

SUPPLEMENTARY AIDS AND SERVICES, SPECIAL EDUCATION, RELATED SERVICES

Authorities: 34 CFR Part 300; Texas Education Code; 19 TAC Chapter 74, 89

	Additional Resources
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	FEDERAL AND STATE REQUIREMENTS
Practice	<p>Supplementary aids and services, special education, and related services must be based on peer-reviewed research to the extent practicable.</p> <p>Citations:</p> <p>300.320(a)(4)</p>
	SUPPLEMENTARY AIDS AND SERVICES
Document	<p>The admission, review, and dismissal (ARD) committee must determine needed supplementary aids and services to be provided to the child, or on behalf of the child.</p> <p>Citations:</p> <p>89.1050(a)(1)</p> <p>300.320(a)(4)</p>
Practice	<p>The term <i>supplementary aids and services</i> means aids, services, and other supports that are provided in regulargeneral education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable the child with a disability to be educated with nondisabled children to the maximum extent appropriate.</p> <p>Citations:</p> <p>300.42</p>
	SPECIAL EDUCATION
Document	<p>The ARD committee must determine needed special education services.</p> <p>Citations:</p> <p>89.1050(a)(1)</p> <p>300.320(a)(4)</p>
Practice	<p>The term <i>special education</i> means specially-designed instruction, at no cost to parents, to meet the unique needs of the child with a disability.</p> <p>Citations:</p>

	FEDERAL AND STATE REQUIREMENTS
	300.39(a)
	RELATED SERVICES
Document	<p>The ARD committee must determine needed related services.</p> <p>Citations:</p> <p>89.1050(a)(1)</p> <p>300.320(a)(4)</p>
Practice	<p>The term <i>related services</i> means transportation, and such developmental, corrective, and other supportive services as may be required to assist the child with a disability to benefit from special education.</p> <p>Citations:</p> <p>300.34(a)</p> <p>300.34(b)</p>
Practice	<p>A child is eligible to receive audiology services provided under the school health and related services program of the Health and Human Services Commission, as outlined in the FUNDING FOR NONEDUCATIONAL SERVICES framework, if the child:</p> <p>Citations:</p> <p>TEC 38.033(a)</p>
Document	<ul style="list-style-type: none"> Is 20 years of age or younger; <p>Citations:</p> <p>TEC 38.033(a)(1)</p>
Document	<ul style="list-style-type: none"> Has a disability or chronic medical condition; <p>Citations:</p> <p>TEC 38.033(a)(2)</p>
Document	<ul style="list-style-type: none"> Is eligible for Medicaid benefits; and <p>Citations:</p> <p>TEC 38.033(a)(3)</p>
Document	<ul style="list-style-type: none"> Has been prescribed the services under: <p>Citations:</p>

	FEDERAL AND STATE REQUIREMENTS
	TEC 38.033(a)(4)
Document	<ul style="list-style-type: none"> ○ An individualized education program (IEP); or Citations: TEC 38.033(a)(4)(A)
Document	<ul style="list-style-type: none"> ○ A plan created under Section 504. Citations: TEC 38.033(a)(4)(B)
Practice	<p>For each child placed in a in the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf that includes placement at the residential campus, residential setting by the ARD committee:</p> Citations: 89.1090(a)
Practice	<ul style="list-style-type: none"> • The resident school district will be responsible for transportation from the campus as well as the return to campus at the beginning and end of the school terms and for regularly scheduled holidays when the children all students are expected to leave the residential campus; and Citations: 89.1090(a)
Practice	<ul style="list-style-type: none"> • When the ARD committee determines it is necessary for the safety of the child to be accompanied by an adult designated by the ARD committee, round-trip transportation for that adult must also be provided, as documented in the student's IEP. Citations: 89.1090(d)
	PROGRAM MODIFICATIONS AND SUPPORTS FOR SCHOOL PERSONNEL
Document	<p>The ARD committee must determine needed program modifications or supports for school personnel that will be provided to the child to enable the child to:</p> Citations: 89.1050(a)(1) 300.320(a)(4)

	FEDERAL AND STATE REQUIREMENTS
Practice	<ul style="list-style-type: none"> • Advance appropriately toward attaining the annual goals; Citations: 300.320(a)(4)(i)
Practice	<ul style="list-style-type: none"> • Be involved in and make progress in the general education curriculum, and be afforded an equal opportunity to participate in extracurricular and other nonacademic activities including, to the maximum extent appropriate, in nonacademic settings and services such as: Citations: 300.107 300.117 300.320(a)(4)(ii)
Practice	<ul style="list-style-type: none"> ○ Meals; Citations: 300.117
Practice	<ul style="list-style-type: none"> ○ Recess periods; Citations: 300.117
Practice	<ul style="list-style-type: none"> ○ Counseling services; Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Athletics; Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Transportation; Citations: 300.107(b)

