

<b>ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING</b>	

Template update October 2024

Legal Framework: ADMISSION, REVIEW, AND DISMISSAL COMMITTEE MEETING  
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**PERSONS RESPONSIBLE:** Diagnostician or Speech Language Pathologist (SLP)

**TIMELINES:** ARDs must be held annually at a minimum

**MATERIALS:** [Frontline Beginner’s Guide to Annual ARD Preparation](#)  
[Procedural Safeguard English 2025](#)  
[Procedural Safeguards-Spanish 2025](#)  
[Parent Guide to Ard Process-English 2025](#)  
[Parents Guide to ARD Process- Spanish 2025](#)  
[ARD Agenda](#)  
[Accommodations Continuum](#)  
[Frontline IEP Roles & Responsibilities by Discipline](#)  
[Frontline Electronic Signatures](#)  
[Electronic Communication Consent](#)  
[Evaluation Roles and Responsibilities](#)  
[Change of Placement](#)

 **Evaluation Staff Etiquette & Campus Reminders**

 [overview-of-special-education-for-parents.pdf](#)

Consent for Disclosure of Confidential Information (if applicable)

Notice of Proposal to Evaluate (if applicable)

Evaluation Consent (if applicable)

Tomball ISD has established an ARD/IEP committee for each campus supporting each eligible child with a disability and for whom a Full and Individual Evaluation (FIE) has been conducted. This committee is determined to be the following:

- eligibility team as defined in federal and state regulations;
- individualized education program (IEP) team as defined in federal and state regulation;
- placement team as defined in federal and state regulation

**ARD Guide/Procedural Safeguards:**

Parents will be provided a copy of the ARD Guide upon consent for initial evaluation or anytime upon request by the Campus Evaluation Personnel. Procedural Safeguards will be provided at least annually and every time evaluation is proposed or there is a non-consensus ARD by the Campus Evaluation Personnel. Guardians will be offered a printed version of the Procedural Safeguards unless they agree to a digital version

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documented in the deliberations. The Overview of Special education for parents document will also be provided upon consent for initial evaluation.

**Parent Request for ARD:**

Upon receipt of a written request for an ARD committee meeting, the Diagnostician or Speech Language Pathologist will schedule an ARD meeting or provide written refusal to convene an ARD meeting to the parent within a reasonable amount of time.

**Scheduling ARDs:**

At a minimum, the Diagnostician (Diag) and Speech Language Pathologist (SLP) will meet with their campus administration or designee at the beginning of each semester to schedule all known ARDs for that semester. Once an ARD is scheduled, the Diag or SLP will create an appointment and include all school-based members plus the designated PEIMS clerk. At least two weeks before the appointment, the PEIMS clerk must be informed; otherwise, the Diag or SLP will need to complete the annual ARD notice. The first page of the initial and revision ARDs must be completed by the Diag or SLP. The PEIMS clerk will mail the notice and make reminder phone calls. If a parent needs an alternative time/date, the Diag or SLP will reschedule the meeting and create a new notice. Student Support Specialists receive weekly updates on all overdue ARD meetings to ensure compliance. Progress Reports are archived by case managers prior to every annual meeting.

**ARD Agendas**

[TISD Agendas](#) must be used (adapted to fit individual needs). TISD Agendas need to be sent to and/or reviewed before the start of the meeting.

**Consent to Excuse Member from Attending ARD Committee Meeting**

*CFR §300.9, CFR §300.321 (e), CFR §300.519 (h), TAC §89.1049 (a), TEC §29.017 (a)*

An ARD Committee member is not required to attend an ARD committee meeting (in whole or in part) if the member's area of the curriculum or related services is not being modified or discussed in the meeting and the following conditions are satisfied:

1. The parent and the LEA agree
  - a. The member's attendance is not necessary; and

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- b. The member's area of the curriculum or related services is not being modified or discussed in the meeting; and
- c. The parent's agreement is in writing.
- d. The Excusal is documented on the "ARD member not required to attend ARD meeting" screens in ESPED within Notices.

