

ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING

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

	Additional Resources
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	FEDERAL AND STATE REQUIREMENTS
Practice	<p>In general, at the beginning of each school year, the local education agency (LEA) must have in effect, for each child with a disability within its jurisdiction, an individualized education program (IEP).</p> <p>Citations:</p> <p>300.323(a)</p>
Practice	<p>In the case of the child with a disability who transfers to a new LEA and enrolls in a new school within the same school year, the new LEA must comply with the CHILDREN WHO TRANSFER OR RECENTLY REGISTERED framework.</p>
Practice	<p>The LEA must provide the parent with written notice of an admission, review, and dismissal (ARD) committee meeting in compliance with the PARENT PARTICIPATION framework.</p>
Practice	<p>The LEA must comply with the PRIOR WRITTEN NOTICE framework.</p>
Practice	<p>The LEA that chooses to offer local IEP facilitation, which involves the use of a trained facilitator to assist an ARD committee in developing the IEP, must develop written policies and procedures consistent with state requirements and must provide the parent with information about the local IEP facilitation process when the Notice of Procedural Safeguards is provided.</p> <p>Citations:</p> <p>89.1196</p> <p>TEC 29.019</p>
	INITIAL MEETING
Document	<p>The ARD committee must make its decisions regarding the child's initial eligibility determination and, if appropriate, IEP and placement within 30 calendar days from the date of the completion of the written full individual and initial evaluation report unless one of the following situations applies:(FILE):</p> <p>Citations:</p> <p>89.1011(d)89.1011(g)</p>

FEDERAL AND STATE REQUIREMENTS	
Document	<ul style="list-style-type: none"> If the 30th day falls during the summer and school is not in session, the ARD committee has until must meet not later than the first 15th school day of classes in the fall following year to finalize its decisions, unless concerning the child's initial evaluation indicates that the child will need EXTENDED SCHOOL YEAR SERVICES during that summer eligibility determination and, if appropriate, IEP and placement; or <p>Citations: 89.1011(d) 89.1011(g)</p>
Document	<ul style="list-style-type: none"> If the LEA received 30th day falls during the written consent for the evaluation from the PARENT at least 35 but fewer than 45 summer and school days before the last instructional day of the school year and the child was is not absent from school three or more days between the time that the LEA received written consent and the last instructional day of the school year, the ARD committee must meet not later than the 15th school day of the following school year, unless the initial evaluation in session but an FIIE report indicates that the child will would need extended school year services during that summer, the ARD committee must meet as expeditiously as possible after completion of the report. <p>Citations: 89.1011(e) 89.1011(g)</p>
Practice	<p>For purposes of determining the timeline for an initial ARD committee meeting, school day does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term. - In the case of a school that operates under a school year calendar without spring and fall terms, a school day does not include a day that falls after the last instructional day of one school year and before the first instructional day of the subsequent school year.</p> <p>Citations: 89.1011(g) 89.1011(i)</p>
DEVELOPING THE IEP	
Practice	<p>All members of the ARD committee must have the opportunity to participate in a collaborative manner in developing the IEP.</p> <p>Citations: 89.1050(g) 89.1055(p)</p>
Practice	<p>The school district must take all reasonable actions necessary to ensure that the parent understands the proceedings of the ARD committee meeting, including arranging for an</p>

	FEDERAL AND STATE REQUIREMENTS
	<p><u>interpreter for parents who are deaf or hard of hearing or whose native language is a language other than English.</u></p> <p>Citations:</p> <p><u>89.1055(p)</u></p>
<u>Practice</u>	<p><u>A decision of the ARD committee concerning required elements of the IEP must be made by mutual agreement if possible.</u></p> <p>Citations:</p> <p><u>89.1055(p)</u></p>
<u>Practice</u>	<p><u>The ARD committee may agree to an annual IEP or an IEP of shorter duration.</u></p> <p>Citations:</p> <p><u>89.1055(p)</u></p>
<u>Practice</u>	<p>In developing each child's IEP, the ARD committee must consider:</p> <p>Citations:</p> <p><u>300.324(a)(1)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • The strengths of the child; <p>Citations:</p> <p><u>300.324(a)(1)(i)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • The concerns of the parent for enhancing the education of the child; <p>Citations:</p> <p><u>300.324(a)(1)(ii)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • The results of the initial evaluation or most recent evaluation of the child; and <p>Citations:</p> <p><u>300.324(a)(1)(iii)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • The academic, developmental, and functional needs of the child. <p>Citations:</p> <p><u>300.324(a)(1)(iv)</u></p>