	FEDERAL AND STATE REQUIREMENTS
	300.117
Practice	<ul style="list-style-type: none"> ○ Health services; Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Recreational activities; Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Special interest groups or clubs sponsored by the local education agency (LEA); Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Referrals to other agencies that provide assistance to individuals with disabilities; Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> ○ Employment of children, including both employment by the LEA and assistance in making outside employment available; and Citations: 300.107(b) 300.117
Practice	<ul style="list-style-type: none"> • Be educated and participate with other children with disabilities and nondisabled children. Citations: 300.320(a)(4)(iii)

	FEDERAL AND STATE REQUIREMENTS
Document	<p>A determination that the child is unable to complete the requirement to receive instruction in cardiopulmonary resuscitation is made by the ARD committee.</p> <p>Citations:</p> <p>74.38(e)(1)</p> <p>TEC 28.0023(d)</p>
	TRAINING TO IMPLEMENT THE IEP
Practice	<p>The LEA is required to provide training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the IEP developed for the child receiving instruction from the educator:</p> <p>Citations:</p> <p>TEC 21.451(d)(2)</p> <p>TEC 21.451(e)</p>
Practice	<ul style="list-style-type: none"> • The LEA will determine the time and place at which the training is delivered; <p>Citations:</p> <p>TEC 21.451(e)</p>
Practice	<ul style="list-style-type: none"> • The LEA must include training that is evidence-based, and that: <p>Citations:</p> <p>TEC 21.451(d)(2)</p>
Practice	<ul style="list-style-type: none"> ○ Relates to instruction of children with disabilities, including children with disabilities who also have other intellectual or mental health conditions; and <p>Citations:</p> <p>TEC 21.451(d)(2)(A)</p>
Practice	<ul style="list-style-type: none"> ○ Is designed for educators who work primarily outside the area of special education; and <p>Citations:</p> <p>TEC 21.451(d)(2)(B)</p>

	FEDERAL AND STATE REQUIREMENTS
Practice	<ul style="list-style-type: none"> In developing or maintaining the training, the LEA must consult with persons with expertise in research-based practices for children with disabilities such as: Citations: TEC 21.451(f)
Practice	<ul style="list-style-type: none"> Persons from colleges, universities, private and nonprofit organizations, regional education service centers; Citations: TEC 21.451(f)
Practice	<ul style="list-style-type: none"> Qualified LEA personnel; and Citations: TEC 21.451(f)
Practice	<ul style="list-style-type: none"> Any other persons identified as qualified by the LEA. Citations: TEC 21.451(f)
	INTENSIVE PROGRAM OF INSTRUCTION
Practice	<p>For the child who did not perform satisfactorily on a state assessment under the STATE AND DISTRICTWIDE ASSESSMENTS framework or who is likely not to receive a high school diploma before the fifth school year following the child's enrollment in grade 9:</p> Citations: TEC 28.0213(a) TEC 28.0213(e) TEC 39.023
Document	<ul style="list-style-type: none"> The ARD committee must design the intensive program of instruction: Citations: TEC 28.0213(e) 89.1050(a)(10)
Practice	<ul style="list-style-type: none"> To enable the child to attain a standard of annual growth on the basis of the child's IEP; and

	FEDERAL AND STATE REQUIREMENTS
	Citations: TEC 28.0213(e)(1)
Practice	<ul style="list-style-type: none"> ○ If applicable, to carry out the purposes of the Student Success Initiative. Citations: TEC 28.0211 TEC 28.0213(e)(2)
	ACCELERATED READING INSTRUCTION
Practice	<p>For the child in kindergarten or grades 1 or 2 who did not perform satisfactorily on a reading instrument selected from the list adopted by the commissioner of education or by the district-level committee:</p> Citations: TEC 28.006(c) TEC 28.006(c-2) TEC 28.006(c-3) TEC 28.006(g)
Document	<ul style="list-style-type: none"> • The ARD committee must determine the manner in which the child will participate in an accelerated reading instruction program. Citations: TEC 28.006(g) 89.1050(a)(7)
	STUDENT SUCCESS INITIATIVE FOR CHILDREN IN GRADES THREE THROUGH EIGHTACCELERATED INSTRUCTION AND SUPPLEMENTAL INSTRUCTION
Practice	<p>The ARD committee of a child who does not perform satisfactorily on the statewide assessment program will, at the child's next annual review meeting, review the child's participation and progress in, as applicable, accelerated instruction, supplemental instruction, or an accelerated education plan.</p> <p>The ARD committee must determine the manner in which the child will participate in an accelerated instruction program when required as part of the Student Success Initiative.</p> Citations:

	FEDERAL AND STATE REQUIREMENTS
	TEC 28.0211(i) TEC 28.0211(i)(1)
Practice	<p>Any member of the ARD committee may schedule an additional meeting if any committee member believes the child's IEP needs to be modified based on the requirements of the Student Success Initiative.</p> <p>The child's parent may request, or the LEA may schedule, an additional ARD committee meeting, if a committee member believes that the child's individualized education program needs to be modified related to the child's participation and progress in, as applicable, accelerated instruction, supplemental instruction, or an accelerated education plan-.</p> <p>Citations:</p> <p>TEC 28.0211(i)</p> <p>TEC 28.0211(i)(1)</p>
	<p>If the LEA refuses to convene a committee meeting requested by the child's parent concerning the child's participation and progress in, as applicable, accelerated instruction, supplemental instruction, or an accelerated education plan, the LEA will provide the parent with written notice explaining the reason the LEA refuses to convene the meeting.</p> <p>Citations:</p> <p>TEC 28.0211(i)</p>
Practice	<p>If a child 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 due to the child's condition, the LEA may determine that the child be provided the accelerated instruction when the child attends school in an on-campus instructional setting.</p> <p>Citations:</p> <p>TEC 28.0211 (i-1)</p> <p>TEC 28.0211(i)</p>
Practice	<p>If the child's condition prevents the child 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 child, the LEA is not required to provide the accelerated instruction to the child for that school year.</p>

	FEDERAL AND STATE REQUIREMENTS
	Citations: TEC 28.0211(i-1) TEC 28.0211(i)(1)
	PERSONAL GRADUATION PLAN IN JUNIOR HIGH AND MIDDLE SCHOOL
Practice	<p>For the child in junior high or middle school, the child's IEP may be used as the child's personal graduation plan.</p> <p>Citations:</p> <p>TEC 28.0212(c)</p> <p>89.1050(a)(9)</p>
	INITIATION, FREQUENCY, AND DURATION OF SERVICES
Practice	<p>The ARD committee must determine and include in the child's IEP:</p> <p>Citations:</p> <p>300.320(a)(7)</p>
Document	<ul style="list-style-type: none"> The projected date for the beginning of the services and modifications; <p>Citations:</p> <p>300.320(a)(7)</p>
Document	<ul style="list-style-type: none"> The anticipated frequency of those services and modifications; and <p>Citations:</p> <p>300.320(a)(7)</p>
Document	<ul style="list-style-type: none"> The anticipated duration of those services and modifications. <p>Citations:</p> <p>300.320(a)(7)</p>
Document	<p>The ARD committee must determine the appropriate instructional setting and length of school-day and specify the length of school day for each child, and these must be specified in the child's IEP.</p> <p>Citations:</p> <p>89.1075(e)89.1075(f)</p>

	FEDERAL AND STATE REQUIREMENTS
Practice	<p>Children with disabilities must have available an instructional day commensurate with that of children without disabilities.</p> <p>Citations:</p> <p>89.1075(e)89.1075(f)</p>
	LOCATION
Document	<p>The ARD committee must determine and include in the IEP the anticipated location of the services and modifications.</p> <p>Citations:</p> <p>89.1050(a)(1)</p> <p>300.320(a)(7)</p>
Practice	<p>If, for the purpose of receiving special education services, the LEA assigns the child to a campus location other than the campus location the child would attend based on the child's residence:</p> <p>Citations:</p> <p>TEC 25.0343(a)</p>
Practice	<ul style="list-style-type: none"> • The LEA must permit the child's parent, guardian, or other person standing in parental relation to the child to obtain a transfer to the assigned campus for any other child residing in the household of the child receiving special education services, provided that: <p>Citations:</p> <p>TEC 25.0343(a)</p> <p>TEC 25.0343(c)</p>
Practice	<ul style="list-style-type: none"> ○ The other child is entitled to attend school in the LEA; <p>Citations:</p> <p>TEC 25.0343(a)(1)</p>
Practice	<ul style="list-style-type: none"> ○ The appropriate grade level for the other child is offered at the campus; <p>Citations:</p> <p>TEC 25.0343(a)(2)</p>

	FEDERAL AND STATE REQUIREMENTS
Practice	<ul style="list-style-type: none"> ○ The child receiving special education services does not reside in a residential facility; and <p>Citations:</p> <p>TEC 25.0343(d)</p>
Practice	<ul style="list-style-type: none"> ○ The LEA is not required to provide transportation to the other child who transfers to another campus location under this section; however, this does not affect any transportation services provided by the LEA in accordance with other laws for the child receiving special education services. <p>Citations:</p> <p>TEC 25.0343(b)</p>

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