Also, when a required member's area of the curriculum or related services is being modified or discussed in the meeting, the required member may be excused from attending an ARD committee meeting (in whole or in part) if the following conditions are satisfied:

- a) The parent and the LEA consent to excuse the member from the ARD meeting
- b) The parent's consent is in writing and
- c) The member submits in writing to the parent and the ARD committee input into the development of the IEP prior to the meeting.
- d) The Excusal is documented on the "ARD member not required to attend ARD meeting" screens in ESPED within Notices AND the input from the member being excused is documented within the ARD Committee Minutes.

*Exception: Tomball ISD Special Services procedures will not allow the administrative representative, general or special education teacher to utilize the ARD/IEP excusal process or partial attendance process as they are considered essential personnel in the ARD/IEP meeting. This process may be utilized for related service personnel (provided evaluation is not being addressed), assessment personnel (after assessment has been reviewed), or other support staff.*

[ARD Committee Membership](#)

### **Trainings for ARD committee membership**

Tomball ISD requires all general and special education teachers as well as administrators to view training videos for Properly Constituted ARDs including ARD committee membership, roles, responsibilities and facilitation. In addition training is provided on district wide professional development days. Special Services staff receive ongoing training in these areas through Cross Talks, district wide professional development days, and weekly newsletters.

### **Consents**

Campus Evaluation Personnel will oversee that the appropriate consents have been obtained prior to beginning assessment. Consent for Initial Placement must be signed by the parent prior to Special Education services being implemented.

### **ARD Types/Reasons:**

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**Initial ARDS**

*TAC §89.1011 (d), TAC §89.1011 (e)*

The admission, review, and dismissal (ARD) committee must make its decisions regarding a child's initial eligibility determination and, if appropriate, IEP and placement within 30 calendar days from the date of the completion of the written full and individual initial report except:

- If the 30th day falls during the summer and school is not in session, the ARD committee has until the 15th(RE) day of classes in the fall to finalize its decisions, unless the full individual and initial evaluation indicates that the child will need [EXTENDED SCHOOL YEAR SERVICES](#) during that summer;
- If the LEA received the written consent for the evaluation from the [PARENT](#) at least 35 but less than 45 school days before the last instructional day of the school year, and has less than 3 absences (RE), the ARD committee must meet not later than the 15th school day of the following school year; or
- If an initial evaluation completed not later than June 30 indicates that the child will need extended school year services during that summer, the ARD committee must meet as expeditiously as possible.
- If the child was absent from school three or more days between the time that the LEA received written consent and the last instructional day of the school year, the timeline applies to the date the written report of the full individual and initial evaluation is required.

In the event that the parent is non-responsive to communication regarding the Initial ARD, notice of the ARD should be sent and the Initial ARD held without the parent. The school district should propose the IEP and services and then send a copy of the Initial ARD to the parent. Consent for Initial Placement must be signed by the parent prior to Special Education services being implemented.

*Processing Procedures for an Initial ARD:*

- Archive ARD within 24 hours of ARD Meeting, and shared with parent through Frontline Document Share- parent portal.

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- Turn in the combined protocol folder (collect all assessment personnel’s folders and combine) to Special Services for PEIMS entry within 5 school days. Please make sure all documents get turned in together in one folder, not separately.

Annual ARDS

CFR §300.324(b)(1)(i)

Each student with a disability must have an ARD meeting within one year of the last Annual ARD date. The Campus Evaluation Personnel is responsible for scheduling the ARD meetings for all students with disabilities on a campus. **An Annual ARD meeting may be held prior to the previous year’s Annual ARD date but must not be held after the Annual ARD date of the previous year.** Medicaid consent must be requested and documented one time. Annual ARDs must be held to review Full Individual Evaluations.

