

Fort Hancock Independent School District District Improvement Plan

2023-2024



Mission Statement

Fort Hancock Independent School District, in collaboration with parents and the community, will provide its students a safe and effective learning environment with opportunities to develop into responsible and successful citizens.

Vision

Fort Hancock Independent School District is committed to building critical thinkers and life-long learners of good character, confidence, and leadership who will become productive members of society.

School Motto

Success for ALL!

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Comprehensive Needs Assessment

Demographics

Demographics Summary

Ft Hancock ISD is located in Hudspeth County, Texas we are approximately 50 miles east of El Paso. Our Benito Martinez Elementary campus serves students in grades Pk-6 and our Ft Hancock High School campus serves students in grades 7-12. Our current student enrollment is at 387. We have a Title 1 Schoolwide program. This year our emergent bilingual population is 62%. We service our Emergent Bilingual students through a Dual Language Immersion Two-Way program at the elementary and an ESL pull-out program in the secondary. Our Special Education population is 11%. Our SPED program instructional setting includes mainstream, resource room, self contained, speech and occupational therapy. Our migrant population is 5%. We have 181 female students and 206 male students. 96% of our student population is Hispanic. We have a 0% drop-out rate and a 100% graduation rate. 90% of our teachers are Hispanic and 96% of our students are also Hispanic. 100% of our teachers and instructional aides are highly qualified.

Demographics Strengths

- The student population of our district is 100% Title I schoolwide which enables our funding source to serve the needs of all students.
- With a 62% Emergent Bilingual population, bilingual funds are used to target Emergent Bilingual students' academic needs related to language proficiency.
- 90% of our teachers are Hispanic and 96% of our students are also Hispanic. Being taught by a teacher of the same race or ethnicity helps to lessen biases and cultural misunderstandings, increases access to role models and mentors and fosters student engagement in classroom activities.
- We have a 0% drop-out rate and a 100% graduation rate. Being a small community allows school personnel to inform parents of the importance of staying in school. Working together with parents, families and communities provides authentic opportunities to make all of our students academically prepared to meet state and federal accountability.

Problem Statements Identifying Demographics Needs

Problem Statement 1 (Prioritized): Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

Student Learning

Student Learning Summary

Our student STAAR/EOC scores for 2022-2023 with 2021-2022 comparison.

RLA	MATH	SCIENCE
3rd- 64%	3rd- 45%	N/A
4th- 70%	4th-50%	N/A
5th-96%	5th-79%	5th 92%
TOTAL	TOTAL	TOTAL
58/76=76%	44/76=58%	22/24=92%
2021-2022	2021-2022	2021-2022
75%	70%	72%

RLA	MATH	SCIENCE	SOCIAL STUDIES
6th-67%	6 th -90%	N/A	N/A
7 th -68%	7 th -50%	N/A	N/A
8 th -77%	8 th -70%	8 th -68%	8 th -52%
TOTAL	TOTAL	TOTAL	TOTAL
67/95=71%	65/94=70%	21/31=68%	16/31=52%
2021-2022	2021-2022	2021-2022	2021-2022
72%	72%	80%	60%

ENGLISH I	ENGLISH II	ALGEBRA I	BIOLOGY	US HISTORY
75%	61%	87%	97%	97%
2021-2022	2021-2022	2021-2022	2021-2022	2021-2022
65%	65%	68%	68%	92%

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STAAR by Subject

Percent of Tests	All Subjects	ELA Reading	Mathematics	Science	Social Studies
At Approaches Grade Level Standard or Above	71%	71%	71%	72%	77%
At Meets Grade Level Standard or Above	40%	46%	27%	45%	61%
At Masters Grade Level Standard	13%	16%	6%	14%	32%

According to our TEA 2022 Snapshot data:

College Admissions (2020-21)

SAT/ACT - Tested	: 90.9%
SAT/ACT - At or Above Criterion	: 5.0%
SAT - Average Score	: 884
ACT - Average Score	:

Attendance, Dropout and Graduation Rates

Attendance Rate (2020-21)	: 95.3%
Annual Dropout Rate Gr. 9-12 (2020-21)	: 0.0%
4-Year Longitudinal Graduation Rate (Class of 2021)	: 100.0%
5-Year Longitudinal Graduation Rate (Class of 2020)	: 100.0%
6-Year Longitudinal Graduation Rate (Class of 2019)	: 96.2%
Annual Graduate Count (2020-21)	: 22
Annual RHSP/DAP/FHSP-E/FHSP-DLA Graduate Count (2020-21)	: 19

Student Learning Strengths

- High Quality Instructional Materials (HQIM) in RLA and Mathematics has been purchased through the LASO grant. The implementation of these resources also includes our elementary teachers K-6 and principal taking part in year long professional learning through asynchronous modules and live virtual communities of practice. Research Based Instructional Strategies (RBIS) training is being done district wide for RLA, Mathematics, and SPED teachers as well as administrators in order to create instructional frameworks for RLA and Mathematics. This work is being guided by E3 Alliance who are our TEA approved service providers. Students now have access to grade-appropriate assignments and are afforded access to instruction that asks them to think and engage deeply with challenging material.
- The rest of our content areas continue to use the TEKS Resource System Curriculum along w/the TExGuides and Implementing TEKSRS+.
- We have partnered with E3 Alliance since 2021-2022 SY to develop district-wide research-based best practices. The implementation of our Ft. Hancock ISD playbook enables students to receive consistent instructional strategies from content to content, from teacher to teacher and from year to year.
- Our secondary campus is a RSSP recipient. We started The Resilient Schools Support Program in 2021-2022 and this is our final year of support through the TCLAS grant. This program provides expert support to help our district plan for and implement top COVID recovery and learning acceleration strategies. This has allowed our district to prioritize planning time for teachers through a modified class schedule to give PLC time to teachers in order to plan together and better focus on meeting student needs. This RSSP work has also allowed for a unified walkthrough form district wide which allows for just-in-time teacher feedback and coaching. Documents and procedures have also been created which allows students to reflect on their own learning and to set individualized goals with their teachers.