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Practice	<p>As soon as possible following development of the IEP, the LEA must ensure that special education and related services are made available to the child in accordance with the child's IEP.</p> <p>Citations:</p> <p>300.323(c)(2)</p>
	PERIODIC REVIEW AND REVISION OF THE IEP
Document	<p>The ARD committee must review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals are being achieved.</p> <p>Citations:</p> <p>300.324(b)(1)(i)</p>
Document	<p>If a behavior improvement plan (BIP) or a behavioral intervention plan is included as part of the child's IEP, the committee will review the BIP at least annually and more frequently if appropriate to address:</p> <p>Citations:</p> <p>TEC 29.005(h)</p>
Practice	<ul style="list-style-type: none"> • The placement of the child in a different educational setting; <p>Citations:</p> <p>TEC 29.005(h)(1)(A)</p>
Practice	<ul style="list-style-type: none"> • An increase or persistence in disciplinary actions taken regarding the child for similar types of behavioral incidents; <p>Citations:</p> <p>TEC 29.005(h)(1)(B)</p>
Practice	<ul style="list-style-type: none"> • A pattern of unexcused absences; <p>Citations:</p> <p>TEC 29.005(h)(1)(C)</p>
Practice	<ul style="list-style-type: none"> • An unauthorized, unsupervised departure from an educational setting; or <p>Citations:</p> <p>TEC 29.005(h)(1)(D)</p>
Practice	<ul style="list-style-type: none"> • The safety of the child or others.

	FEDERAL AND STATE REQUIREMENTS
	<p>Citations:</p> <p>TEC 29.005(h)(2)</p>
Practice	<p>The ARD committee must revise the IEP as appropriate to address:</p> <p>Citations:</p> <p>300.324(b)(1)(ii)</p>
Practice	<ul style="list-style-type: none"> Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate; <p>Citations:</p> <p>300.324(b)(1)(ii)(A)</p>
Practice	<ul style="list-style-type: none"> The results of any reevaluation; <p>Citations:</p> <p>300.324(b)(1)(ii)(B)</p>
Practice	<ul style="list-style-type: none"> Information about the child provided to, or by the parent, in the REVIEW OF EXISTING EVALUATION DATA;
Practice	<ul style="list-style-type: none"> The child's anticipated needs; or <p>Citations:</p> <p>300.324(b)(1)(ii)(D)</p>
Practice	<ul style="list-style-type: none"> Other matters. <p>Citations:</p> <p>300.324(b)(1)(ii)(E)</p>
Practice	<p>If a participating agency, other than the LEA, fails to provide the TRANSITION SERVICES described in the IEP, the LEA must reconvene the ARD committee to identify alternative strategies to meet the transition objectives for the child set out in the IEP.</p> <p>Citations:</p> <p>300.324(c)(1)</p>
Practice	<p>To the extent possible, the LEA must encourage the consolidation of reevaluation meetings for the child and other ARD committee meetings for the child.</p> <p>Citations:</p>

	FEDERAL AND STATE REQUIREMENTS
	300.324(a)(5)
Practice	<p>Changes to an IEP may be made by the entire ARD committee at an ARD committee meeting, or by amending the IEP in accordance with the AMENDMENT WITHOUT A MEETING framework.</p> <p>Citations:</p> <p>300.324(a)(6)</p>
	REVIEW OF CHILD'S PARTICIPATION AND PROGRESS IN ACCELERATED INSTRUCTION AND SUPPLEMENTAL INSTRUCTION
Document	<p>For a child who does not perform satisfactorily on state assessment of an end-of-course assessment instrument, at the child's next annual review meeting, the ARD committee will review the child's participation and progress in, as applicable, accelerated instruction, supplemental instruction, or an accelerated education plan.</p> <p>Citations:</p> <p>TEC 28.0211(i)</p>
Practice	<p>The child's parent may request, or the district may schedule, an additional ARD committee meeting if a committee member believes that the child's IEP needs to be modified.</p> <p>Citations:</p> <p>TEC 28.0211(i)</p>
	RECESSING AND RECONVENING A MEETING
Practice	<p>A decision of the ARD committee concerning required elements of the IEP must be made by mutual agreement if possible.</p> <p>Citations:</p> <p>89.1050(g)</p> <p>TEC 29.005(b)</p> <p>89.1055(p)</p>
Practice	<p>When mutual agreement about all required elements of the IEP is not achieved, the parent who disagrees must be offered a single opportunity to recess and reconvene the ARD committee meeting.</p> <p>Citations:</p>

