED Support



spedsupport.tea.texas.gov

Department of Special Education:



TEA Special Education
[Website](#)



Sped@tea.texas.gov



512-463-9414

Additional Special Education Resources:

The Texas Legal
Framework



TEA Special
Education Page



Special Education Resources for Parents and Families:

SPEDTex



Partners
Resource
Network





 tea.texas.gov

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