Problem Statements Identifying Student Learning Needs

Problem Statement 1 (Prioritized): Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

District Processes & Programs

District Processes & Programs Summary

High Quality Instructional Materials (HQIM) in RLA and Mathematics have been purchased through the LASO grant. The implementation of these resources also includes our elementary teachers K-6 and principal taking part in year long professional learning through asynchronous modules and live virtual communities of practice. Research Based Instructional Strategies (RBIS) training is being done district wide for RLA, Mathematics, and SPED teachers as well as administrators in order to create instructional frameworks for RLA and Mathematics. This work is being guided by E3 Alliance who are our service providers. Students now have access to grade-appropriate assignments and are afforded access to instruction that asks them to think and engage deeply with challenging material.

The rest of our content areas continue to use the TEKS Resource System Curriculum along w/the TExGuides and Implementing TEKSRS+.

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District Processes & Programs Strengths

- District wide coordination of curriculum, programs and professional development in order to align instruction and interventions
- Ongoing collaboration among campuses via PLCs
- Per pupil technology ratio is 1 to 1 district wide
- All classrooms have access to interactive boards and instruction document cameras
- Students have access to a mobile device and/or hot spot for remote learning as needed

Problem Statements Identifying District Processes & Programs Needs

Problem Statement 1 (Prioritized): Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

Perceptions

Perceptions Summary

District-wide parent meetings are held monthly and translation is provided. The topics for these meetings are chosen by our parents. Their feedback throughout the year helps us to determine what presenters to bring in. At each of these meetings a time is set aside for tips and strategies for bilingual, special education and regular education students. Time is also spent on comments and suggestions. Campus principals and district leadership are always present in order to provide support and answers to parents and families. At the end of last school year, a district wide climate survey was given to parents & families via our social media sites & class dojo. Our students took the survey at school. The survey was anonymous. Here are the results.

School Climate Survey: Elementary	
Benito Martinez EI Fort Hancock, Texas	
School Years: 2022 - 2022 Survey Closed: 6/1/2023	
*N=Number of respondents	
Climate Survey Items	6/01/23 N=74
1. I like school	2.22
2. I feel like I do well in school	2.64
3. My school wants me to do well	3.65
4. My school has clear rules for behavior	3.68
5. Teachers treat me with respect	3.41
6. Good behavior is noticed at my school	2.77
7. I get along with other students	2.85
8. I feel safe at school	2.78
9. Students treat each other well	2.76
10. There is an adult at my school who will help me if I need it	3.43
11. Students in my class behave so that teachers can teach	2.68
Overall Mean Score:	2.99

School Climate Survey: Families	
Mean Scores by Item	
Benito Martinez EI	
Survey Window: 4/3/2023 - 6/1/2023	
1. Teaching and Learning	Mean Score
1. Teachers at my student's school have high standards for achievement	3.79
2. Teachers at my student's school work hard to make sure that students do well	3.5
3. Teachers at my student's school promote academic success for all students	3.57
Mean score for section 1	3.62
2. School Safety	Mean Score
4. My student's school sets clear rules for behavior	3.29
5. My student feels safe at school	3.14
6. My student feels safe going to and from school	3.5
7. School rules are consistently enforced at my student's school	3.07
8. School rules and procedures at my student's school are fair	2.86
Mean score for section 2	3.17
3. Interpersonal Relationships	Mean Score
9. My student feels successful at school	3.71
10. My student is frequently recognized for good behavior	3.07
11. I feel comfortable talking to teachers at my student's school	3.71
12. Staff at my student's school communicate well with parents	3.64
13. I feel welcome at my student's school	3.79
14. All students are treated fairly at my student's school	3.07

To preserve anonymity, responses will not be shown for groups with n < 3. Their data are included in the other reports.

School Climate Survey: Secondary (brief version)	
Fort Hancock Ms Fort Hancock, Texas	
School Years: 2022 - 2022 Survey Closed: 6/1/2023	
*N=Number of respondents	
Climate Survey Items	6/01/23 N=95
1. I like school	2.43
2. I feel successful at school	2.57
3. I feel my school has high standards for achievement	2.72
4. My school sets clear rules for behavior	3.06
5. Teachers treat me with respect	3.2
6. The behaviors in my class allow the teachers to teach	2.49
7. Students are frequently recognized for good behavior	2.41
8. School is a place at which I feel safe	2.42
9. I know an adult at school that I can talk with if I need help	3.02
Overall Mean Score:	2.7

School Climate Survey: Secondary (brief version)	
Fort Hancock Hs Fort Hancock, Texas	
School Years: 2022 - 2022 Survey Closed: 6/1/2023	
*N=Number of respondents	
Climate Survey Items	6/01/23 N=98
1. I like school	2.54
2. I feel successful at school	2.73
3. I feel my school has high standards for achievement	2.59
4. My school sets clear rules for behavior	2.99
5. Teachers treat me with respect	3.27
6. The behaviors in my class allow the teachers to teach	2.88
7. Students are frequently recognized for good behavior	2.65
8. School is a place at which I feel safe	2.64
9. I know an adult at school that I can talk with if I need help	2.74
Overall Mean Score:	2.78

Perceptions Strengths

According to our survey, these are the two highest scoring questions"

- Students perception is that I feel I know an adult at school that I can talk to if I need help (3.02)and My teachers treat me with respect (3.27).
- Parents perception is that Teachers at my student's school have high standards for achievement (3.78) and My student feels safe going to and from school (3.67).
- Teachers and staff perceptions is I get along well with other staff members at my school (3.69) and Teachers at my school treat students fairly regardless of race, ethnicity, or culture (3.54) .

Problem Statements Identifying Perceptions Needs

Problem Statement 1: Our district has recently seen a rise student misbehavior. Students need mental health and support services to address their social, emotional, and mental health needs. **Root Cause:** The support being provided by our health teachers and counselor is not enough to meet the social, emotional, and mental health needs or our students.

Priority Problem Statements

Problem Statement 1: Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations.

Root Cause 1: High quality instructional materials in RLA and Mathematics have not been purchased.

