



# Back to School

The Same, but *Different*

SPECIAL EDITION NEWSLETTER

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### Partners Resource Network

Offices in Lubbock, Houston, Austin  
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It has been so long since things were “normal” that many parents are not sure what to expect in the upcoming school year. Here are some familiar back to school tips and a few based on the unusual times that we are currently living in.

### Prepare for periods of remote learning

We have learned that situations can change, sometimes very quickly. New COVID-19 variants have reminded us that the pandemic is not over. Regardless of what your school district or charter school is doing now, you should prepare for the possibility that your student may return to remote learning off and on during this school year. If necessary, look into possible childcare options. Also, talk to your child about this possibility, so that they will not be totally shocked if there is a change in their daily routine.

If you do not have reliable internet access or a computer that your child can use for remote learning, ask your school now about plans to provide hot spots and laptops for students who cannot come to school because of possible exposure to COVID. The plan should involve providing necessary equipment **immediately** so that students do not lose valuable instruction time.

### Get informed

Try to find out what might be different for the coming year (ex. new rules, distancing requirements, class size, number of teachers/aides, daily schedule, curriculum, meal times, etc.). Each of these factors could require some changes in how your child's needs are met.

## Review your child's IEP, Section 504 Plan, and/or Behavior Intervention Plan

If you think that changes may be needed for your child's supports, accommodations, services and/or goals, consider requesting an ARD or 504 meeting to discuss this before school starts, or as soon as possible afterward. Double-check with your child's teacher to make sure critical accommodations and supports will be in place on the first day of school.

## Update Health Care and Emergency Plans

Contact the school nurse well before the first day of school with any changes to your child's Individual Health Care or Emergency Plans. Make sure all required documentation from healthcare providers is up to date.

## Check the course schedule of middle or high school students

Make sure that they are placed in the right courses at the appropriate level of difficulty. There may also be other options and factors to consider so that your child gets a course schedule that will work for him/her/them. Ask for any needed changes right away! It is important to check course schedules each semester.

## Check and connect with transportation

If your child has special transportation needs, make sure services and/or accommodations will begin on the first day of school. Ask if there will be anything different this year, such as wearing

masks on the school bus. Check the route, estimated trip times, and, if applicable, get driver contact information.

## Connect with your child's teacher and school therapists

As soon as you know who will be working with your child, contact the teacher(s) and therapists to develop an effective plan for home-school communication. Find out the best way to contact them and let them know how to contact you. (Note: a school Open House event is not a good time to have important discussions with teachers.)

## Schedule a visit to the school

For children who will be attending a new school, and many others, it can be very helpful to have an opportunity to walk through the school, see their classroom(s) and meet their teacher(s) sometime before school starts. A school visit will also give you a chance to see the school's layout and make sure that the classrooms are set up in a way that will work for your child (ex. think about accessibility, sensory issues, seating arrangements, distractions, etc.).

## Communicate with your child

Address any questions or concerns your child might have. If transitions are particularly challenging for your child, consider making a social story to introduce new routines and people. Do your best to help them feel safe.



## Who is Partners Resource Network?

Partners Resource Network is a non-profit agency that operates the Texas statewide network of Parent Training and Information (PTI) Centers. PTIs are funded by the US Department of Education, Office of Special Education Programs (OSEP). The Texas PTI Projects are: PACT, PATH, PEN, and TEAM.

We can help you understand your child's disability, understand your rights and responsibilities under IDEA, obtain and evaluate resources and services for your child, and fully participate as a team member with professionals in planning services for your child.

**All of our services are FREE to parents and youth.**

Contact us today at 1-800-866-4726 and we will put you in touch with our Regional Coordinator assisting parents and families in your area.



## Tips for Virtual ARD Meetings

Did you know that the Individuals with Disabilities Education Act (IDEA) allows individualized education program (IEP) teams (in Texas, this team is called the ARD committee) to use “alternative means of meeting participation, such as video conferences and conference calls” (34 CFR §300.328)? No matter the format of the meeting, all required participants - including parents - should be present and/or appropriately excused from the meeting [if mutually agreed upon in writing; 34 CFR §300.321(e)(2)].

