

# The Down and Dirty of the Special Education Process: The Basic Questions Every Campus Administrator Should Ask at an ARD Committee Meeting

by

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The sequence of the following questions follows the traditional ARD committee meeting agenda, which is also reflected in the actual ARD report form.

**1. Have the parents been provided written notice of the ARD meeting at least 5 school days before the meeting?**

A combination of state and federal regulations require that parents of sp. ed. students be provided written notice of all ARD committee meetings at least 5 school days prior to the meeting.

In crisis situations, parents can be asked to come to a meeting without waiting 5 full school days, but they must agree to sign a waiver form that states that they waive the five-day notice requirement. This should only happen in emergency situations—don't abuse it or let your sp. ed. folks abuse it.

**2. Are all the required ARD members in attendance?**

Federal law requires that certain persons be in attendance at every ARD committee meeting. Under 1997 amendments to the law, the following persons are required ARD committee members—meaning, you can't have a valid meeting without them:

1. the parents;
2. at least one regular education teacher of the child, if the child receives any services in regular classes or might receive services there;
3. at least one special education teacher or a special education “provider” of the child;
4. a representative of the school who is qualified to provide or supervise special education services, is knowledgeable about the general (regular) curriculum, and is knowledgeable about the resources available at the school (i.e. an “administrative” or “supervisory” representative);

5. an “individual who can interpret the instructional implications of evaluation results, who may be one of the members listed above (except for the parent);
6. at the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel; and
7. the child, whenever appropriate.

Before the meeting gets going, make sure the right people are at the meeting. If not, take a short break while you get the necessary person or persons. If you absolutely cannot get a particular required person at the time, and you need to have the ARD meeting, ask the parents whether it would be OK with them to proceed with the meeting despite the lack of a required member. If they say no, then reschedule the meeting. If they say yes, make sure their agreement is noted in the ARD minutes.

**3. Are we reviewing any assessments today, or do we need to order an assessment?**

An educational plan is based upon the results of evaluations, which tell the ARD committee what the child’s disability is, what educational areas are affected, and how severe the child’s disability-related needs are. Thus, evaluation data is routinely characterized as the “foundation” upon which the IEP is built.

If the ARD committee has recently received a new evaluation report on the student, the committee has to review the assessment out loud in the meeting. The committee should discuss the basic findings of the evaluation, its conclusions, and its educational recommendations, if any.

Parents don’t have to understand every single aspect of an evaluation, but they should be explained enough about the evaluation to allow them to participate fruitfully in the ARD committee’s deliberations. Minority-language parents do not have to be provided verbatim translations of evaluations, but must know enough about the evaluation to participate meaningfully.

Sometimes, the ARD committee may determine that additional assessments are necessary. If so, make sure that a timeframe is established within which the assessment must be done. Also make sure everybody is clear as to exactly what type of assessment is being ordered.

**4. Does the child qualify for special education services? If so, under what category?**

This stage is called the “eligibility” stage, because at this stage the ARD committee determines whether the assessment data indicates that the student qualifies for sp. ed. services.

Students are eligible for services by virtue of qualifying under at least one of 12 disabling conditions listed in IDEA. The 12 eligibility categories are as follows:

- Autism (AU)
- Deaf-Blind (DB)
- Auditory Impairment (AI)
- Mental Retardation (MR)
- Multiple Disabilities (MD)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI)
- Emotional Disturbance (ED)
- Learning Disability (LD)
- Speech Impairment (Speech)
- Traumatic Brain Injury (TBI)
- Visual Impairment (VI)

If a student qualifies under the criteria set forth for any one of the above conditions, they may qualify for sp. ed. services. Many times, a sp. ed. student will qualify under a variety of conditions (e.g., LD, OHI, Speech).

Make sure that the ARD qualifies the student under the right areas, which should be apparent from the evaluations, as well as the eligibility reports. Eligibility reports are forms where the professional evaluators indicate in detail how the student meets eligibility criteria for a particular disabling condition.

