

BRUSH COUNTRY CO-OP

PROCEDURES FOR TRANSFER OF STUDENTS RECEIVING SPECIAL EDUCATION

I. Transfer of students coming from other school districts in Texas receiving special education –

The ARD committee is not required to hold a transfer ARD meeting upon enrollment if the following criteria are met:

- a. The student is transferring from another school district in Texas;
- b. A copy of the I.E.P. from the previous Texas school district is available;
- a. The parents indicate in writing that they are satisfied with the current I.E.P. (Complete the **“Out-of-District Transfer Student Receiving Special Education”** form); and,
- c. BCC District determines that the current I.E.P. is appropriate and can be implemented as written.

*If the above criteria are met, the student may begin receiving services until a **20 school day follow-up ARD** meeting is held. The following procedures will need to be followed:*

1. Provide parent with a copy of the Procedural Safeguards;
2. Obtain **Consent for Initial Placement**;
3. Enter the student information into SuccessEd, including last ARD date and assessment dates from the previous school district;
4. Turn in a handwritten PEIMS 163 report to PEIMS clerk as soon as services are started in BCC District;
5. Request all special education records from the previous school district and ensure that they are complete;
6. Schedule a follow-up ARD meeting within **20 school days** to enter ARD/I.E.P. data into SuccessEd; and,
7. If records from the previous district are found to be incomplete, the ARD committee should request additional testing as needed. A notice and consent for testing will need to be completed. Another ARD meeting will be required to present the new assessment results.

Transfer ARD meeting required upon enrollment

The ARD committee must meet if sections a, b, c, and d from above are not met. The following procedures will need to be followed:

- b. The ARD committee **must meet when the student enrolls**;
- c. Obtain **Consent for Initial Placement**;

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- d. The parents must verify that the student was receiving special education services in the previous school district, or the previous school district verifies in writing or by telephone that the student was receiving special education services. (Complete ***“Out-of-District Transfer Student Receiving Special Education”*** form.)
- e. The ARD committee must determine **ONE** of the following:
 - 1. The ARD committee determines that it has appropriate evaluation data and other information to develop and begin implementation of a complete I.E.P. for the student. (Complete ARD/I.E.P. documents in SuccessEd and submit a PEIMS 163 report to the PEIMS clerk.) **OR...**
 - 2. The ARD Committee determines that valid evaluation data and other information are insufficient or unavailable to develop a complete I.E.P.

In this case, the ARD committee may authorize temporary provision of services (20 school days) pending information from the previous school district or the collection of new evaluation data by BCC District. Complete appropriate transfer ARD documents, obtain Consent for Release of Information and Notice/Consent for Evaluation. Submit a handwritten PEIMS 163 report to the PEIMS clerk.

In this situation, a second ARD meeting must be held within 20 school days from the date of the first ARD committee meeting to finalize or develop an I.E.P. based on current information. A new PEIMS 163 report must be submitted to the PEIMS clerk.

II. IEPs for children who transfer from another State

If a child with a disability, who had an IEP that was in effect in a previous school district in another state, transfers and enrolls in a new school within the same school year, the BCC District (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous school district), until the BCC District—

- a. **Holds an ARD meeting without undue delay after enrollment to determine if the IEP developed by the previous state will be adopted by the BCC District; determines if it must be revised or if a new IEP must be developed.**
- b. Discusses at this meeting any needed evaluations including reconsideration of eligibility (if data suggests that the student is not identified correctly or is not eligible in Texas and to initiate the eligibility process if appropriate).
- c. Provides whatever services are included on the transferring IEP until revisions are made or a new one is developed.

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- d. Determines that the existing IEP is appropriate and shall be adopted as written, the BCC District shall serve the student consistent with the IEP with consent of the parents. The existing IEP shall be transferred to BCC forms and Procedural Safeguards must be provided.
- e. Obtains **Consent for Initial Placement;**
- f. And/or parent(s)/guardian/surrogate/student (age of majority with appropriate documentation) are not satisfied with the current IEP or portions of the IEP as written, or if revisions to the existing IEP is needed, the BCC District must conduct an ARD meeting without undue delay or **within 20 calendar days** after accepting the evaluation and eligibility determination from the previous state.
- g. Cannot obtain eligibility information within **20 days** of enrollment from the previous school division, the BCC district must initiate evaluation and eligibility procedures to determine if the student has a disability and requires special education and related services.

III. Transmittal of records

To facilitate the transition for a child described in this section—

- (1) The BCC District in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school district in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2); and,
- (2) The previous school district in which the child was enrolled must take reasonable steps to promptly respond to the request from the new BCC District.

