Information Concerning Special Education and Education of Children with Learning Difficulties

Trinity Charter School open-enrollment charter school is required to provide in our student and parent handbook, a copy of the “Providing Assistance to Students Who Have Learning Difficulties or Need Special Education Services,” developed by the Texas Education Agency or an equivalent statement. The letter statement must include an explanation of that the parent is entitled to request an evaluation at any time.

A copy of TEA’s letter can be found at http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/Programs_and_Services/Student_Handbook_Statement__English/ A copy of our current letter can be found at www.trinitycharterschools.org, at the end of this policy or by contacting Special Education Director.

(TEC §26.0081)

Referral for Full and Individual Initial Evaluation

It is the policy of Trinity Charter School open-enrollment charter school to make referrals of students for a full and individual initial evaluation for possible special education services part of the open-enrollment charter school’s overall general education referral or screening system. At any time a parent, TEA, another state agency, or the school may initiate a request for an initial evaluation.

Before referral, students experiencing difficulty in the general classroom will be considered for all support services available to all students. However, the use of interventions, including RTI may not be used to delay or deny an evaluation requested by the parent.

(34 CFR §§300.304-300.311; OSEP 11-07 RTI Memo)

If after general education supports and interventions are tried, and a student continues to experience difficulty in the general classroom after the provision of interventions, school personnel must refer the student for a full and individual initial evaluation.

(20 U.S.C. 1414(a)(1); 34 CFR 300.301; 19 TAC 89.1011)
A reasonable time before the school proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the school shall provide written notice to the student’s parent or guardian.
(20 U.S.C. 1415(b)(3); 34 CFR 300.503(a))

The school shall conduct a full and individual initial evaluation before the initial provision of special education and related services. (20 U.S.C. 1414(a)(1)(A))

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation will not be considered to be an evaluation for eligibility for special education and related services. (20 U.S.C. 1414(a)(1)(E))

Trinity Charter School open-enrollment charter school must promptly request consent for initial evaluation whenever the student is referred for an evaluation and if, prior to a referral, the student has not made adequate progress after an appropriate period of time when provided instruction as follows:

- Appropriate instruction in regular education settings, delivered by qualified personnel as demonstrated by the data; and
- With data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student’s progress during instruction, which was provided to the student’s parents.
(34 CFR 300.309(c))

Trinity Charter School open-enrollment charter schools must also accept a referral for special education services made for a student who is homeless or in substitute care by a school previously attended by the student. (TEC 25.007)

**Providing Assistance to Students Who Have Learning Difficulties or Need Special Education Services (required statement)**

If a child is experiencing learning difficulties, the parent may contact the person listed below to learn about the district’s overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or
behavior support services that are available to all students including a process based on Response to Intervention (RtI). The implementation of RtI has the potential to have a positive impact on the ability of districts to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services. Within 15 school days, Trinity Charter School open-enrollment charter school must respond to the parent’s request. If an evaluation is needed, Trinity Charter School must provide parent with consent forms. Once informed consent is received, Trinity Charter School must complete the evaluation and the report within 45 schools days of the date the school receives the written consent. Trinity Charter School must give a copy of the evaluation report to the parent.

If Trinity Charter School determines that the evaluation is not needed, Trinity Charter School will provide the parent with prior written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights, if they disagree with Trinity Charter School. Trinity Charter School is required to give parents the Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities. Additional information regarding the IDEA is available from the school district in a companion document A Guide to the Admission, Review, and Dismissal Process.

The following websites provide information to those who are seeking information and resources specific to students with disabilities and their families:

   Texas Project First
   Partners Resource Network

The designated person to contact regarding options for a child experiencing learning difficulties or a referral for evaluation for special education services is:

Contact Person: Darrell Cox

Phone Number: 512-459-1000