Problem Statement 1 Areas: Demographics - Student Learning - District Processes & Programs

Comprehensive Needs Assessment Data Documentation

The following data were used to verify the comprehensive needs assessment analysis:

Improvement Planning Data

- District goals
- Campus goals
- HB3 Reading and math goals for PreK-3
- HB3 CCMR goals
- Performance Objectives with summative review (prior year)
- Campus/District improvement plans (current and prior years)
- Covid-19 Factors and/or waivers for Assessment, Accountability, ESSA, Missed School Days, Educator Appraisals, etc.
- Planning and decision making committee(s) meeting data
- State and federal planning requirements

Accountability Data

- Texas Academic Performance Report (TAPR) data
- Student Achievement Domain
- Student Progress Domain
- Closing the Gaps Domain
- Effective Schools Framework data
- Federal Report Card and accountability data
- RDA data
- Local Accountability Systems (LAS) data

Student Data: Assessments

- State and federally required assessment information
- STAAR current and longitudinal results, including all versions
- STAAR End-of-Course current and longitudinal results, including all versions
- STAAR Emergent Bilingual (EB) progress measure data
- Texas English Language Proficiency Assessment System (TELPAS) and TELPAS Alternate results
- Postsecondary college, career or military-ready graduates including enlisting in U. S. armed services, earning an industry based certification, earning an associate degree, graduating with completed IEP and workforce readiness
- Advanced Placement (AP) and/or International Baccalaureate (IB) assessment data
- Career and Technical Education (CTE) Programs of Study data including completer, concentrator, explorer, participant, and non-participant information
- SAT and/or ACT assessment data
- PSAT
- Student failure and/or retention rates
- Local diagnostic reading assessment data
- Local benchmark or common assessments data
- Prekindergarten Self-Assessment Tool
- State-developed online interim assessments

- Grades that measure student performance based on the TEKS

Student Data: Student Groups

- Race and ethnicity data, including number of students, academic achievement, discipline, attendance, and rates of progress between groups
- Special programs data, including number of students, academic achievement, discipline, attendance, and rates of progress for each student group
- Economically disadvantaged / Non-economically disadvantaged performance and participation data
- Special education/non-special education population including discipline, progress and participation data
- Migrant/non-migrant population including performance, progress, discipline, attendance and mobility data
- At-risk/non-at-risk population including performance, progress, discipline, attendance, and mobility data
- Emergent Bilingual (EB) /non-EB data, including academic achievement, progress, support and accommodation needs, race, ethnicity, gender etc.
- Career and Technical Education (CTE) Programs of Study data including completer, concentrator, explorer, participant, and non-participant achievements by race, ethnicity, gender, etc.

Student Data: Behavior and Other Indicators

- Completion rates and/or graduation rates data
- Annual dropout rate data
- Attendance data
- Discipline records
- Violence and/or violence prevention records
- Tobacco, alcohol, and other drug-use data
- Student surveys and/or other feedback
- School safety data
- Enrollment trends

Employee Data

- Professional learning communities (PLC) data
- Staff surveys and/or other feedback
- Teacher/Student Ratio
- State certified and high quality staff data
- Campus leadership data
- Professional development needs assessment data
- T-TESS data

Parent/Community Data

- Parent surveys and/or other feedback
- Parent engagement rate
- Community surveys and/or other feedback

Support Systems and Other Data

- Processes and procedures for teaching and learning, including program implementation
- Capacity and resources data
- Budgets/entitlements and expenditures data
- Study of best practices

Goals

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 1: Fort Hancock ISD will jointly develop with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy.

Evaluation Data Sources: Volunteer Sign-in sheets

Strategy 1 Details
<p>Strategy 1: The policy will describe how the district will involve parents and family members in developing the local plan, provide the support necessary to assist all Title I participating schools in planning parent and family involvement activities to improve student academic achievement, coordinate parent and family engagement strategies under Title I with other relevant Federal, state and local programs, conduct an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools, and use the findings of such evaluation to design strategies for more effective parental involvement.</p> <p>Strategy's Expected Result/Impact: Parents engaged in their student's education by being solicited to participate in a meaningful and informed manner.</p> <p>Staff Responsible for Monitoring: Campus Principals & Associate Superintendent</p> <p>Problem Statements: Demographics 1 - Student Learning 1 - District Processes & Programs 1</p>
Strategy 2 Details
<p>Strategy 2: Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. The policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school. (Sec. 1116 (b) (1)) The Parent and Family Engagement Policy will be developed and reviewed by the Parent and Family Engagement Committee. The policy will be available at parent meetings, at each campus office, and on the district website. It will be distributed in English and Spanish.</p> <p>Strategy's Expected Result/Impact: Parents engaged in their student's education by being solicited to participate in a meaningful and informed manner.</p> <p>Staff Responsible for Monitoring: Campus Principals & Associate Superintendent</p>
Strategy 3 Details
<p>Strategy 3: The district will actively recruit the participation of a diverse population of parents. The meetings will be scheduled at a convenient time and location and at various times to allow parents multiple opportunities to attend. Parents will be invited to come, and a Public Notice will be posted. Parent and Family Engagement Meetings will be held during the week in the morning and evening at the campuses. Stakeholders will be notified through the Fort Hancock ISD Website, marquee postings, District Calendar, newsletters, conferences, phone calls, home visits, and letters from the district and campus in English and Spanish. Information will also be provided through ClassDojo and Blackboard Connect, which are community message systems. This technology ensures that parents and students are notified of activities in a timely manner in English and Spanish.</p> <p>Strategy's Expected Result/Impact: Parents engaged in their student's education by being solicited to participate in a meaningful and informed manner.</p> <p>Staff Responsible for Monitoring: Campus Principals & Associate Superintendent</p>

Performance Objective 1 Problem Statements:

Demographics

Problem Statement 1: Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

Student Learning

Problem Statement 1: Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

District Processes & Programs

Problem Statement 1: Our RLA and Mathematics scores for Emergent Bilingual and Special Education Students are our lowest performing sub-populations. **Root Cause:** High quality instructional materials in RLA and Mathematics have not been purchased.

