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| Policy Name: | 600.555 Special Education/504 Services-Raven | | |
| Creation Date: 11/3/2022 | Author: TBJ | | |
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Policy:

Thomas Buzbee Vocational High School shall adhere to and implement services for special student populations in conformance with all federal state, and local laws, including but not limited to the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, Title II of the American Disabilities Act of 1990, Bulletin 1706, and other relevant regulations/legislation.

Applicability of Texas Education Code Relating to Special Education An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to special education programs under Subchapter A (Special Education Program), Chapter 29, Texas Education Code. (TEC §12.104(b)(2)(F)). Thomas Buzbee Vocational High School adopts the requirements of Subchapter A (Special Education Program), Chapter 29, Texas Education Code pursuant to TEC §12.104(b)(2)(F). Assurance Pursuant to the Individuals with Disabilities in Education Act (IDEA), open-enrollment charter schools must submit a plan to the Texas Education Agency that provides assurances that the open-enrollment charter school has in effect policies, procedures, and programs that are consistent with the State and Federal policies and procedures governing special education. (20 USCA §1413(a)(1); 34 CFR §§300.200-.201)

Procedure:

Students with disabilities attending Thomas Buzbee Vocational High School and are eligible for special education and related services will receive a Free and Appropriate Public Education (FAPE) in the least restrictive environment as defined by state and federal law. FAPE will be provided at Thomas Buzbee Vocational High School to students until they have earned a high school diploma, completed the school year or transition from Thomas Buzbee Vocational High School. These requirements apply to:

1. Homeless children;
2. Children who are wards of the state;
3. Highly mobile children with disabilities (such as migrant children); and
4. Children who are suspected of being a child with a disability under 34 CFR §300.7 and in need of special education, even though they are advancing from grade to grade. (34 CFR §300.111)

Special Education Services support the development of specifically designed instructional approaches to meet the individual student needs in the least restrictive setting with participation in the general education curriculum to the greatest extent possible. We provide the entire continuum of services required by federal and state mandates.

The school shall provide the following services:

- Appropriate special education services for students with disabilities in the least restrictive environment, through implementation of the student's IEP, including accommodations/modifications.
- Deliver instruction and support services consistent with the procedures established by the school and outlined in the Goals and Objectives documented in the IEP.
- Monitor the quality of on-going services within the school.
- Seek technical assistance for program improvement; and

- Utilization of the Thomas Buzbee Vocational High School RtI Framework
- Implement instructional strategies such as universal screening and on-going data analysis to inform instructional delivery, instructional interventions, as well as collaborative problem-solving among staff to enhance all students' performance.
- Document Goals and Objectives in the ILP and provide progress monitoring by the Special Education Coordinator to document growth or the need for academic interventions

Specially designed instruction means adapting, as appropriate, the content, methodology or delivery of instruction to meet the unique needs of a child with a disability. Thomas Buzbee Vocational High School will ensure that students benefit from his/her education and has access to the general curriculum, to the maximum extent appropriate, so that the student can meet the grade-level educational standards or, in the case of a student with a significant cognitive disability, individually- determined alternate standards. Specially designed instruction may be provided in the classroom, and in other educational settings to include:

- Academic instruction;
- Speech and/or language instruction;
- Vocational instruction;
- Social skills instruction;
- Organizational skills/strategies;
- Training in functional living skills

Eligibility Criteria

A student attending Thomas Buzbee Vocational High School may be eligible for special education services. Through an evaluation, if a student is found to have a disability in one of the following categories, and has an educational need, they may be found eligible for special education:

- 1) Intellectual Disability
- 2) Hearing impairment
- 3) Visual Impairment
- 4) Speech or Language impairment
- 5) Emotional disturbance
- 6) Orthopedic impairment
- 7) Other health impairment 8) Traumatic brain injury
- 9) Deaf-blindness
- 10) Specific Learning Disability
- 11) Autism
- 12) Developmental delay
- 13) Multiple Disabilities

Determining Eligibility

Following the completion of the full and individual initial evaluation, the student's admission, review, and dismissal (ARD) committee must make an eligibility determination. The ARD committee members reviewing evaluations and date to determine eligibility must include a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience, and a licensed or certified professional for a specific eligibility category defined below under 'Eligibility Definitions'. (19 TAC §89.1040)

If a student is determined to be a student with a disability and needs special education and related services, an IEP must be developed for the student in accordance with §§ 300.320 through 300.324. (34 CFR §300.306) A student is not eligible for special education services through the evaluation if a student is found to only need related services. A student cannot be found eligible for services if the determinant factor for that determination is lack of appropriate instruction in reading, including in the essential components of reading instruction, lack of appropriate instruction in math, or limited English proficiency. (34 CFR §300.306(b))

Section 504

Section 504 of the Rehabilitation Act of 1973 is Congress's directive to schools receiving any federal funding to eliminate discrimination based on disability from all aspects of school operation. Thomas Buzbee Vocational High School is required to provide eligible disabled students with equal access to services, programs, and activities. Section 504 is a civil rights statute and not a special education statute. Therefore, it is the responsibility of regular education staff and building administration to implement those practices and procedures necessary for a school to fulfill the requirements of this law. The insurance of Section 504 compliance is the responsibility of the principal or principal's designee.