### Communication

Schools are using many forms of technology such as phone, email, Zoom, FaceTime, and Google Chat to communicate with you and your child. Reach out to the school to let them know what type of communication you prefer for your student’s ARD meeting. Share any technology concerns or potential barriers you may have about participating in the meeting virtually. Request an interpreter or other supports, if needed. If you have recently changed your phone number or email address, be sure to let the school know ASAP.

### Important Documents

Prepare like you would for any other ARD meeting. Have your child’s current IEP, any current evaluations, and Behavior Intervention Plan (BIP), if applicable, available. Request a draft copy of your child’s IEP. Ask for an agenda for the virtual meeting. If you do not have these documents, contact the school’s diagnostician or principal by email.

### The Virtual ARD Meeting

Make sure you are prepared by having your device fully charged. Confirm that you have a good cell or Wi-Fi connection. Prepare your list of parent concerns prior to the meeting. Find a quiet place, dress like you would for an in-person meeting, and be open to this new adventure! At the end of the meeting, ask when you can expect your copy of the new IEP and if you will be receiving it by mail or email.

### After the ARD Meeting

Once you have received a copy of your child’s IEP, carefully review the document. Reach out to the school’s diagnostician with any concerns or questions you may have.

### Documentation

Keep records and track events. Emails can be a good source of documentation or you may simply use a

notebook. Write down important information such as dates, times, names, and what was discussed.

## Instructional Support

Do not hesitate to communicate with your child's teacher about ideas, suggestions, and concerns for supporting your child with at-home learning. Your child's teacher can assist you in tracking progress toward mastering IEP goals.

## Compliance Considerations

Special education timelines will continue to apply for compliance reporting purposes. The school should

be flexible and consider a variety of delivery options as they make reasonable efforts to provide services for your child. Additionally, your school should make reasonable efforts to fully implement your child's IEP once school resumes.

## Have Questions about ARD Meetings?

Contact Partners Resource Network for assistance at 1-800-866-4726. Our Regional Coordinators are ready to help you with all your IEP concerns and can provide one-on-one individual assistance to fit your needs. All of our services are free of charge to parents and youth with disabilities.



## Supplemental Special Education Services

Supplemental Special Education Services (SSES) are on-line accounts for eligible parents/caregivers of students with significant and complex disabilities that have been impacted by COVID-19 school closures. SSES credits are up to \$1,500 per qualifying student. The SSES program has specific eligibility criteria. Learn more through the Texas Education Agency (TEA) website: <https://sses.tea.texas.gov/>

## Parent Counseling and Training

### A Related Service under the Individuals with Disabilities Education Act (IDEA)

Parent counseling and training is a related service that helps parents enhance the vital role they play in the lives of their children. Its purpose is to benefit the student by helping them to make greater achievements in meeting their IEP goals and objectives through learning supports at both school and home. Parent counseling and training can be comparable to parent "coaching."

Parent counseling and training purpose is to:

- Assist parents in understanding the special educational needs of their child,
- Provide parents with information about child development,
- Provide support and basic information about a child's initial placement in special education, and acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP,
- Provide parents the opportunity to be part of the IEP team and special education process.

Learn more about Related Services provided by IDEA in Sec. 300.34 by using the QR code or by visiting the IDEA website at <https://sites.ed.gov/idea/regs/b/a/300.34>



# Important Guidance from the U.S. Department of Education

*Regardless of the COVID-19 pandemic or the mode of instruction, children with disabilities are entitled to receive a free, appropriate, public education.*



## Long COVID under Section 504 and IDEA

The U.S. Department of Education's Office for Civil Rights (OCR) and the Office of Special Education and Rehabilitative Services (OSERS) issued a resource entitled *Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families*. This resource provides information about the obligations of schools, public agencies, and postsecondary institutions to students and children with long COVID. Use the QR code to access the Long COVID document or visit <https://bit.ly/3tG063s>.