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 2: The district will inform parents of the school's participation in a Schoolwide Program, provide a description of the curriculum used, the assessments used and the achievement levels of the State academic standards, and of their right to be involved in planning, reviewing and improvement of programs. (Sec. 1116 (c) (4))

Evaluation Data Sources: Documentation :Parent Involvement Records- 05/24: A review of parent involvement records indicates that a greater number of parents and community members were involved in the educational system of their students.

Strategy 1 Details
<p>Strategy 1: Parents will be notified of the special programs and support programs available to their students.</p> <p>Strategy's Expected Result/Impact: Parents will be more knowledgeable of program expectations and be encouraged to engage more in their student's education.</p> <p>Staff Responsible for Monitoring: Campus Principals</p>

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 3: In accordance with Title I regulations (Sec. 1116 (d)), school and parent representatives will develop a Parent/Student/Teacher Compact.

Evaluation Data Sources: Documentation :Parent Involvement Records- 05/24: A review of parent involvement records indicates that a greater number of parents and community members were involved in the educational system of their students.

Strategy 1 Details

Strategy 1: This compact will address the importance of communication between teachers and parents on an ongoing basis. Parents and family members will have reasonable access to staff, opportunities to volunteer at school and in classrooms and be able to observe classroom activities. There will be regular two-way meaningful communication between family members and school staff to the extent practicable, provided in a language that family members can understand (English and Spanish). The compact is discussed, at least annually, at Open House Parent-Teacher conferences and Parent Round-Ups.

Strategy's Expected Result/Impact: Increased student performance as a result of increased parent participation.

Staff Responsible for Monitoring: Campus Principals

Strategy 2 Details

Strategy 2: Conferences, School Visits and/or Home Visits - Parent/Teacher conferences will be scheduled throughout the year at the parent's convenience as needed. Teachers will contact each student's parent at least once a year, with parents of struggling students contacted more frequently. A parent may request a conference at any time with the principal or classroom teacher(s) as they deem necessary. Parents are invited to visit the campus. Phone calls are used for quick and efficient communication regarding tardiness, absenteeism, student academic needs, and other pertinent issues. Home visits will be made in order to communicate with hard-to-reach parents.

Strategy's Expected Result/Impact: Increased student performance as a result of increased parent participation.

Staff Responsible for Monitoring: Campus Principals

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 4: Fort Hancock ISD conducts a variety of Events and Programs geared towards including parents and other stakeholders in their Educational System.

Evaluation Data Sources: Documentation :Parent Involvement Records- 05/24: A review of parent involvement records indicates that a greater number of parents and community members were involved in the educational system of their students.

Strategy 1 Details
<p>Strategy 1: Events include * Open House twice a year * Award Assemblies * Student programs * District Parent Meetings * SHAC Meetings * Annual district Health Fair *Christmas Fair</p> <p>Volunteer Opportunities include *Assisting with book fairs *Assisting in the classroom *Participating in Teacher Appreciation Week activities *Red Ribbon Week activities *Assisting with after school sales.</p> <p>Strategy's Expected Result/Impact: Parents as full partners in the education of Fort Hancock ISD students.</p> <p>Staff Responsible for Monitoring: Campus Principals & Parent Liaisons</p>

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 5: Building Capacity for Involvement -In compliance with Federal Title I, Part A Improving Basic Programs regulations (Sec. 1116 (e)), parents are notified of all situations that ultimately impact their child's education, providing the opportunity for important parental feedback.

Evaluation Data Sources: Parents engaged in their student's education by being solicited to participate in a meaningful and informed manner.

Strategy 1 Details
<p>Strategy 1: The district will assist parents and family members by providing materials and training on - what the State academic standards are, - what state and local assessments are required, and - how to monitor their child's progress and improve their achievement. Parent notifications activities include, but are not limited to the following information: * Qualifications of staff, * Parental Information Resource Centers, * Student Progress Reports, * ESSA school Report Cards, * Application of technology, and * School Choice Options. Whenever possible, translators are provided and communication takes place in an understandable format and in the parent's primary language.</p> <p>Strategy's Expected Result/Impact: Parents engaged in their student's education by being solicited to participate in a meaningful and informed manner.</p> <p>Staff Responsible for Monitoring: Campus Principals & Associate Superintendent</p>

Goal 1: Parents and community members will be full partners with educators in the education of Fort Hancock ISD students. SWP CIP) [TEC SS4.001 (b)(1)]

Performance Objective 6: District Planning and Decision-Making Committee (DPDMC) - As directed by Board policy, the DPDMC will be involved in decisions in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. [TEC11.251(d)]

Evaluation Data Sources: Documentation :Agendas, Notes, Sign-In Sheets DPDMC minutes will reflect that staff, parents, and community members have been involved in the educational system.

Strategy 1 Details

Strategy 1: The DPDMC is made up of members of the Fort Hancock ISD staff, parent representatives, business representatives, and community members. Parents are selected to be members by campus administrators for one-year terms. The DPDMC will meet periodically to discuss plans, progress, and ideas for improving the education and environment at Fort Hancock ISD. [TEC 11.251(b)] Each school year, the superintendent, with the assistance of the DPDMC, will review and revise the District Improvement Plan (DIP) to improve student performance for all student populations [TEC 11.253(c)]. The DPDMC reviewed/revised the DIP on August . The DIP will be available at the central office, at each campus, and on the district website. The DIP will be distributed in English and Spanish.

Strategy's Expected Result/Impact: A current DIP approved by the Fort Hancock Board of Trustees that comprehensively covers needs assessment data, local, state and federal regulation, scientifically researched-based strategies and activities, and measurable evaluations will provide transparency and solicit parental involvement.

Staff Responsible for Monitoring: Superintendent, Associate Superintendent & Campus Principals

Strategy 2 Details

Strategy 2: The DPDMC will play an integral role in the planning, development, and evaluation of the educational system of Fort Hancock ISD. Through the activities of the DPDMC, teachers are provided opportunities to participate in the decisions regarding the use of assessments and the Assessment Program of Fort Hancock ISD.

