

TEXAS COLLEGE PREPARATORY ACADEMIES SPECIAL EDUCATION OPERATING PROCEDURES: CHILDREN WHO TRANSFER

Texas College Preparatory Academies Board Policy along with these *Special Education Operating Procedures* constitute the Policies and Procedures of Texas College Preparatory Academies, designed to be consistent with the State policies and procedures developed pursuant to the IDEA. Texas College Preparatory Academies' *Special Education Operating Procedures* are not to be for the purpose of creating a requirement that is not otherwise imposed by the Individuals with Disabilities Education Improvement Act ("IDEA"), together with its implementing federal regulations, state statutes and rules, as they shall from time to time be amended, and shall not be construed to create a higher standard than that established by IDEA. These *Special Education Operating Procedures* will be posted on ResponsiveEd's website. These *Special Education Operating Procedures* should be interpreted consistent with the IDEA. Texas College Preparatory Academies' *Special Education Operating Procedures* are reviewed and updated, as needed, on at least an annual basis. Texas College Preparatory Academies will make timely changes to policies and procedures in response to IDEA amendments, regulatory or rule changes, changes to state policy, or new legal interpretation as are necessary to bring Texas College Preparatory Academies into compliance with the requirements of IDEA. Texas College Preparatory Academies maintains systems to ensure that all students with disabilities enrolled in the Charter, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and provided a free appropriate public education. Texas College Preparatory Academies maintains systems to ensure that students with disabilities and their parents are afforded the procedural safeguards required under the IDEA (and its implementing federal regulations, state statutes and rules) including with respect to the confidentiality of records and personally identifiable information.

What about students who transfer?

If a student is in the process of being evaluated for special education eligibility by another public school district and enrolls in the Charter before the evaluation is completed, the Charter will coordinate with the student's previous school district to ensure prompt completion of the initial evaluation. If the student transfers from another public school district when an initial evaluation is pending, the timelines for conducting the evaluation apply to Texas College Preparatory Academies unless:

- the Charter is making sufficient progress to ensure a prompt completion of the evaluation; and
- the parent and the Charter agree to a specific time when the evaluation will be completed.

If a student transfers from another school district in Texas with an Individualized Education Plan (IEP), the Charter will provide a free appropriate public education to the transfer student by providing services comparable to the services described in the student's IEP from the student's previous school district until:

- the Charter adopts the student's IEP from the previous school district, or

- the Charter develops, adopts and implements a new IEP in accordance with the procedures outlined in the Charter’s FAPE Composite Operating Procedure.¹

If a student transfers from another state with an IEP, the Charter will offer services comparable to the services described in the IEP from the sending school district until the Charter takes the following actions:

- conducts a new full and individual evaluation, as described in **the Charter’s Evaluation Procedure Operating Procedure**, if the Special Education administration determines that a new evaluation is necessary; and
- develops, adopts and implements a new IEP, if appropriate, in accordance with the procedures outlined in **the Charter’s FAPE Composite Operating Procedure**.²

Additionally, the Charter will take reasonable steps to promptly obtain a transfer student’s special education and general education records from the sending school district.³

Demonstrations of this procedure’s implementation may include, but are not limited to, examples such as:

- Texas Record Exchange (TRES) requests
- Telephone logs of calls to prior school Charters and demonstrating calls to students’ parents seeking collaboration
- Records from prior schools
- Training materials
- Parent meeting documentation

¹ 34 C.F.R. § 300.323(e)

² 34 C.F.R. § 300.323(f)

³ 34 C.F.R. § 300.323(g)