*Processing Procedures for an Annual ARD:*

- Archive ARD within 24 hours of ARD, and shared with the parent through Frontline Document Share Parent Portal
- Process Draft Record

Revision/Brief ARDS

A Revision/Brief ARD meeting is an ARD meeting held throughout the year. Here are some examples of when Revision/Brief ARD meetings should be held:

- A member of the ARD/IEP team requests an ARD meeting to discuss concerns (this includes the parent).
- The student is not making progress and/or is not on track to master the Annual IEP goals.
- Student has mastered Annual IEP goals and new goals may require a change in services/placement.
- Academic/Behavior IEP and objectives need to be addressed, modified, etc.
- Student placement needs to be addressed.
- Information indicates ESY needs to be re-addressed prior to summer.
- Changes to State Assessment need to be addressed.
- Student has increased attendance problems.

*Processing Procedures for a Review/Brief ARD:*

- Archive ARD within 24 hours of ARD, and shared with the parent through Frontline Document Share Parent Portal.

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Amendment to ARD/IEP  
*CFR §300.324(a)(4)(i)*

To amend an IEP without an ARD Committee Meeting, the district and parents must agree not to convene an ARD meeting for purposes of making changes to the child’s IEP. The district must provide the parents with a written document of how the IEP was revised. Amendments are only allowable for changes that do not result in eligibility determinations, changes of placement, nor manifestation determination reviews. If you have a question about the procedure or would like to request an exception to the rule, please contact your Student Support Specialist.

*Processing Procedures for an Amendment:*

- Archive Amendment within 24 hours, and share with parents through Frontline Document Share parent portal.

**Summer New Enrollment Students**

When a student who was receiving Special Education services (either from a district in or out of state) in the previous school year and parents verify their child was receiving these services (either in writing or by phone) enrolls into Tomball ISD prior to the first day of school, Tomball ISD will either

- Adopt the previous IEP
- Develop, adopt, and implement a new IEP through an Annual or Review ARD meeting prior to the first day of school

If adopting the previous IEP, implementation begins immediately following consultation with the parent. If the student enrolls in Tomball ISD during the summer and Tomball ISD is not adopting the previous IEP, the annual or review ARD must take place before the first day of school. All efforts will be made to have the meeting prior to the first day of school, however, if parents cannot meet prior, then please document the attempt to schedule the meeting and contact your Student Support Specialist.

If a parent indicates that the student had services and no documentation can be provided, then please reach out to your Student Support Specialist for assistance.

If Tomball ISD, in consultation with the parent, determines that the IEP from the previous district can be adopted immediately without adjustments, this document will be uploaded

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into Frontline Archive Manager. In addition, the campus diagnostician, case manager, or speech-language pathologist will enter the following information into the appropriate Frontline screens in the student's active record:

1. Consolidation of Important Dates (evaluation staff)
2. PEIMS Data (evaluation staff)
3. Measurable Annual Goals and Objectives (case manager and/or SLP)
4. Accommodation List (case manager and/or SLP)
5. eStar State Assessment (STAAR) (case manager and/or SLP)
6. STAAR Accommodations (case manager and/or SLP)
7. Course/Curriculum Area (evaluation staff)
8. IEP Services and Supports (evaluation staff)
9. eStar Related/Other Services (evaluation staff)
10. Placement of Services (1) (evaluation staff)
11. Personal Care Services Supplement (case manager)
12. eStar Transportation Supplement (1, 2, 3) (evaluation staff)

**Transfer Students** (students who enroll during the school year)

When a student who was receiving Special Education services (either from a district in or out of state) in the same school year, transfers into Tomball ISD, and parents verify their child was receiving these services (either in writing or by phone). Tomball ISD will complete the Transfer Student- Agreement to Implement Frontline screens. The District will either

