

DONNA INDEPENDENT SCHOOL DISTRICT SPECIAL EDUCATION OPERATING PROCEDURES: AUTISM

The Donna Independent School District has entered into an Interlocal Agreement to cooperatively operate its special education programs under the authority of Tex. Ed. Code § 11.157. The Special Education Director, Special Education Services Cooperative may provide for the efficient delivery of legally required special education and related services to the Donna Independent School District's eligible students with disabilities as set forth in the Interlocal Agreement, including the implementation of these Special Education Operating Procedures.

DONNA ISD Board Policy along with these *Special Education Operating Procedures* constitute the Policies and Procedures of DONNA ISD, designed to be consistent with the State policies and procedures developed pursuant to the IDEA. DONNA ISD *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 DONNA ISD's website. These *Special Education Operating Procedures* should be interpreted consistent with the IDEA. DONNA ISD's *Special Education Operating Procedures* are reviewed and updated, as needed, on at least an annual basis. DONNA ISD 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 DONNA ISD into compliance with the requirements of IDEA. DONNA ISD maintains systems to ensure that all students with disabilities residing in the District, including students with disabilities attending non-public schools, 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. DONNA ISD 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.

AUTISM

Students with autism typically have a developmental disability *significantly* impacting verbal and nonverbal communication and social interaction which adversely affects a student's educational performance. This delay generally manifests prior to age 3.¹

A student may not be determined eligible as a student with autism if the student's educational performance is adversely affected primarily because the student has an emotional disturbance.²

The written evaluation report by the group of qualified professionals must include specific recommendations for behavioral interventions and strategies.³

Additional characteristics associated with autism may include—

- engagement in repetitive activities and stereotyped movements;
- resistance to environmental change or change in daily routines; and/or
- unusual responses to sensory experiences.

¹ 34 C.F.R. § 300.8(c)(1)

² 34 C.F.R. § 300.8(c)(1)(ii)

³ 19 TEX. ADMIN. CODE §89.1040(c)(1)

A student who manifests the characteristics of autism after age 3 could be identified as having autism if the criteria in this section are identified.⁴

The definitions of conditions or categories that are used for purposes of establishing an individual's eligibility for mental health services, as found in the Diagnostic and Statistical Manual of Mental Disorders (DSM), are not synonymous with criteria used for determining whether a child is a “child with a disability” for purposes of establishing eligibility for services under the IDEA.⁵ The group of qualified professionals conducting an evaluation of a student suspected of having autism will conduct assessments and observations, and collect data, as necessary for the ARD Committee to make an eligibility determination.

PRACTICE GUIDE—When evaluating a student suspected of having autism, the group of qualified professionals conducting the evaluation may consider components such as observations during structured and unstructured times, autism rating scales by more than one rater, speech and language assessment, functional behavioral assessment (FBA) and private evaluation reports diagnosing autism. Private evaluation reports diagnosing or identifying autism may be considered along with the District’s autism evaluation of the student. If appropriate to understand the private evaluation report and its recommendations or conclusions, the District may seek the parent’s or guardian’s consent to release and exchange confidential information with the private provider. If appropriate, the group is encouraged to make recommendations concerning strategies for students with autism as necessary for the development of the IEP. See also SECTION 3.3: FAPE. Recommendations in the evaluation report should be based upon the student’s unique needs rather than the area of eligibility.

FOR MORE INFORMATION

In Texas, eligibility is determined by the student’s Admission, Review and Dismissal (ARD) committee.⁶ The phrase *multidisciplinary team* refers to the group of District staff tasked with using a variety of assessment tools and strategies to gather relevant functional, academic and developmental information about the student, including information provided by the parent, as part of the special education evaluation process.⁷ For more information, please contact Special Education Director.

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

- Multi-Tiered Systems of Support or Response to Intervention Data
- Student specific data collection and monitoring
- Observation data
- Evaluation Reports
- Collection of information from parents and independent service providers
- ARD committee reports

⁴ 34 C.F.R. § 300.8(c)(1)(iii)

⁵ *Letter to Coe* (OSEP 9/14/1999)

⁶ 19 TEX. ADMIN. CODE § 89.1040(b); 19 TEX. ADMIN. CODE § 89.1050(a)(5)

⁷ 34 C.F.R. § 300.306