

## ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEMBERSHIP

Authorities: 34 CFR Part 300; Texas Education Code; Texas Government Code; 19 TAC Chapters 75 and 89

<b>Additional Resources</b>	
<b>FEDERAL AND STATE REQUIREMENTS</b>	
<a href="#">Document</a>	<p>The admission, review, and dismissal (ARD) committee as described in the <a href="#">RULE OF CONSTRUCTION</a> framework must include the following:</p> <p><b>Citations:</b>  <a href="#">89.1050(c)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>The parents of the child with a disability;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(1)(A)</a>  <a href="#">300.321(a)(1)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>Not less than one regular education teacher of the child who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the child's individualized education program (IEP) if the child is, or may be, participating in the regular education environment;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(1)(B)</a>  <a href="#">TEC 29.005(a)</a>  <a href="#">300.321(a)(2)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(1)(C)</a>  <a href="#">300.321(a)(3)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>A representative of the local education agency (LEA) who:</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(1)(D)</a>  <a href="#">300.321(a)(4)</a></p>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
<a href="#"><u>Practice</u></a>	<ul style="list-style-type: none"> <li>○ Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;</li> </ul> <p><b>Citations:</b>  <a href="#"><u>89.1050(c)(1)(D)(i)</u></a>  <a href="#"><u>300.321(a)(4)(i)</u></a></p>
<a href="#"><u>Practice</u></a>	<ul style="list-style-type: none"> <li>○ Is knowledgeable about the general education curriculum; and</li> </ul> <p><b>Citations:</b>  <a href="#"><u>89.1050(c)(1)(D)(ii)</u></a>  <a href="#"><u>300.321(a)(4)(ii)</u></a></p>
<a href="#"><u>Practice</u></a>	<ul style="list-style-type: none"> <li>○ Is knowledgeable about the availability of resources of the LEA;</li> </ul> <p><b>Citations:</b>  <a href="#"><u>89.1050(c)(1)(D)(iii)</u></a>  <a href="#"><u>300.321(a)(4)(iii)</u></a></p>
<a href="#"><u>Document</u></a>	<ul style="list-style-type: none"> <li>• At the discretion of the parent or the LEA, other discretionary members or individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;</li> </ul> <p><b>Citations:</b>  <a href="#"><u>89.1050(c)(1)(F)</u></a>  <a href="#"><u>300.321(a)(6)</u></a></p>
<a href="#"><u>Document</u></a>	<ul style="list-style-type: none"> <li>• An individual who can interpret the instructional implications of evaluation results, who may be the regular education teacher, special education teacher or provider, an LEA representative, or a discretionary member on the ARD committee;</li> </ul> <p><b>Citations:</b>  <a href="#"><u>89.1050(c)(1)(E)</u></a>  <a href="#"><u>89.1050(c)(1)(B)</u></a>  <a href="#"><u>89.1050(c)(1)(C)</u></a>  <a href="#"><u>89.1050(c)(1)(D)</u></a>  <a href="#"><u>89.1050(c)(1)(F)</u></a>  <a href="#"><u>300.321(a)(5)</u></a></p>
<a href="#"><u>Document</u></a>	<ul style="list-style-type: none"> <li>• The child with a disability, whenever appropriate, including:</li> </ul>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
	<p><b>Citations:</b>  <a href="#">89.1050(c)(1)(G)</a>  <a href="#">300.321(a)(7)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>○ When a purpose of the meeting will be the consideration of the postsecondary goals for the child and the <a href="#">TRANSITION SERVICES</a> needed to assist the child in reaching those goals;</li> </ul> <p><b>Citations:</b>  <a href="#">300.321(b)(1)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• To the extent appropriate, with the consent of the parents or adult student, a representative of any participating agency that is likely to be responsible for providing or paying for transition services;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(1)(H)</a>  <a href="#">300.321(b)(3)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• <a href="#">At least one member with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction, when the ARD committee convenes to consider a student's eligibility for special education and related services due to dyslexia;</a></li> </ul> <p><b>Citations:</b>  <a href="#">TEC 29.0031(a)</a>  <a href="#">TEC 29.0031(b)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>• <a href="#">The member with specific knowledge regarding the reading process, dyslexia and related disorders must:</a></li> </ul>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>• <a href="#">Hold a licensed dyslexia therapist license;</a></li> </ul> <p><b>Citations:</b>  <a href="#">TEC 29.0031(b)(1)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>• <a href="#">Hold the most advanced dyslexia-related certification issued by an association recognized by the State Board of Education (SBEC), and identified in, or substantially similar to an association; or</a></li> </ul> <p><b>Citations:</b>  <a href="#">TEC 29.0031(b)(2)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>• <a href="#">_____</a></li> </ul>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