- Accept the IEP from former district
- A need for an evaluation and an interim IEP has been determined. Services will be provided on a temporary basis. The evaluation will be conducted and the IEP finalized in accordance with legal timelines for initial evaluations. **Used for out-of-state transfer only. SPP 11 timelines apply.**
- A need for an interim IEP has been determined. The Interim IEP will be documented within the Transfer Student- Agreement to Implement screens. Services will be provided on a temporary basis. Within 30 school days from the date the student is verified as being eligible for special education services, an ARD committee will convene to review any additional information received from the former district as well as any new evaluation performed in the interim and a new IEP will be developed. **Used for in-state transfer or out-of-state transfer when no evaluation requested.**

After agreeing upon an interim IEP or adopting the current IEP. The campus diagnostician, case manager or speech-language pathologist will enter the following information into the appropriate Frontline screens in the student's active record:

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### **Out of State Transfer- Evaluation Needed**

When a student transfers from a district out of state, if Tomball ISD determines that an evaluation is necessary, the evaluation is considered a full individual and initial evaluation and must be completed within the timelines established by §89.1011(c) and (e) of this title (see Initial FIE timelines). The timeline for completing the annual ARD meeting, if appropriate, is 30 calendar days from the date of the completion of the evaluation report.

Tomball ISD takes the following steps to obtain records from the prior LEA when receiving a transfer student:

- o Campus registrar will notify campus evaluation staff members that a student receiving special education services has enrolled.
- o Campus Evaluation Personnel must contact the previous school district to verify the IEP, supporting documents, and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled. This should be documented in the Frontline Parent Contact Log
- o Campus Evaluation Personnel may request the Frontline electronic file from their Student Support Specialist (electronic files can only be requested if the prior LEA utilizes Frontline). Please send the student's full name, school district, and date of birth when requesting the Frontline electronic file.
- o Campus Evaluation Personnel may request a copy of the last ARD and FIE from the parent.

### Dismissal ARD

*CFR §300.305*

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If a student undergoes a re-evaluation and no longer meets eligibility as a student with a disability, an Annual ARD Meeting must be held to consider the recommendation of the Full Individual Evaluation prior to dismissing the student from Special Education services.

### *Processing a Dismissal ARD:*

- Complete DNQ Report from ARD Forms, change SPED Status to Does Not Qualify, and enter date of Dismissal and Reason on Student Status page in ARD Forms.
- Archive ARD within 24 hours of ARD.
- Turn in the DNQ Evaluation report, protocol folder and working folder, all together to Special Services within 5 school days.

### Recessed or Tabled ARD

In the event an ARD is recessed or tabled, the procedure below will be implemented:

1. In the deliberations, add the date the ARD was recessed, the attendee names and their roles
2. Utilize "Additional ARD signature page" Form in ARD Forms to indicate participation

If an ARD meeting ends in non-consensus, the following steps will be taken:

1. If the parent is in disagreement with the plan developed by the committee, have the parent sign and check "disagree". If the parent refuses to sign and/or check "disagree", document it in deliberations in Frontline. The signature page should be completed.
2. Campus Evaluation Personnel or Local Education Agency designee will document the disagreement in the deliberations portion of Frontline as well as on the "End of ARD" screen. Parents are offered an opportunity to include a written statement as to their disagreement. This may be documented on the "End of ARD" screen.
3. A reconvene of the ARD meeting will be scheduled within 10 school days or a mutually agreed upon date unless waived/declined by the parents and documented on the "End of ARD" screen in Frontline. Note: If it's an initial ARD, services may not begin due to lack

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of consent for initial placement. If it's an annual ARD, "stay put" goes into effect until the reconvened ARD.

