

***Information Concerning Special Education and Education of Children with Learning Difficulties***

The Texas Education Agency shall produce and provide to school schools sufficient copies of a comprehensive, easily understood document that explains the process by which an individualized education program is developed for a student in a special education program and the rights and responsibilities of a parent concerning the process. The document must include information a parent needs to effectively participate in an admission, review, and dismissal committee meeting for the parent's child.

(TEC §26.0081)

The Universal Academy Open-Enrollment Charter School will provide the document provided by the agency under Section 26.0081, Texas Education Code, or equivalent as determined by the school, to the parent as provided by 20 U.S.C. Section 1415(b):

1. as soon as practicable after a child is referred to determine the child's eligibility for admission into the school's special education program, but at least five school days before the date of the initial meeting of the admission, review, and dismissal committee; and
2. at any other time on reasonable request of the child's parent.

(20 U.S.C. § 1415(b))

### ***Referral for Full and Individual Initial Evaluation***

It is the policy of the Universal Academy Open-Enrollment Charter School to make referrals of students for a full and individual initial evaluation for possible special education services part of the open-enrollment charter school's overall general education referral or screening system. Either a parent, TEA, another state agency, or the school may initiate a request for an initial evaluation.

Before referral, students experiencing difficulty in the general classroom will be considered for all support services available to all students. If a student continues to experience difficulty in the general classroom after the provision of interventions, school personnel must refer the student for a full and individual initial evaluation.

*(20 U.S.C. 1414(a)(1); 34 CFR 300.301; 19 TAC 89.1011)*

A reasonable time before the school proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the school shall provide written notice to the student's parent or guardian. *(20 U.S.C. 1415(b)(3); 34 CFR 300.503(a))* The school shall conduct a full and individual initial evaluation before the initial provision of special education and related services. *(20 U.S.C. 1414(a)(1)(A))*

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *(20 U.S.C. 1414(a)(1)(E))*

The LEA must promptly request consent for initial evaluation whenever the child is referred for an evaluation for a specific learning disability and if, prior to a referral, the child has not made adequate progress after an appropriate period of time when provided instruction as follows:

- Appropriate instruction in regular education settings, delivered by qualified personnel as demonstrated by the data; and

- With data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, which was provided to the child's parents.

(34 CFR 300.309(c))