## Child Find Under Part B of the IDEA

This Q&A document on Child Find Under Part B of the IDEA reaffirms the importance of appropriate implementation of IDEA's child find obligations, which requires the identification, location and evaluation, of all children with disabilities in the states. An effective child find system is an ongoing part of each state's responsibility to ensure that free appropriate public education (FAPE) is made available to all eligible children with disabilities. Use the QR code to access the Child Find Q&A or visit <https://bit.ly/2VIWRM4>.



## A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities

In this updated transition guide, OSERS added information about dual enrollment and the ABLE Act. OSERS hopes this transition guide will help students and youth with disabilities and their families to better understand how the state education agencies (SEA), the local education agencies (LEA), and the vocational rehabilitation (VR) agencies work together to facilitate improved outcomes for students and youth with disabilities. Use the QR code to access the guide or visit <https://bit.ly/3A9fGXE>.



## Return to School Roadmap under IDEA

As a part of the U.S. Department of Education's *Return to School Roadmap*, OSERS will be releasing IDEA guidance documents intended to provide useful information to parents of infants, toddlers, and children with disabilities. The documents will focus on those topics most closely related to ensuring that, regardless of the COVID-19 pandemic or the mode of instruction, children with disabilities receive FAPE, and that infants and toddlers with disabilities and their families receive early intervention services. View the *Return to School Roadmap* and accompanying resources at <https://sites.ed.gov/roadmap/>. Use the QR code to access the U.S. Department of Education's Policy Letters and Policy Support Documents or visit <https://bit.ly/2Xg5mz0>.





## OSEP finds Texas is not serving all eligible infants and toddlers

In October 2020, a federal investigation by the U.S. Department of Education found Texas is out of compliance with federal law and not serving all eligible infants and toddlers through the program. OSEP found that the Texas Health and Human Services Commission failed to provide appropriate EI services to all infants and toddlers with disabilities and their families that are eligible for those services consistent with IDEA including, failing to:

- Ensure its local ECI programs are appropriately maintaining records as required by IDEA in order to provide EI services to infants and toddlers with disabilities in a timely manner;
- Ensure that it has a comprehensive child find system in place that is able to appropriately identify infants and toddlers with disabilities for IDEA Part C services; and
- Ensure that IDEA Part C resources are available for all geographic areas in the State.

Use the QR code to view OSEP's letter and report to the HHSC or go to <https://bit.ly/3Ek2XUo>



## Transitioning from ECI Services to School

*Article by Disability Rights Texas*

If your child receives Early Child Intervention (ECI) services, they will graduate from ECI on the day they turn three. It is important that, upon exiting ECI, your child properly transitions to a setting that will continue to provide the supports and services that they need to succeed. Because of how crucial the continuation of services is, the planning for transition to preschool should begin much sooner before your child stops receiving ECI services.

### When does the transition process begin?

The ECI provider must conduct a meeting to plan the appropriate steps and transition services in the Individualized Family Service Plan (IFSP). The meeting must be conducted 90 days before, but not more than 9 months before, your child turns three. If your child was referred to ECI less than 90 days before they turn three, the appropriate steps and transition services must be included in the initial IFSP developed. The following people should attend the meeting at which you will discuss transition:

- Parent(s),
- Any individual who has worked with your child (therapist, counselors, feeding specialist, etc.),
- A public-school representative, and
- Any other person you invite.

### What should I expect from my ECI provider?

The IFSP should include steps and transition services to help your child transition out of ECI. These steps and services may look like:

- Determining whether your child is eligible for special education services;
- With your consent, facilitate the process for you to learn about special education services;
- Assisting you in exploring other service options in the community setting;
- Assisting your family in determining whether there are other needs that should be addressed after exiting ECI.

If your child is potentially eligible for special education services, the ECI provider, with your consent, must refer your child to your local school district by notifying them that your child may be eligible for special education services.