4. If the parents waived/declined the reconvene, inform the parents that the proposed IEP will be implemented after the 5-day school day waiting period.
5. Procedural safeguards must be provided to the parents/guardians.
6. The ARD should be archived within 24 hours. The Prior Written Notice does not need to be included unless they waived the reconvene ARD. If the parent waived the reconvened ARD, the ARD should be archived and sent to the parent within 24 hours. The PWN needs to be sent with the ARD paperwork. Please remember that the five-school-day waiting period to implement services does not begin until the district provides the parent with the PWN.
7. The ARD invitation, for the reconvene ARD, needs to state the reason for ARD as a reconvene, should be completed, and provided to the parents/guardians.
8. Campus Evaluation Personnel will inform the campus Student Support Specialist of the ARD disagreement.
9. Student Support Specialist will have a staffing with the campus about the non-consensus ARD meeting and review any additional data collected during the interim prior to the ARD committee reconvening.
10. The ARD committee will reconvene with the same committee members present. Additional members may attend if listed on the ARD invitation. If an original member is unable to attend and an appropriate representative is not available for that role, the parent must complete the excusal form.
11. Continue on the same ARD at the reconvene (if annual, leave in Draft) and keep the ARD meeting date the same as the original date. The signature page will display the previous date and cannot be altered without changing the original date. Please go to the forms

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section and use the “Additional Signature Page,” which will allow you to enter the date.

Please ensure that you add the form when archiving the document.

12. Continue deliberations below the previous with the new date and state the reason for ARD (reconvene ARD).
13. After introductions and the reason for the ARD/reconvene, discuss areas of disagreement, not the whole ARD document, and share any new data from either the District or parent that was collected during the interim.
14. Update any changes made (if applicable).
15. Change service start dates (for goals, schedule pages, supplements, etc.) but keep the same end date, unless the end date will extend past the annual end date. Do not change the duration of the ARD dates (see example below):

Duration of Special Education Services From  04/21/2025 to  04/20/2026

16. If the annual ARD still ends in disagreement, the District will move forward with the proposed plan after the five-school-day waiting period. Services will begin on the fifth school day after the reconvened ARD and PWN is shared with the parent.
17. If a resolution is not reached, the Campus Evaluation Personnel will provide the parent with the Parent’s Guide to the ARD Process and Procedural Safeguard. The Campus Evaluation Personnel or LEA designee will verbally inform the parents of their legal rights and document this in the deliberations.
18. Complete a new signature page with an updated date.
19. The ARD should be archived and sent to the parent within 24 hours. The Prior Written Notice, reflective of both meetings, must be provided with the IEP. Ensure the date of the prior written notice is the date you are sending it, which may differ from the original

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ARD starting date. The five-school-day waiting period will begin after it is provided. The first day is the next school day after the PWN is provided.

20. Campus Evaluation Personnel will notify the Student Support Specialist of the non-consensus.

If we reach a non-consensus, we will offer to reconvene. If there is still no consensus, we will move forward with the proposed IEP five school days after the PWN is provided. Informally, parents have a right to write their disagreement and have it documented as part of the ARD or evaluation paperwork. Parents also have the right to more formal dispute resolution processes, such as requesting an IEE, TEA complaint, requesting mediation, or due process, etc.

### **Written Report of Meeting:**

Committee minutes are the way we tell the story of the ARD meeting. The required pieces of the meeting are documented in the ARD paperwork via Frontline. The Committee Minutes should assist with an understanding of the process and document how the ARD committee made the decisions and include information that may not be addressed on the ARD paperwork. It is not a word-for-word transcript.

For Annual ARDs you should follow the Annual ARD Agenda to help keep the Committee Minutes organized and following the sequence of the meeting. Here are some topics to discuss from the Annual ARD Agenda. Anything not fully explainable through Frontline documentation or any discussion, concerns & responses should be documented in the committee minutes.

### **Start Up**

Explain purpose of the ARD, verify 5 day notice was received and/or parent waived

Introduce participants and their roles

Review ARD agenda and outcomes

Make sure Parent & Child Rights are/have been provided/reviewed.

Review decision making process, ground rules

Ask Parent for input as far as agenda, questions about process, other information prior to moving forward

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Present Levels of Performance & Needs

Review any new assessment data (includes information from school district and from parent such as private testing, etc.). Is a re-evaluation needed?