Strategy's Expected Result/Impact: A current DIP approved by the Fort Hancock Board of Trustees that comprehensively covers needs assessment data, local, state and federal regulation, scientifically researched-based strategies and activities, and measurable evaluations will provide transparency and solicit parental involvement.

Staff Responsible for Monitoring: Superintendent, Associate Superintendent & Campus Principals

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 1: The DPDMC will meet periodically to review the campus curriculum, instruction, and assessments. Some of the areas evaluated include monitoring the instructional programs and activities for their effectiveness; reviewing the amount and quality of textbooks, HQIM and what supplemental resources are available to support the baseline program; and reviewing the professional and paraprofessional staff available. - District performance objectives are based on data available through the comprehensive needs assessment process.

Evaluation Data Sources: Documentation :Agendas, Notes, Sign-In Sheets- 08/23: DPDMC agenda and minutes will indicate that performance objectives have been developed based on the Comprehensive Needs Assessment.

Strategy 1 Details
<p>Strategy 1: Assessments - Students in grades PK - 3 are given assessments at the beginning of the year to determine their performance level. These assessments include STAR Reading and Math for grades 1 - 5, Circle Assessment for PK students, and STAR Early Literacy for students in PK - 3. Throughout the year, Interim testing, Benchmark assessments, classroom assessments, STAR Reading and Math, STAR Early literacy and DIBELS are administered to evaluate student progress. Assessments are administered in grades 3 - 12 to identify student weaknesses and target instruction through data collection and review in the content area. Based on assessment results, researched-based strategies and "Best Practices" will be implemented to increase students' abilities to read and write with greater depth in all content areas. Writing across the curriculum will be implemented through techniques such as Interactive Notebooks and Journal. Teachers will post daily content and language objectives so that students are aware of the learning expectations during each lesson. Content area instruction, assessment and resources are aligned using High Quality Instructional Materials (Amplify or StudySync in RLA and Eureka or Carnegie in Math) and the TEKS Resource System (Science & SS). Instructional coaches will assist the campus faculty with modeling sessions, walkthroughs, and professional learning teams. Eduphoria Aware will continue be used to analyze student progress and improve classroom assessments.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals and Federal Programs Director</p>

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 2: Federal and State Mandated Testing Program - Fort Hancock ISD participates in the State-Developed Testing Program that is consistent with the regulations of ESSA. The State of Texas Assessments of Academic Readiness (STAAR) tests will measure Math and Reading (grades 3 - 8), Science (grades 5 & 8), and Social Studies (grade 8). STAAR End of Course Exams will be administered to students in grades 9 - 12 in Algebra I, English I, English II, Biology and U. S. History. Algebra I will also be offered to 8th graders taking the Algebra I course. The STAAR program is aligned with the State-Adopted Curriculum, the Texas Essential Knowledge and Skills (TEKS). Students will be administered the appropriate grade-level and subject-area STAAR tests in line with the state issued Student Assessment Calendar.

Evaluation Data Sources: Criterion-Referenced Test :STAAR Reading - 05/24: 83% of students in grades 3 -6 will pass the appropriate grade-level STAAR RLA tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR RLA tests. 71% of students in grades 9- 12 will pass the STAAR EOC English I and 83% of students in grades 10 - 12 will pass the STAAR EOC English II exams.
Criterion-Referenced Test :STAAR Math - 05/24: 80% of students in grades 3 - 6 will pass the appropriate grade-level STAAR Math tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR Math tests. 72% of students in grades 9 - 12 will pass the STAAR EOC Algebra I exam.
Criterion-Referenced Test :STAAR Science- 05/24: 81% of students in grade 5 will pass the STAAR Science test. 87% of students in grade 8 will pass the STAAR Science test. 79% of students in grades 9 - 12 will pass the STAAR EOC Biology exam.
Criterion-Referenced Test :STAAR Social Studies -05/24: 73% of students in grade 8 will pass the STAAR Social Studies test. 95% of students in grades 11 - 12 will pass the STAAR EOC U. S. History exam.

Strategy 1 Details

Strategy 1: Evaluation of Program Effectiveness (SWP EPE) - Fort Hancock ISD will utilize data from the State's assessments, other student performance data, and perception data to determine if the schoolwide program has been effective in addressing the major problem areas and, in turn, increasing student achievement, particularly for the lowest-achieving students. Fort Hancock ISD will annually revise the plan, as necessary, based on student needs and the results of the evaluation to ensure continuous improvement.

Strategy's Expected Result/Impact: Program improvements are implemented. All targeted student groups show improvement on STAAR tests.

Staff Responsible for Monitoring: Campus Principals and Federal Programs Director

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 3: Foundation Program (SWP CNA, CIP) - Teachers and staff implement scientifically research-based instructional strategies, activities and initiatives to increase the amount and quality of learning time, promote accelerated instruction and provide educational enrichment to all students. The educational system is grounded in the state's TEKS that ensures the curriculum vertically aligns and supports the state-adopted assessment program. This will provide opportunities for all students to meet the state's proficient and advanced levels of student performance.

Evaluation Data Sources: Informal Assessment :Classroom Assessments - 05/24: 90% of students in grades PK - 2 will be promoted to the next grade.
Criterion-Referenced Test :STAAR Reading - 05/24: 83% of students in grades 3 -6 will pass the appropriate grade-level STAAR RLA tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR RLA tests. 71% of students in grades 9- 12 will pass the STAAR EOC English I and 83% of students in grades 10 - 12 will pass the STAAR EOC English II exams.
Criterion-Referenced Test :STAAR Math - 05/24: 80% of students in grades 3 - 6 will pass the appropriate grade-level STAAR Math tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR Math tests. 72% of students in grades 9 - 12 will pass the STAAR EOC Algebra I exam.
Criterion-Referenced Test :STAAR Science- 05/24: 81% of students in grade 5 will pass the STAAR Science test. 87% of students in grade 8 will pass the STAAR Science test. 79% of students in grades 9 - 12 will pass the STAAR EOC Biology exam.
Criterion-Referenced Test :STAAR Social Studies -05/24: 73% of students in grade 8 will pass the STAAR Social Studies test. 95% of students in grades 11 - 12 will pass the STAAR EOC U. S. History exam.