	<ul style="list-style-type: none"> <li>○ <u>If a member is not available with those credentials, the multidisciplinary evaluation team must include a member who meets the applicable training requirements adopted by the SBEC.</u></li> </ul> <p><b>Citations:</b> <u>TEC 29.0031(b)(3)</u></p>
<u>Document</u>	<ul style="list-style-type: none"> <li>• <u>The member of the multidisciplinary evaluation team with specific knowledge regarding the reading process, dyslexia and related disorders, and dyslexia instruction must sign a document describing the member's participation in the evaluation of the child.</u></li> </ul> <p><b>Citations:</b> <u>TEC 29.0031(c)</u></p>
<u>Document</u>	<ul style="list-style-type: none"> <li>• A representative from career and technical education (CTE), preferably the teacher, when considering initial or continued placement of the child in CTE;</li> </ul> <p><b>Citations:</b> <u>89.1050(c)(1)(I)</u> <u>75.1023(d)(1)</u></p>
<u>Document</u>	<ul style="list-style-type: none"> <li>• A professional staff member who is on the language proficiency assessment committee who may be the regular education teacher or the special education teacher on the ARD committee, if the child is identified as an English language learner;</li> </ul> <p><b>Citations:</b> <u>89.1050(c)(1)(J)</u> <u>89.1050(c)(1)(B)</u> <u>89.1050(c)(1)(C)</u></p>
<u>Document</u>	<ul style="list-style-type: none"> <li>• In the case of the child with a suspected or documented visual impairment, a teacher who is certified in the education of children with visual impairments;</li> </ul> <p><b>Citations:</b> <u>89.1050(c)(3)(A)</u></p>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• In the case of the child who is suspected to be deaf or hard of hearing, a teacher who is certified in the education of children who are deaf or hard of hearing;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(3)(B)</a>  <a href="#">TGC 392.002</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• In the case of the child with suspected or documented deaf-blindness, a teacher who is certified in the education of children with visual impairments and a teacher who is certified in the education of children who are deaf or hard of hearing;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(3)(C)</a>  <a href="#">TGC 392.002</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• In the case of the child who was previously served under the Early Childhood Intervention (ECI) program, at the request of the parent, by invitation to the initial ARD committee meeting, the ECI service coordinator or other representatives of the ECI system; and</li> </ul> <p><b>Citations:</b>  <a href="#">300.321(f)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>• In the case of an ARD committee meeting convened to discuss the expulsion and discretionary placement in the Juvenile Justice Alternative Education Program (JJAEP) of a child with a disability in a county with a JJAEP, for an offense for which a school district may expel a child and discretionarily place the child in JJAEP, a local school district must invite the administrator of the JJAEP or the administrator's designee, including:</li> </ul> <p><b>Citations:</b>  <a href="#">89.1052</a>  <a href="#">TEC 37.007(b)</a>  <a href="#">TEC 37.007(c)</a>  <a href="#">TEC 37.007(d)</a>  <a href="#">TEC 37.007(f)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>○ The school district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the child's parents;</li> </ul>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
	<p><b>Citations:</b> <a href="#">89.1052(b)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>○ A copy of the child's current IEP must be provided to the JJAEP representative with the notice;</li> </ul> <p><b>Citations:</b> <a href="#">89.1052(b)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>○ If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls; and</li> </ul> <p><b>Citations:</b> <a href="#">89.1052(b)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>○ The JJAEP representative may participate in the meeting to the extent that the meeting relates to the child's placement in the JJAEP and implementation of the child's current IEP in the JJAEP.</li> </ul> <p><b>Citations:</b> <a href="#">89.1052(b)</a></p>
<a href="#">Document</a>	<p>The special education teacher or special education provider that participates in the ARD committee meeting must be appropriately certified or licensed.</p> <p><b>Citations:</b> <a href="#">89.1050(c)(2)</a> <a href="#">300.156(c)</a></p>
<b>ADULT STUDENT AND PARENT ATTENDANCE AT THE ARD COMMITTEE MEETING FOLLOWING A TRANSFER OF RIGHTS</b>	
<a href="#">Practice</a>	<p>The ARD committee as described in the <a href="#">RULE OF CONSTRUCTION</a> framework must include an adult student following a transfer of rights.</p> <p><b>Citations:</b> <a href="#">300.520(a)</a></p>
<a href="#">Practice</a>	<p>The adult student or LEA may invite individuals who have knowledge or special expertise regarding the adult student, including the parent, to be a member of the ARD committee.</p> <p><b>Citations:</b> <a href="#">89.1049(d)</a></p>
<b>ATTENDANCE AND EXCUSAL FROM MEETINGS</b>	

