

### ***Admission, Review and Dismissal (ARD) Committee***

It is the policy of the Universal Academy Open-Enrollment Charter School to ensure that an Individualized Education Program (IEP) is developed, reviewed, and revised for each child with a disability in accordance with the IDEA.

Before a child is enrolled in a special education program of an open-enrollment charter school, the open-enrollment charter school shall establish a committee composed of the persons required under 20 U.S.C. §1401(11) to develop the child's individualized education program. A representative of the school's Career and Technology Education (CTE) program is a required member of the ARD committee when considering initial and continuing placement of a child in CTE (TEC §29.005(a); 34 CFR 75.1023(d)(1); 20 USC 2301.

It is the policy of the Universal Academy Open Enrollment Charter School to obtain informed consent from the parent before excusing a member from attending an ARD committee meeting (in whole, or in part).

The ARD committee must determine needed special education services, meaning specially-designed instruction that is provided, at no cost to parents and meets the unique needs of the child with a disability. (300.320(a)(4)).

The ARD committee must determine needed related services as defined by 34 CFR 300.34.

The need for ESY services must be determined on an individual basis by the admission, review and dismissal (ARD) committee. (19 TAC 89.1065(1))

The ARD committee must provide a statement of the child's present levels of academic achievement and functional performance. The statement must include a summary of how the child's disability affects the child's

involvement and progress in the general curriculum or, in the case of a pre-school child, participation in appropriate activities. (34 CFR 300.320(a)(1)).

The ARD committee must include in the child's individualized education program (IEP) a statement of measurable annual academic and functional goals 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 educational needs that result from the child's disability. (34 CFR 300.320(a)(2)(i)).

### ***Behavior Impeding Learning***

In the case of the child whose behavior impedes the child's learning or that of others, the admission, review, and dismissal (ARD) committee must consider:

- The use of positive behavioral interventions and supports; and
- Other strategies to address that behavior. (34 CFR 300.324(a)(2)(i)).

### ***Children with Limited English Proficiency***

In the case of the child with limited English proficiency, the ARD committee must consider the language need of the child as such needs relate to the child's individualized education program (IEP). The ARD committee must include a professional member of the language proficiency assessment committee (LPAC) to serve on the ARD committee of each child with limited English proficiency. (34 CFR 300.324(a)(2)(ii)).

### ***Children Who Are Deaf or Hard of Hearing***

In the case of the child who is deaf or hard of hearing, the ARD committee must consider:

- The child's opportunities for direct communications with peers and professional personnel in the child's language and communication mode;
- The child's language and communication needs;
- The child's academic level; and
- The child's full range of needs, including opportunities for direct instruction in the child's language and communication mode. (34 CFR 300.324(a)(2)(iv)).

### ***Children Who Are Blind or Visually Impaired***

In the case of the child who is blind or visually impaired, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), the ARD committee must either:

- Provide for reading and writing instruction in Braille and the use of Braille; or
- Determine that instruction in Braille or the use of Braille is not appropriate. (34 CFR 300.324(a)(2)(iii)).

Before placing the child with a visual impairment in a classroom setting, or within a reasonable period of time after placement, the ARD Committee must provide the training specified in Texas Education Code Subsection 30.002(c)(4).

The IEP developed for a child who is visually impaired or functionally blind must comply with the provisions of Texas Education Code Subsections 32.002(c), (e) and (f), as applicable.

### ***Children with Autism or Other Pervasive Developmental Disorder***

It is the policy of the Universal Academy Open Enrollment Charter school to comply with any applicable commissioner rules that may require an open-enrollment charter school to include in the individualized education program (IEP) of a student with autism or another pervasive developmental disorder any information or requirement determined necessary to ensure the student receives a free appropriate public education (FAPE) as required under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq.). (TEC §29.005(e))

### ***Assistive Technology***

The ARD committee must consider whether the child needs assistive technology devices (ATDs). On a case-by-case basis, the use of school-purchased ATDs in the child's home or in other settings is required if the child's ARD committee determines that the child needs access to those devices in order to receive free appropriate public education (34 CFR 300.324(a)(2)(v); 20 USC 1414(d)(3)(B)(v)).

### ***Supplementary Aids and Services***

The ARD committee must determine needed supplementary aids and services to be provided to the child, or on behalf of the child. (20 U.S.C. §§ 1414(d)(1)(A)(i)IV; 34 C.F.R. 300(a)(4)).

### ***Reaching Closure and Consensus***

The ARD committee shall develop the individualized education program by agreement of the committee members or, if those persons cannot agree, by an alternate method provided by the Texas Education Agency. Majority vote may not be used to determine the individualized education program (IEP). (TEC §29.005(b))

If the individualized education program (IEP) is not developed by agreement, the ARD Committee must comply with the requirements of 19 TAC 1050(h) and ensure that the written statement of the program required under 20 U.S.C. §1401(11) includes the basis of the disagreement. (TEC §29.005(c))

If the child's parent is unable to speak English, the open-enrollment charter school shall communicate with the parent in the parent's native language or other mode communication the parent uses in accordance with the school's policy on use of parents' native language.

The admission, review and dismissal (ARD) committee documentation must include materials required by 19 TAC 89.1050(e).

### ***Amendment without a Meeting***

After the annual admission, review and dismissal (ARD) meeting, changes to the individualized education program (IEP) other than eligibility determinations, changes of placement, and manifestation determination reviews may be made either:

- By the entire ARD committee; or
- By amending the IEP rather than by redrafting the entire IEP.