Strategy 1 Details

Strategy 1: Evaluation of Foundation Program - Faculty and staff are trained in analyzing (disaggregating) test data from the State-adopted assessment instruments. This data is used to identify student strengths and weaknesses so that teachers can design an educational system that is data driven for each individual student. In addition, faculty will disaggregate STAAR data of individual students and student groups to identify achievement gaps from one group to the next. An ongoing monitoring program will be maintained to determine progress of all students and all student groups and to use the results to give extra help to students in need.

Strategy's Expected Result/Impact: Program improvements are implemented. All targeted student groups show improvement on STAAR tests.

Staff Responsible for Monitoring: Campus Principals and Federal Programs Director

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 4: Early Intervention Program (SWP CIP) - A Prekindergarten program will be conducted through coordination of funding of state/local funds. The program will be available to all students meeting the State criteria of being unable to speak and comprehend English, educationally disadvantaged, homeless, a child of an active duty member of the armed forces, a child of a member of the armed forces who was injured or killed on active duty, or ever has been in the conservatorship of the Department of Family and Protective Services, or a child of a person eligible for the Star of Texas Award. [TEC 29.153(b)] Benito Martinez Elementary conducts a full day Prekindergarten program with emphasis on language acquisition skills for special population groups. Instruction is provided through an experiential and multi-sensory approach with developmentally appropriate and scientifically research-based activities. The PK curriculum is based on the state-adopted PK guidelines.

Evaluation Data Sources: Informal Assessment :Classroom Assessments - 05/24: 90% of PK student will master the State's Prekindergarten Guidelines

Strategy 1 Details
<p>Strategy 1: Prekindergarten Transition Services - Prekindergarten students and their families participate in the Kindergarten Roundup activities at Benito Martinez Elementary. Activities to ensure smooth transitioning from Prekindergarten to Kindergarten will include class visits, student teaming, team teaching and parent meetings. The Prekindergarten teacher will introduce early Kindergarten-level activities to their students to stretch their comprehension and familiarize themselves with some of the academic elements of Kindergarten. The staff will work with students on behavioral and hygiene issues ensuring students will be ready for Kindergarten and the behavioral and hygiene assumptions that go with same.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: PK Teacher</p>

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 5: Accelerated Instruction (SWP CNA, CIP, EPE) - Fort Hancock ISD uses the student performance data resulting from the basic skills assessment instruments and achievement tests to design and implement appropriate compensatory, intensive, or accelerated instructional services for students that enable them to be performing at grade level at the conclusion of the next regular school term. Students receiving assistance under SCE are identified using the State criteria defined under TEC Section 29.081(d) - Revised 2021 or local criteria that have been approved by the school board. Students receiving assistance under Title I, Part A are those students failing or most at-risk of failing to meet the state's academic achievement standards. Schoolwide programs meet the educational needs of all children, particularly those identified as having the greatest needs.

Evaluation Data Sources: Documentation :School Records - 05/23: 100% of At-Risk students are identified in a timely manner and appropriate programs and interventions implemented.

Strategy 1 Details
<p>Strategy 1: STAAR Acceleration - STAAR Acceleration classes are available to students in grades 3 through 12 who are experiencing difficulty in core subject area classes or on the STAAR tests. These pullout classes are offered during the date for 45 to 90 minutes daily or on an as needed basis.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals and Federal Programs Director</p>
Strategy 2 Details
<p>Strategy 2: Individualized Instruction - The individualized instruction aides will provide small group and individualized assistance for students in grades K - 12 while working under the direct supervision of the certified regular education teachers assigned. The aides will assist students with subject mastery in core subject areas.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals</p>
Strategy 3 Details
<p>Strategy 3: Elementary Summer School - Students in PK-5 will participate in the ADSY summer program. Elementary students will be offered attend 30 additional full days of instruction during the summer and will be delivered by a certified teacher. ADSY PEP Daily Requirements: 3 hours of math and reading + 3 hours of enrichment. A daily schedule that includes brain breaks, teacher planning time, enrichment time for students, and collaborative planning time.</p> <p>Secondary Summer School- Instruction in core subject areas, including science and reading for students in 7 - 12 will be provided by certified teachers and aides during a summer session.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals</p>

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 6: Special Education Program - Special education services shall be provided to eligible students in accordance with all applicable federal law and regulations, state statutes, rules of the State Board of Education (SBOE) and commissioner of education, and the State Plan under Part B of the Individuals with Disabilities Education Act (IDEA).

Evaluation Data Sources: Informal Assessment :Classroom Assessments- 05/23: 100% of the students with disabilities will be meeting their mastery percentages, as dictated by their IEPs, and will pass the State required assessment instrument at the end of the school year.

Strategy 1 Details

Strategy 1: Special Education Assessment - A student will be referred for a full and individual initial evaluation for possible Special Education Services when there is sufficient documentation that the student continues to experience difficulty in the general classroom after the provision of intervention strategies and activities. If a student is unable to speak and comprehend English, a member of the Language Proficiency Assessment Committee (LPAC) participates in a pre-referral. The referral may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. School personnel will complete the referral in accordance with Texas Education Code (TEC) SS29.004, related to the 45 calendar day time line. Evaluation instruments will be unbiased by gender, ethnicity, country of origin, socio-economic factors, language or hearing status. Reevaluation will occur no less than every three years. The ARD Committee will meet to review existing data and determine the scope of the reevaluation.

Strategy's Expected Result/Impact: Students' needs are accurately diagnosed, and special programs and modification are reflective of the needs of individual students as described in the students' IEPs.

Staff Responsible for Monitoring: Campus Special Education Teachers, District Diagnostician and Federal Programs Director

Strategy 2 Details

Strategy 2: Special Education Modifications - Fort Hancock ISD provides a range of educational programs and different instructional arrangements for students with disabilities. Both inclusion classes and daily pullout classes are available. The appropriate instructional setting will be determined for each student by ARD committees. Mainstreamed students are monitored by the Special Education teachers. Each regular education teacher is provided a copy of their students' IEPs. If the ARD Committee deems it advantageous, students with disabilities are ARDed into Special Programs classes, i.e., State Compensatory Education and Title I, Part A. The "Least Restrictive Environment" required for academic success is always a main consideration. Students receiving Special Education services in grades 3 through 12 will participate in the Texas Assessment program. The individual student's ARD committee will determine which assessments will be appropriate. a) STAAR (with approved or allowable accommodations) b) STAAR Alternate 2 - will assess students who have significant cognitive disabilities and are receiving special education services.