Sometimes, the ARD committee will review an assessment on a new child and determine that the student does not qualify for sp. ed. services. If that is the case, the ARD committee will finish its job early, since it will not need to move on to the stages where the IEP goals and objectives are developed, or where placement is determined.

**5. Are we ready to develop the IEP?**

Once assessment is discussed and eligibility is established, the ARD committee moves on to developing the actual individualized educational plan (IEP), which is the basic plan that tells staff how to appropriately educate the student despite the presence of disabilities.

**A. Can we have a review of past year's goals and objectives and determine the child's present competencies?**

The process of developing the IEP starts with a review of past year's IEP goals and objectives. If the student was fully mainstreamed in regular classes, there will generally be no goals and objectives, since many mainstreamed students are working on age-appropriate TEKS. Students with more severe disabilities may not be able to function on the regular curriculum, and thus may require lower-level individualized annual goals and short-term objectives.

In order to figure out what objectives to develop for the current year, the committee needs to know how the child did on last-year's objectives. In addition, the committee also determines the child's present competencies. Both of these levels of review help ensure that the student is making measurable progress from year to year. If a student is not making progress on mastering IEP goals and objectives, there is one of two problems: either the goals and objectives are unrealistically advanced, or the services and the placement are not conducive to the child's progress on the objectives.

**B. Does the student need an individualized Behavior Intervention Plan (BIP)?**

If a student engages in recurring misbehavior that impedes his learning or the learning of others, the ARD committee should consider the need for a functional behavioral assessment and a BIP.

Remember that the issue is not whether the student knows right from wrong. If a student continues to engage in inappropriate behavior that affects their learning or that of others, the committee should plan for a functional behavioral assessment and an eventual BIP.

A functional behavioral assessment can consist of the ARD committee brainstorming regarding a student's behavior, based on observation data. The key is to determine what the problem behaviors are, under what circumstances they arise, and potentially, what techniques, approaches, and strategies might be effective in dealing with the behaviors. The process leads to information that forms the basis for the BIP. A BIP does not mean that the regular code of conduct goes out the window—rather, it means that some specific problem behaviors have been earmarked by the ARD committee for “special handling.”

**C. Are we ready to develop new IEP goals and objectives?**

Special education teachers usually draft IEP objectives, based upon the evaluation data, as well as criterion-referenced assessments like the Brigance Test. The teachers usually draft objectives prior to the ARD meeting, and then review them before the committee, which then approves or revises the objectives. Make sure the goals and objectives are reviewed out loud and that the parents are invited to provide input. No matter how uneducated a parent may be, they probably have some ideas regarding what they want their child to learn next year.

Make sure that the IEP goals and objectives sheets are fully completed, showing duration, language of delivery, mastery criteria, an evaluation procedure to determine progress, and a schedule for such mini-evaluations.

**D. Do we need to discuss classroom modifications for the student's regular classes?**

Many sp. ed. students can make appropriate progress in regular classes on the regular curriculum (TEKS), as long as an appropriate set of instructional modifications are provided in the classroom. It is the ARD committee's job to determine what modifications are required. Most ARD/IEP forms include a modifications sheet(s), where the committee can order modifications and document them on a checklist format.

Remember that a short and simple set of modifications that is well-implemented is likely to be better than a lengthy list of modifications that are implemented inconsistently. Since modifications should not be listed on an "as needed" basis, the ARD committee should limit the checked modifications to those that must be implemented consistently in order for the student to make progress in the regular class. The teachers are free to do other modifications as they see fit from time to time. But those "sometimes needed" modifications should not be listed on the IEP modifications sheet.

Remember that as a campus administrator and supervisor, part of your job is to ensure that classroom teachers are properly implementing the IEP modifications. Administrators need to let their teaching staff know that they expect full, complete, and consistent implementation of all IEP modifications for sp. ed. students in regular classes.

**6. Will the student take the TAAS?**

The ARD committee must make determinations regarding whether the student will take the TAAS, and if not, what alternative assessment will be provided.

