

Trinity Environmental AcademyCounty School No.: **057849****CHARTER SCHOOL POLICY****ADMISSION, REVIEW, AND DISMISSAL
(ARD) COMMITTEE MEETING**

It is the policy of Trinity Environmental Academy open-enrollment charter school to hold an Admission, Review, and Dismissal (ARD) committee meeting for each student that qualifies for special education and related services in accordance with the Individuals with Disabilities Education Act (IDEA).

Through an ARD committee meeting Trinity Environmental Academy open-enrollment charter school will create an appropriate individual education program (IEP) in accordance with the IDEA and the IEP policy of Trinity Environmental Academy open-enrollment charter school.

Admission, Review and Dismissal (ARD) Committee

Before a student is enrolled in a special education program of Trinity Environmental Academy open-enrollment charter school, Trinity Environmental Academy shall establish a committee composed of the persons required under 20 U.S.C. §1401(11) to develop the student's IIEP, including:

- 1) Parent or Adult Student
- 2) General education teacher of the student
- 3) Special education teacher of the student
- 4) A representative of Trinity Environmental Academy open-enrollment charter school that is knowledgeable about general education curriculum, knowledgeable about the availability of resources, and qualified to provide or supervise the provision of, the specially designed instruction to meet the needs of the student with a disability;
- 5) A person who can interpret instructional implications of evaluations. This may be one of the other members.
- 6) At the discretion of the parent or Trinity Environmental Academy open-enrollment charter school, other individuals who have knowledge or expertise regarding the student, including related services providers
- 7) Student, when appropriate

(19 TAC §89.1050(c))

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A representative of the school's Career and Technology Education (CTE) program is a required member of the ARD committee when considering initial and continuing placement of a student in CTE.

(TEC §29.005(a); 34 CFR §75.1023(d)(1); 20 USC §2301)

ARD Committee Member Absences and Excusal

All members of a student's ARD committee must be in attendance at a student's ARD meeting, unless the member is not required, or is excused.

Prior to an ARD meeting, a member of the committee may not be required to attend, in whole or in part, if the parent and Trinity Environmental Academy open-enrollment charter school agree in writing that the attendance of the member is not needed.

During an ARD meeting, it is the policy of the Trinity Environmental Academy open-enrollment charter school to obtain consent from the parent or adult student before excusing a member from remaining at an ARD committee meeting. If a member is excused, it may be reflected in the deliberation notes. An ARD committee member should not be excused prior to addressing the member's portion of the IEP.

ARD Committee Meeting Notification

Trinity Environmental Academy open enrollment charter school will provide parent or adult student written notice of each scheduled ARD meeting at least 5 days prior to the meeting. The notice must designate who will be in attendance, the purpose of the meeting, location, time and what topics will be discussed. (19 TAC §89.1015; 34 CFR §300.322)

Annual ARD Committee

For each student that receives special education and related services, an ARD committee meeting will be held periodically, but no less than annually to review and update the individual education program (IEP).

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(34 CFR §§300.320; 300.324)

A parent or Trinity Environmental Academy open-enrollment charter school may request an ARD committee meeting be held prior to the annual ARD meeting. If parent requests a meeting in writing, Trinity Environmental Academy open-enrollment charter school will schedule a meeting at a mutually agreed upon time and place, or provide notice within 5 school days explaining the school's denial of the request.

(19 TAC §89.1050(e))

Reaching Closure and Consensus

The ARD committee shall develop the IEP by agreement of the committee members or, if those persons cannot agree, by an alternate method provided by the Texas Education Agency. Majority vote may not be used to determine the IEP. (TEC §29.005(b))

If the IEP is not developed by agreement, the ARD Committee must comply with the requirements of 19 TAC §1050(h) and ensure that the written statement of the program required under 20 U.S.C. §1401(11) includes the basis of the disagreement. (TEC §29.005(c)).

If the ARD meeting ends in disagreement, it is the policy of Trinity Environmental Academy open-enrollment charter school to provide the parent with a recess. The recess shall not exceed 10 school days. During the recess, the committee members shall and the parent may gather additional information in order to help the committee reach consensus. If after 10 schools days, consensus cannot be reached, Trinity Environmental Academy shall implement the IEP that was determined to be appropriate for the student.

A parent may waive the 10 days recess.

(19 TAC §89.1050)

Through consensus of the ARD committee members, an ARD meeting may be recessed without reaching agreement or disagreement.

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Trinity Environmental AcademyCounty School No.: **057849*****Parent's Native Language and Documentation***

If the student's parent is unable to speak English, the open-enrollment charter school shall communicate with the parent in the parent's native language or other mode of communication the parent uses in accordance with the school's policy on use of parents' native language.

It is the policy of Trinity Environmental Academy open-enrollment charter school to translate the IEP for a Spanish-speaking parent. A translation may include, a written translation of the IEP or a recording of a reading of the IEP in Spanish. A recording of the ARD meeting is not sufficient, unless all parts of the IEP are discussed and the translation is clearly audible on the recording. (TEC §29.005)

Amendment without a Meeting

After the annual admission, review and dismissal (ARD) meeting, changes to the IEP other than eligibility determinations, changes of placement, and manifestation determination reviews may be made either:

- By the entire ARD committee; or
- By amending the IEP rather than by redrafting the entire IEP.

(34 CFR §300.324)

ARD Committee Meeting without the Parent

It is the policy of Trinity Environmental Academy open-enrollment charter school to ensure that parents can attend the ARD meeting or have the opportunity to participate. Trinity Environmental Academy will work with the parent to come to an agreeable time or provide an opportunity to participate via conference call. (34 CFR §§300.322; 300.328)

If Trinity Environmental Academy is unable to convince parent to attend the ARD meeting, Trinity Environmental Academy may proceed with an ARD

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meeting without parent in attendance. Trinity Environmental Academy will document written notices sent to parent and phone calls with parent attempting to schedule a mutually agreeable time for the ARD meeting.