Is student eligible to continue services? Determine eligibility

Review progress on previous year's goals & objectives

Present Levels of Academic Achievement and Functional Performance

Present Levels of Academic Achievement and Functional Performance (PLAAFP) is a statement of a student's present level of academic (social, behavioral, communication, health, and transition) achievement and functional performance. A PLAAFP describes how the student's disability affects his/her involvement and progress in the general education curriculum. A PLAAFP states the students: Strengths, Area(s) of Concern – The baseline data describe where the student currently is, without specialized instruction. The data used in the PLAAFPs should be the same as the baseline data identified in the IEP goals. It also describes the effect that the Area(s) of Concern has on the student's involvement and progress in the general education curriculum (justification as to why the student needs special education intervention).

Discuss Transition Planning/Graduation. Focus on outcomes and sustainability to make sure IEP aligns with transition goals. Be sure to include discussion of self-determination and how it will be addressed.

Discuss specific needs in the area of:

Language (second language learners as their needs relate to their IEP), Communication, Physical, Behavioral (includes behavioral data, attendance, discussion of need for supplements – FBA, BIP) and Assistive Technology

Establish Goals and Objectives

What is it that we want the child to know, understand, and be able to do a year from now?

Present proposed goals and short-term objectives/benchmarks & come to consensus

Include FBA & BIP here

Determine Appropriate Services & Placement

Accommodations (including personal care, if needed)

Discuss Accelerated Instruction needs, if applicable (Intensive Remediation under the SSI requirements)

Determine of State Assessment and need for accommodations

Determination of types of District-Wide Assessments and need for accommodations

Complete LPAC Supplement (if applicable) and discuss justifications

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Review current grades and current credits (if applicable)

Review District and/or State Assessment results

Supplementary Aids and Services

In what placement in the least restrictive environment can the goals and objectives be implemented appropriately? During this process all consensus members of the ARD should give input.

Discuss services to be provided (Don't forget to follow up on the ESY needs if appropriate)

Consider the least restrictive environment

Discuss justification for removal from general education environment

Finalize schedule of services and determine placement

\*How to document dyslexia minutes\* please refer to [#FAPE-Dyslexia Services](#)

Discuss ESY, transportation and any other needed supplements (AU, personal care, etc.) if not previously discussed.

Make sure parent has provided input in enhancing the education of their student at some point during this discussion

### Wrap Up

Provide assurances

Read Committee Minutes

Confirm agreements, including signatures

Develop action plan for follow up if needed

Distribute paperwork

Thank all parties for attending

The documentation should be factual. If the parent has concerns, those concerns should be addressed. If the parent disagrees with the Committee Minutes, it should be noted in the Committee Minutes. School personnel; however, do not have to change the Committee Minutes based on the parent's request.

The parent can provide additional information (e.g. notes, writings, etc.). The ARD Committee should be sure to document where the official Committee Minutes end and the parents additions begin.

**How is new or updated IEP information shared with Tomball ISD staff members who will be responsible for implementing the IEP?**

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The IEP document will be shared with the district personnel responsible for implementing the IEP through the Frontline Peer Portal by the case manager following the conclusion of the ARD. The case manager can verify through the portal that it was received by staff. In addition, the campus diagnostician, case manager, or speech-language pathologist will enter the following information into the appropriate Frontline screens in the student’s active record:

1. Consolidation of Important Dates (evaluation staff)
2. PEIMS Data (evaluation staff)
3. Measurable Annual Goals and Objectives (case manager and/or SLP)
4. Accommodation List (case manager and/or SLP)
5. eStar State Assessment (STAAR) (case manager and/or SLP)
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**What procedures are followed to ensure each student with a disability has an ARD/IEP document that is compliant?**

Our ARD meetings are projected for the committee to see the documents and edit as needed during the ARD meeting. This provides transparency and reduces errors. Our special education program sends data to our student information system and multiple levels of compliance checks are implemented for compliance. Additionally, PIEMS clerks are assigned to randomly selected student files to audit for compliance. This process helps to ensure a thorough check of the accuracy across all necessary screens within the Frontline system. Each selected file undergoes a detailed review to confirm that all information aligns with compliance standards and accurately reflects the student’s individual needs.