## What should I expect from my local school?

Upon receiving notice from your ECI provider that your child may be eligible for special education services, your local school must evaluate your child. The evaluations should be conducted within 45 days of receiving the notice.

After conducting the evaluations, the school must hold an Admission, Review and Dismissal (ARD) meeting within 30 days of the evaluations being completed. At the ARD meeting, you and other members of the ARD committee will determine whether your child is eligible for special education services. If your child is eligible, you and the school will develop an Individualized Education Plan (IEP).

An IEP is a lot like an IFSP and will act as the roadmap for the supports and services your child will receive. The IEP should contain:

- Your child's present level of academic achievement and functional performance,
- Your child's academics and functional goals,
- Your child's educational placement, and
- The services your child will be provided.

## What are some important things to keep in mind when attending the initial ARD meeting?

- You should invite people that have worked with your child to the initial ARD meeting (members of your child's ECI IFSP team, family members, others who know your child and want to support you at the meeting).
- You may use your child's ECI IFSP and the information that is recorded as a tool when developing the IEP.
- The school must provide services to your child in the least restrictive environment. This means your child has a right to be educated, to the maximum extent appropriate, with their non-disabled peers in the general education setting.
- Your child is entitled to an education that enables them to make educational progress.
- You are an expert in your child's abilities and are one of the most important decision-makers at the ARD meeting. Express your concerns and make sure they are considered.

## What to do if you are not properly transitioned?

The ECI service coordinator should continue to provide information and be a liaison for your family to help you obtain services for your child after they leave ECI. If your child is not eligible for special education, the service coordinator should discuss options for other appropriate services for your child and family.

# Transition to School Tips

*Excerpted from Parent Companion*

- **Show your child how to use any materials** on the supply list that he is not familiar with. Practice using them in fun, engaging ways.
- If being around other young children will be a new or unfamiliar experience for your child, **find experiences that will help him become more familiar with it.**
- **Show or teach your child how to ask for help.**
- **Practice short separations** from your child by leaving him with a responsible adult.
- **Practice following simple directions.**
- **Encourage your child to make simple choices**, such as which shoes to wear, which of two toys to play with, or which of two foods to eat.





## Does the School Have to Reschedule My Child's ARD Meeting if I Can't Attend?

Yes. Schools must give enough advance notice for parents to have the opportunity to attend their child's ARD meeting. They must also schedule the meeting at a mutually agreed upon time and place.

If you receive a notice that your child's ARD meeting has been scheduled at a time when you are not available to attend, let the school know as soon as possible. Explain why you can't attend (perhaps a work or family commitment). You may also want to give the school some alternate dates and times when you can attend.

Keep a record of this correspondence. It's important to show you're cooperating with the school to set up the ARD meeting at a mutually agreed upon time and place. The school may hold an ARD meeting without a parent, but that only happens if the school can show that it couldn't persuade the parent to attend. That's why it's important to keep a record of the efforts you've made to schedule the ARD meeting.

If you can't attend the ARD meeting in person, and if you agree, then the school may include you via phone call or video conferencing.

### What does the Individuals with Disabilities Education Act (IDEA) say?

#### Sec. 300.321 IEP Team (a)(1)

(a) General. The public agency must ensure that the IEP Team for each child with a disability includes—

(1) The parents of the child;

#### Sec. 300.322 Parent participation (a)

(a) Public agency responsibility—general. Each

public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including—

(1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and

(2) Scheduling the meeting at a mutually agreed on time and place.

### What does the Texas Education Code (TEC) say?

#### RULE §89.1050 – The Admission, Review, and Dismissal Committee (d)

(d) The school district must take steps to ensure that one or both parents are present at each ARD committee meeting or are afforded the opportunity to participate, including notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. Additionally, a school district must allow parents who cannot attend an ARD committee meeting to participate in the meeting through other methods such as through telephone calls or video conferencing. The school district must provide the parents with written notice of the ARD committee meeting that meets the requirements in 34 CFR, §300.322, at least five school days before the meeting unless the parents agree to a shorter timeframe.