	FEDERAL AND STATE REQUIREMENTS
	<p>89.1050(g)(1)</p> <p>89.1055(p)(1)</p>
Practice	<p>The period of time for reconvening the ARD committee meeting must not exceed 10 school days, unless the parties mutually agree otherwise.</p> <p>Citations:</p> <p>89.1050(g)(1)89.1055(p)(1)</p>
Practice	<p>The ARD committee must schedule the reconvened meeting at a mutually agreed upon time and place.</p> <p>Citations:</p> <p>89.1050(g)(1)89.1055(p)(1)</p>
Practice	<p>The opportunity to recess and reconvene is not required when the child's presence on the campus presents a danger of physical harm to the child or others or when the child has committed an expellable offense or an offense that may lead to a placement in a disciplinary alternative education program.</p> <p>Citations:</p> <p>89.1050(g)(1)89.1055(p)(1)</p>
Practice	<p>During the recess, the ARD committee members must:</p> <p>Citations:</p> <p>89.1050(g)(2)89.1055(p)(2)</p>
Practice	<ul style="list-style-type: none"> Consider alternatives; <p>Citations:</p> <p>89.1050(g)(2)89.1055(p)(2)</p>
Practice	<ul style="list-style-type: none"> Gather additional data; <p>Citations:</p> <p>89.1050(g)(2)89.1055(p)(2)</p>
Practice	<ul style="list-style-type: none"> Prepare further documentation; and/or <p>Citations:</p> <p>89.1050(g)(2)89.1055(p)(2)</p>

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Practice	<ul style="list-style-type: none"> Obtain additional resource persons who may assist in enabling the ARD committee to reach mutual agreement. <p>Citations:</p> <p>89.1050(g)(2)89.1055(p)(2)</p>
Practice	<p>When an ARD committee agrees to recess and reconvene due to a lack of mutual agreement about one or more of the required elements of the IEP, the parent and the LEA may request an independent facilitator from the Texas Education Agency by completing and submitting the required form within 10 calendar days of the ARD committee meeting that ended in disagreement.</p> <p>Citations:</p> <p>89.1197</p> <p>TEC 29.020</p>
Practice	<p>If a recess is implemented and the ARD committee still cannot reach mutual agreement, the LEA must implement the IEP that it has determined to be appropriate for the child.</p> <p>Citations:</p> <p>89.1050(g)(3)</p> <p>89.1055(p)(3)</p>
Practice	<p>The ARD committee may recess an ARD committee meeting for reasons other than the failure to reach mutual agreement about all required elements of an IEP.</p> <p>Citations:</p> <p>89.1050(g)(1)89.1055(p)(1)</p>
	MUTUAL AGREEMENT
Practice	<p>The IEP must include:</p> <p>Citations:</p> <p>89.1055(k)</p> <p>89.1055(q)</p> <p>TEC 29.005(b-1)</p>
Document	<ul style="list-style-type: none"> The date of the meeting; <p>Citations:</p>

	FEDERAL AND STATE REQUIREMENTS
	<p>89.1055(k)(1)</p> <p>89.1055(q)(1)</p> <p>TEC 29.005(b-1)(1)</p>
Document	<ul style="list-style-type: none"> The name, position, and signature of each ARD committee member participating in the meeting; and <p>Citations:</p> <p>TEC 29.005(b-1)(2)</p> <p>89.1055(k)(2)89.1055(q)(2)</p>
Document	<ul style="list-style-type: none"> 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. <p>Citations:</p> <p>89.1055(k)(3)</p> <p>89.1055(q)(3)</p> <p>TEC 29.005(b-1)(3)</p>
Practice	<p>When mutual agreement is not reached:</p> <p>Citations:</p> <p>89.1050(g)(4)89.1055(p)(4)</p> <p>TEC 29.005(c)</p>
Document	<ul style="list-style-type: none"> A written statement of the basis for the disagreement must be included in the IEP; and <p>Citations:</p> <p>TEC 29.005(c)</p>
Practice	<ul style="list-style-type: none"> Each member, including the parent, who disagrees with the IEP developed by the ARD committee is entitled to include a statement of disagreement in the IEP. <p>Citations:</p> <p>89.1050(g)(4)89.1055(p)(4)</p> <p>TEC 29.005(c)</p>
PARENT REQUEST FOR AN ARD COMMITTEE MEETING	

	FEDERAL AND STATE REQUIREMENTS
Practice	<p>Upon receipt of a written request for an ARD committee meeting from the parent, the LEA must:</p> <p>Citations:</p> <p>89.1050(e)</p>
Document	<ul style="list-style-type: none"> Schedule and convene a meeting in compliance with the PARENT PARTICIPATION framework; or <p>Citations:</p> <p>89.1050(e)(1)</p>
Document	<ul style="list-style-type: none"> Within five school days, provide the parent with written notice explaining why the LEA refuses to convene a meeting. <p>Citations:</p> <p>89.1050(e)(2)</p>

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