Strategy's Expected Result/Impact: Students with disabilities have every opportunity to meet their full educational potential in the least restrictive environment.

Staff Responsible for Monitoring: Campus Principals, Campus Special Education Teachers, District Diagnostician and Federal Programs Director

Strategy 3 Details

Strategy 3: Related Services - The ARD committee assures that the need for related services is considered for each student with disabilities and there is evidence of the link between the need for the related service and educational benefit to the student. Related Services are provided to all students for the time specified in their IEPs, with gaps in services made up in a timely manner. These services include Speech Therapy provided by a Speech Therapist and Occupational Therapy.

Strategy's Expected Result/Impact: Students will receive the services dictated by the IEPs and will have the opportunity to meet the same performance standards that all children are expected to meet.

Staff Responsible for Monitoring: Campus Principals, Campus Special Education Teachers, District Diagnostician and Federal Programs Director

Strategy 4 Details

Strategy 4: Transition Services - Fort Hancock High School provides students with disabilities requisite transition services and plans in keeping with TEC SS29.011, SS29.0111 and TAC SS89.1055. Beginning at age 14 and younger if appropriate, and updated annually, each student's IEP includes a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program). Beginning at age 16 (or younger, if determined appropriate by the IEP team), each student's IEP includes a statement of needed transition services in their Individual Transition Plan (ITP), including, if appropriate, a statement of the interagency responsibilities or any needed linkages. The ITP focuses attention on how the student's educational program can be planned to help the child make a successful transition to his or her goals for life after secondary school. When transition is to be considered at an ARD committee meeting, the ARD committee's notice to parents

indicates that one of the purposes of the meeting is transition and that the student will be invited. Students and parents are provided with transition planning information prior to the ARD committee meeting. The district will post the transition and employment guide on the district's website in accordance with TEC SS29.0112.

Strategy's Expected Result/Impact: Students receive the transition services necessary to be successful in high school.

Staff Responsible for Monitoring: Campus Principals, Campus Special Education Teachers, District Diagnostician, District TED and Federal Programs Director

Strategy 5 Details

Strategy 5: Child Find - Child Find Activities are primarily implemented at the district level, but all staff are involved in the effort. Fort Hancock ISD puts forth a comprehensive and proactive effort to find anyone needing Special Education services. Activities for Child Find may include countywide contact with each school district and talk with each contact person.

Strategy's Expected Result/Impact: 100% of the students eligible for Special Education assistance have been identified and are receiving required services within the required time frames.

Staff Responsible for Monitoring: Campus Principals, Campus Special Education Teachers, District Diagnostician and Federal Programs Director

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 7: Bilingual Program - Fort Hancock ISD offers a Bilingual program whose goal is to enable Emergent Bilingual (EB)/English Learners (EL) and immigrant students to become competent in the comprehension, speaking, reading, and composition of the English language through the integrated use of second language methods. The Bilingual program shall emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable EB/EL and immigrant students to participate equitably in school.

Evaluation Data Sources: Documentation :Counselor Records - - 05/24: 100% of the students identified as EB/EL have had their individual needs diagnosed appropriately and are receiving timely and appropriate assistance.

Strategy 1 Details

Strategy 1: Emergent Bilingual (EB)/English Learner (EL) Assessment - Within four weeks of a student's enrollment, a home language survey (HLS) is conducted to determine the language normally used in the home and by the student. The HLS is filed in each student's permanent record folder. Identification assessments are administered to students to provide information needed for identification, placement, and re-designation of EB/EL. Students in PK - K will be administered the Pre-LAS. LAS Links (listening and speaking components) will be administered to students in grade 1 and LAS Links (listening, speaking, reading, and writing components) will be administered to students in grades 2 - 12. The Language Proficiency Assessment Committee (LPAC) - comprised of a professional bilingual educator, a professional transitional language educator, a parent of an EB/EL who is not employed by the district, and a campus administrator - prescribes the appropriate ESL or Bilingual intervention (TEC 29.063).

Strategy's Expected Result/Impact: Significant increase in oral, verbal, and written language proficiency, as assessment results help LPAC determine appropriate Bilingual/ESL placement.

Staff Responsible for Monitoring: Campus LPAC Committees and Federal Programs Director

Strategy 2 Details

Strategy 2: Bilingual Instruction - In compliance with State mandates, Fort Hancock conducts a Dual Language Education Program in Spanish and English. The program is designed so that EB/EL acquire social and academic language proficiency in English, learn the knowledge and skills in the TEKS, and reach their full academic potential. English Language Proficiency Standards (ELPS) will be implemented throughout the content areas. A remediation period will be provided for students who need additional assistance.

Strategy's Expected Result/Impact: Increased student achievement.

Staff Responsible for Monitoring: Campus Principals, Campus Bilingual/ESL Teachers and Federal Programs Director

Strategy 3 Details

Strategy 3: The LPAC prescribes the instructional length of time based on students' linguistic levels. Monthly LPAC meetings are scheduled for initial placement and progress monitoring as needed. The LPAC prescribes the academic achievement test that will be administered to each Emergent Bilingual student

- * STAAR
- * STAAR Spanish
- * STAAR Alternate 2
- * Texas English Language Proficiency Assessment System (TELPAS)
- * TELPAS Alternate

Strategy's Expected Result/Impact: Increased student achievement and mastery of English.

Staff Responsible for Monitoring: Campus LPAC Committees and Federal Programs Director

Strategy 4 Details

Strategy 4: Fort Hancock ISD will utilize supplemental curricular resources and educational software to assist immigrant students meet the same challenging State academic standards that all children are expected to meet.

Strategy's Expected Result/Impact: Increased student achievement and mastery of English.