Both the state and the feds are getting tougher on exemptions. Generally, however, an ARD committee may exempt a student in any of the following three situations:

- a. the student is too severely disabled to feasibly take and respond to a standardized test;
- b. in order to have a reasonable chance at passing, the student would require a greater degree of modifications than allowed by TEA; or
- c. the student is currently not being taught at, or exposed to, the curriculum grade level being tested by the appropriate TAAS.

**7. Have the LRE assurances been completed?**

The law requires that students be placed, to the greatest degree appropriate, in a setting where the student will learn and interact with non-disabled peers. This is

called the least restrictive environment (LRE) mandate. All full ARD reports contain a variety of assurances regarding LRE issues that must be completed at the ARD meeting. Make sure the committee fills these out. This is usually accomplished by a committee member with experience in dealing with these documents.

Part of the LRE assurances may include a determination regarding the student's participation in extracurricular activities. Sp. ed. students have a right to equal access to extracurricular and nonacademic activities. Sometimes, the committee may have to modify the application of the "no pass, no play" requirement in order to ensure that a sp. ed. student will have an equal opportunity to participate. This can become a big issue if the student has academic difficulties but is extremely interested in participating in extracurricular activities.

**8. Do we have a complete schedule of services?**

Toward the end of the ARD forms will appear a page with a variety of boxes that show a student's schedule, indicating what sp. ed. classes they will take, and what regular classes they will attend.

If content mastery assistance will be provided, make sure the committee notes it on the schedule of services page. Additionally, make sure that content mastery is stated in terms of specific amounts of time per week or month.

**9. Will the student need any related services?**

Related services, such as physical therapy (PT), occupational therapy (OT), or counseling, are those services that a student requires in order to benefit from the IEP. When needed, these services are noted on the schedule of services page, usually in a separate box entitled "related services."

Make sure the committee has considered whether any related services might be necessary. If the committee thinks a related services may be required, it will have to conduct an assessment in that area, which will later tell the committee whether in fact the student requires the service, and if so, how much.

If the committee already has assessed the need for a related service, and is in agreement as to the amount of service, make sure the committee indicates the service in very specific terms (e.g., individual counseling 30 mins./week and a one-hour group counseling session per month).

**10. What is our consensus regarding the student's placement?**

The final substantive decision of the ARD committee is where the child's IEP will be implemented. This is the placement stage of the ARD, which comes after a review of assessment and development of goals and objectives.

Make sure the committee indicates the child's assigned campus, as well as the precise instructional arrangement (e.g., resource, mainstream, self-contained).

**11. Are there any other supplements that we need to consider and attach to the ARD report?**

There are some supplements addressing particular issues that may need to be attached to the ARD report, depending on the student and their disability. For example, IEPs of students with Autism must include the Autism ARD Supplement, which asks a variety of additional service-related questions. As another example, if a student may experience substantial regression over the summer break, the ARD committee will have to discuss Extended Year Services (EYS), which requires the completion of another supplement. There are a variety of other supplements you don't necessarily need to know everything about. But, make sure your sp. ed. staff adds any required supplement, after discussion, to the ARD report.

**12. Can we pass around the signature page?**

The last form in the ARD report is likely to be the signature page, where every member indicates their attendance, position, and, if a required member, their agreement or disagreement with the IEP.

Ensure that all participants, including non-required participants, sign to indicate their attendance. If the parent disagrees, make sure that a committee member explains the disagreement and 10-day recess procedure to the parent. In a disagreement situation, the parent has a right to another meeting, called a "recess" meeting, within 10 school days. If the parent wishes to have a recess, make sure the committee schedules a date and time for the meeting right then and there.

**13. Can we have a reading of the ARD minutes?**

Most ARD committees have a member that takes minutes of the ARD committee deliberations as they proceed. At the end of the ARD, have the minutes read out loud, and any inaccuracies corrected.

**14. How will we be providing a copy of the ARD report and IEP to the parents?**

Make sure somebody takes on the responsibility of either copying the document right then, or mailing a copy to the parent within a reasonable time after the meeting.