# New State Law Regarding BIPs

By Steven Aleman, Attorney and Education Policy Specialist for DRTX

State lawmakers met in Austin, TX, for the 87th Legislature in 2021. Among other public school issues, they addressed the needs of students with disabilities who have, or should have, a behavioral intervention plan (BIP). Updates to the Texas Education Code now require public schools to better plan for and monitor changes in behaviors that impede a student's learning and success in school.

A BIP is dedicated to addressing challenging behaviors of a student with a disability. It identifies factors that might lead to behavioral outbursts or behaviors that parents and teachers hope to minimize. Most importantly, a BIP provides positive solutions for teachers and staff to use rather than simply punishing the student. In Texas, a student's BIP is officially considered part of the student's individualized education program (IEP). I'd like to address three basic questions around BIPs under the state's amended Education Code.

## How often must schools consider the success of a student's BIP?

The new state mandate is that each admission, review, and dismissal (ARD) committee review an existing BIP on at least an annual basis. ARD committees must review and update a student's IEP on an annual basis so BIPs can likewise get updated at the same time. The committee must specifically review and consider any changes in the student's circumstances, such as placement, discipline, unexcused absences; unsupervised departures from the student's educational setting; and the safety of the student and others.

## If a student is restrained at school, what is the new requirement regarding a BIP?

In Texas, if public school personnel physically restrain a student with a disability then they must give a written notice to the student's parents. This notification requirement is expanded now so that the written notice must do one of two things. For a student with a BIP, the school must include a recommendation on whether the ARD committee should revise the BIP. For a student without a BIP, the school must include information on how the parent may request an ARD Committee meeting to discuss conducting a functional behavioral assessment (FBA) and developing a BIP. The FBA is the formal evaluation to inform the writing of a BIP.

## If a student is subject to a disciplinary change of placement, what is the new requirement regarding a BIP?

The new state mandate is that when the placement of a student with disability changes on account of disciplinary action, then the school must take certain action. If the school has never conducted a FBA, then the school must seek parental consent, within ten (10) school days of the change in placement, to conduct a FBA. If the school's FBA of the student is more than one (1) year old, then the school must seek parental consent, within ten (10) school days of the change in placement, to conduct a new FBA. This will lead to the school either developing a new BIP or revising the existing BIP.



## Did You Know?

Speech therapy, a related service under IDEA, is not only for kids with speech disorders that affect pronunciation. In addition to speech challenges, speech therapy can target problems with:

- Receptive language (understanding language),
- Expressive language (using language),
- Social communication (using language in socially appropriate ways), and
- Reading and spelling (including dyslexia).



# What Are Executive Functioning Skills?

Executive functioning skills are what we use every day to **manage our time, organize and plan our day, remember and do what we need to do, control our emotions and behavior, analyze and solve problems, and think before we act.** These are skills your child needs to be successful in school and life.

Your child's disability may mean that his or her executive functioning skills are not as strong as they could be, and students with executive functioning skill challenges can be wrongly thought of as unmotivated or lazy. Accommodations may be helpful for your child, and with practice, these important skills can be learned and will improve your child's success.

## Signs of executive functioning issues

Trouble with executive function can affect children in different ways. Children struggling with executive skills may:

- Have trouble starting and/or completing tasks,
- Have difficulty prioritizing tasks,
- Forget what they just heard or read,
- Have trouble following directions or a sequence of steps,
- Panic when rules or routines change,
- Have trouble switching focus from one task to another,
- Get overly emotional and fixate on things,
- Have trouble organizing their thoughts,
- Have trouble keeping track of their belongings,
- Have trouble managing their time.

## How can I get the teacher's help and support?

If you think your child needs extra support, talk to his or her teachers early in the school year. They may not be familiar with executive functioning skills.