<b>FEDERAL AND STATE REQUIREMENTS</b>	
<a href="#">Document</a>	<p>An ARD committee member is not required to attend an ARD committee meeting, in whole or in part, if the parent and the LEA agree in writing that the member's attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.</p> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a>  <a href="#">300.321(e)(1)</a></p>
<a href="#">Practice</a>	<p>When an ARD committee member's area of the curriculum or related services is being modified or discussed in the ARD committee meeting, the member may be excused from attending the meeting, in whole or in part, if:</p> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a>  <a href="#">75.1023(d)(1)</a>  <a href="#">300.321(e)(2)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>The parent, in writing, and the LEA consent to the excusal in accordance with the <a href="#">CONSENT TO EXCUSE MEMBER FROM ATTENDING ARD COMMITTEE MEETING</a> framework; and</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a>  <a href="#">300.321(e)(2)(i)</a></p>
<a href="#">Document</a>	<ul style="list-style-type: none"> <li>The member submits, in writing, to the parent and the ARD committee, input into the development of the IEP prior to the meeting.</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a>  <a href="#">300.321(e)(2)(ii)</a></p>
<a href="#">Practice</a>	<p>The excusal requirements do not apply to the following ARD committee members:</p> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a>  <a href="#">300.321(e)(1)</a>  <a href="#">300.321(e)(2)</a></p>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>The parent;</li> </ul> <p><b>Citations:</b>  <a href="#">89.1050(c)(4)</a></p>

<b>FEDERAL AND STATE REQUIREMENTS</b>	
	<a href="#">300.321(e)(1)</a> <a href="#">300.321(e)(2)</a>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>The child with a disability;</li> </ul> <b>Citations:</b> <a href="#">89.1050(c)(4)</a> <a href="#">300.321(e)(1)</a> <a href="#">300.321(e)(2)</a>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>An adult student following a transfer of rights; and</li> </ul> <b>Citations:</b> <a href="#">300.520(a)</a>
<a href="#">Practice</a>	<ul style="list-style-type: none"> <li>A discretionary member.</li> </ul> <b>Citations:</b> <a href="#">89.1050(c)(4)</a> <a href="#">300.321(e)(1)</a> <a href="#">300.321(e)(2)</a>

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