**What are the procedures followed to ensure the student’s schedule aligns with the services described in the ARD/IEP**

Case manager will oversee the student’s schedule to ensure it aligns with the IEP. Each service provider for the student will also cross reference the IEP to make sure they are meeting the minutes specified.

**What procedures are followed to document delivery of special education and related services?**

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At each grading period, case managers will complete progress reports that reflect the student's progress in relation to their Individualized Education Program (IEP). Case managers will maintain accommodation tracking logs to document the accommodations provided to students during instruction and assessments. Service logs will be utilized to record the specific services delivered to students. All completed documentation, including progress reports, accommodation tracking logs, and service logs, must be uploaded into Frontline for central access and record-keeping.

**Contact Information for Local ECI Agency**

If a parent suspects that their child age (birth-2 years and 6 months) may have a disability, they can contact their [Local ECI Agency](#) or contact the Student Supports Office at (281) 357-3140 and ask for assistance with locating the Local ECI Agency that services the home zip code.

The Health & Human Services Commission (HHSC) -formerly known as Texas Department of Assistive and Rehabilitative Services (DARS) - Specialist will be involved in the transition process for children with a visual impairment.

Tomball ISD is aware that children enrolled in the Regional Day School Program for the Deaf (RDSPD) will have the required transition conferences between 9 and 4 months prior to the child's 3rd birthday and referral at least 90 days prior to the child's 3rd birthday.

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"If a child's condition changes after the annual [individualized education program] IEP Team meeting, it would be appropriate for the IEP Team to consider whether revisions to the child's IEP are necessary. Because the child's placement is based on the child's IEP, if the IEP is changed, the placement team may need to determine whether the child's [least restrictive environment] LRE has changed, and if so, may need to make conforming changes to the child's placement. 34 CFR § 300.116(a)(2)." [OSERS Dear Colleague Letter on Children with Disabilities Residing in Nursing Homes \(April 26, 2016\)](#).

"For example, [for a child served in a nursing home] if a child's condition stabilizes or improves and the child's doctor believes the child can tolerate additional instruction or be transported to a local school for instruction, the child's IEP Team may need to revise the child's IEP to determine if additional services are warranted and the placement team may need to consider whether the nursing home continues to be the least restrictive setting

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where the child should receive [free appropriate public education] FAPE.” [OSERS Dear Colleague Letter on Children with Disabilities Residing in Nursing Homes \(April 26, 2016\)](#).

“If the child fails to make progress under the IEP, it should be reviewed and the reasons for the lack of progress be identified. The IEP, if necessary, should be revised to assist the child in achieving his/her annual goals, and services needed to achieve those goals are included in the IEP, including both special education and related services.” [OSEP Letter to Morris \(August 15, 2007\)](#).

“The IEP Team meeting serves as a communication vehicle between parents and school personnel and enables them, as equal participants, to make joint informed decisions regarding the services that are necessary to meet the unique needs of the child. The IEP team should work towards a general agreement, but the public agency is ultimately responsible for ensuring the IEP includes the services that the child needs in order to receive a free appropriate public education (FAPE). It is not appropriate to make IEP decisions based on a majority ‘vote.’” [OSEP Letter to Richards \(January 7, 2010\)](#).

**Application Guidance**

- [Guidance on ARD Guide Production and Required Dissemination](#) (TEA)
- [Parent’s Guide to the Admission, Review, and Dismissal Process](#) April 2016 (Region 18 ESC)

Through the implementation of the policies and procedures as outlined in the [Legal Framework](#) for the Child-Centered Special Education Process, the ensures that the admission, review, and dismissal (ARD) committee meetings are held as required by the Individuals with Disabilities Education Act (IDEA) and its accompanying federal regulations, state statutes and regulations.