- **Explain your student has challenges with executive functioning and give examples.**
  - It takes Joe longer to complete assignments because he gets distracted;
  - Suzette forgets to bring home her assignments;
  - Mary needs a visual schedule to stay on task;
  - Kaitlin can be easily frustrated by change and needs advance notice;
  - Daniel leaves things to the last minute and then gets overwhelmed.
- **Explain that your child is not unmotivated or lazy, but rather needs, and can be successful with, extra supports and tools.**
- **Share strategies that you use at home.** Perhaps you developed a chore wheel or calendar for your student which has kept him motivated.
- **Include needed accommodations in your child's Individualized Education Program (IEP) or 504 Plan** and revise as needed. Sometimes the school's occupational therapist may be able to offer recommendations.
- **Develop IEP goals** to address executive functioning skill development.

- **Ask the teacher to let you know if your child is having issues** with time management, lateness, forgetfulness, impulse control, etc. so you can help develop solutions before he/she gets into trouble.

## Sample IEP Objectives

These are general objectives. Measurement will be based on your child's unique needs.

- Rosie will initiate self-editing to correct spelling and other errors in writing assignments.
- Johnny will demonstrate organizational skills

by putting his supplies in a specified area every morning.

- Mary will bring books, papers and assignments home from school in her backpack every day.
- David will demonstrate sustained attention by completing classroom assignments in the allotted time.
- Andrew will plan his time effectively, using agreed-upon tools, so that he can accomplish school, home, and recreational activities without feeling overwhelmed or frustrated.



## Requesting an Evaluation

**We encourage parents to submit requests for evaluation in writing.** Talking with a child's teacher or other school professionals about concerns and possible evaluation is appropriate, but putting a request for an evaluation in writing provides documentation of following the State rule, and should get a response the fastest.

According to the Texas Education Agency's *Parent's Guide to the Admission, Review, and Dismissal Process* document published February 2021, "There is not a specific timeline requirement for responding to verbal requests, but schools are encouraged to follow the same 15-school-day timeline described above."

## House Bill 4545

HB 4545 establishes new requirements for accelerated instruction for students who do not pass the State of Texas Assessments of Academic Readiness (STAAR). At a high level, the legislation includes:

- Elimination of grade retention and retesting requirements in grades 5 and 8;
- For any student who does not pass the STAAR test in grade 3, 5, or 8 in math or reading, a new LEA requirement to establish an accelerated learning committee to develop an individual educational plan for the student and monitor progress;
- For any student who does not pass the STAAR test in grades 3–8 or STAAR (EOC) end-of-course assessments, clarification of prior accelerated instruction requirements, specifying that it must include either:
  - Being assigned a classroom teacher who is a certified master, exemplary, or recognized teacher, or
  - Receiving supplemental instruction (tutoring) before or after school, or embedded in the school day.

The new statute is effective, as of June 16, 2021, with accelerated instruction practices required during the 2021-2022 school year for all students, based on results from Spring 2021.

Use the QR code to access the Texas Education Agency's House Bill 4545 Implementation Overview or go to <https://bit.ly/398hIRI>





# Independent Futures that Work!

The Independent Futures that Work! project is a joint effort of the Parent Training and Information Centers (PTIs) in Alabama, Texas, Arkansas, Louisiana, Mississippi, and Oklahoma. The primary purpose of this 5-year project is to build the competence and confidence of young adults with disabilities in Region B-2 to access independent living and employment services so they can more successfully transition from the youth entitlement system to the adult eligibility system. Our Resource Center will also help family members and professionals improve their capacity to support these young adults with disabilities on their journey.

We are establishing a project advisory committee for our state to assist our project in meeting goals in the following areas:

- All stakeholders must have a voice in Resource Center activities;
- All new materials and services should be useful to young adults with disabilities and their families;
- Professionals from the adult eligibility system should be able to partner with all young adults with disabilities and their families; and
- All materials and services should improve the capacity of young adults with disabilities and their families to transition to independent living and employment.

**Are you interested in being on the Texas State Advisory Committee?** If so, please email Lisa Cowart at [lcowartpath@gmail.com](mailto:lcowartpath@gmail.com) to be included in correspondence!

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