Staff Responsible for Monitoring: Campus Principals, Campus Bilingual/ESL Teachers and Federal Programs Director

Strategy 5 Details

Strategy 5: Program Reclassification - A student may not be reclassified as English proficient in prekindergarten or kindergarten (TAC 89.1226(j)). Reclassification criteria are applicable to students in grades 1 - 12 who are identified as Bilingual, ESL, or Parental Denials. A parent and/or guardian must sign the reclassification notification/parent permission form before a student is reclassified from the Bilingual or ESL program. To be reclassified from a bilingual program, a student may be reclassified as English proficient at the end of the school year in which a student would be able to participate equally in a regular, all-English instructional program.

Strategy's Expected Result/Impact: Increased student achievement and mastery of English.

Staff Responsible for Monitoring: Campus Principals, Campus Bilingual/ESL Teachers and Federal Programs Director

Strategy 6 Details

Strategy 6: The LPAC reviews each student's progress at the end of the school year to determine future appropriate placement. The following criteria will be used to determine whether a student is academically successful: * English Language Proficiency Assessment: Grades 1 - 12: Score a Composite Rating of Advanced High on TELPAS . * State Standardized Reading Assessment: Grades 1, 2, 11, 12: Score at or above 40th percentile on the TEA-approved Norm-Referenced Standardized Achievement Test and Grades 3 - 10: Meet passing standard on the STAAR Reading (English) test, or STAAR English I or English II EOC exams. * Results of a subjective teacher evaluation using the state's standardized rubric.

Strategy's Expected Result/Impact: Increased student achievement and mastery of English.

Staff Responsible for Monitoring: Campus LPAC Committees and Federal Programs Director

Strategy 7 Details

Strategy 7: The LPAC will monitor students who are reclassified from the Bilingual or ESL program for two years. The scores from state approved achievement test(s) - if administered, criterion-referenced tests in reading, local assessments, English proficiency tests, teacher observations, and records noting academic progress will be used. If the student demonstrates inadequate English proficiency at any time during the two-year monitoring period, the student will be re enrolled in the Bilingual or ESL program as prescribed by the LPAC.

Strategy's Expected Result/Impact: Increased student achievement and mastery of English.

Staff Responsible for Monitoring: Campus LPAC Committees and Federal Programs Director

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 8: Migrant Program - Fort Hancock ISD provides information and services to students who qualify as Migrant students. The program is designed to help migrant students overcome difficulties associated with a migratory lifestyle such as cultural and language barriers and social isolation, as well as helping them succeed in school and transition to post secondary education or employment.

Evaluation Data Sources: Informal Assessment :Classroom Assessments- 05/24: 90% of Migrant students in grades PK - 2 will be promoted to the next grade. Criterion-Referenced Test :STAAR Reading - 05/24: 83% of students in grades 3 -6 will pass the appropriate grade-level STAAR RLA tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR RLA tests. 71% of students in grades 9- 12 will pass the STAAR EOC English I and 83% of students in grades 10 - 12 will pass the STAAR EOC English II exams.

Criterion-Referenced Test :STAAR Math - 05/24: 80% of students in grades 3 - 6 will pass the appropriate grade-level STAAR Math tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR Math tests. 72% of students in grades 9 - 12 will pass the STAAR EOC Algebra I exam.

Criterion-Referenced Test :STAAR Science- 05/24: 81% of students in grade 5 will pass the STAAR Science test. 87% of students in grade 8 will pass the STAAR Science test. 79% of students in grades 9 - 12 will pass the STAAR EOC Biology exam.

Criterion-Referenced Test :STAAR Social Studies -05/24: 73% of students in grade 8 will pass the STAAR Social Studies test. 95% of students in grades 11 - 12 will pass the STAAR EOC U. S. History exam.

Strategy 1 Details

Strategy 1: Priority For Services (PFS) Action Plan - The PFS Action plan goal is to provide Priority Services to Migrant students in grades 3 through 12 who have failed one or more sections of the State Assessment, ARD Exempt, absent or were not enrolled in a Texas school during the assessment period of their grade level and have their school interrupted during the previous or current regular school year. PFS services are provided to students in grades K through 2 who are designated EL in the NGS system, or have been retained, or are overage for their current grade level and have their school interrupted during the previous or current regular school year. Title I, Part C can be utilized only after all other funding sources have been considered and additional services are still needed. All PFS migrant students are provided instructional services as needed to assist them in mastering the state content standards, passing state assessments and accruing credits for on-time graduation. See Migrant PFS Action Plan for more information.

Strategy's Expected Result/Impact: Increased student achievement.

Staff Responsible for Monitoring: High School Principals - Lorena Molinar and Danny Medina Elementary Principal - Jess Schultz Federal Programs Director - Yvonne Samaniego

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 9: Dyslexia Program - Fort Hancock ISD will provide for the treatment of any student determined to have dyslexia or a related disorder, as defined below. (1) "Dyslexia" means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity. (2) "Related disorders" includes disorders similar to or related to dyslexia, such as developmental auditory imperceptions, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

Evaluation Data Sources: Informal Assessment :Classroom Assessments- 05/24: 90% of Dyslexia students in grades PK - 2 will be promoted to the next grade. Criterion-Referenced Test :STAAR Reading - 05/24: 83% of students in grades 3 -6 will pass the appropriate grade-level STAAR RLA tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR RLA tests. 71% of students in grades 9- 12 will pass the STAAR EOC English I and 83% of students in grades 10 - 12 will pass the STAAR EOC English II exams.

Criterion-Referenced Test :STAAR Math - 05/24: 80% of students in grades 3 - 6 will pass the appropriate grade-level STAAR Math tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR Math tests. 72% of students in grades 9 - 12 will pass the STAAR EOC Algebra I exam.

Criterion-Referenced Test :STAAR Science- 05/24: 81% of students in grade 5 will pass the STAAR Science test. 87% of students in grade 8 will pass the STAAR Science test. 79% of students in grades 9 - 12 will pass the STAAR EOC Biology exam.

Criterion-Referenced Test :STAAR Social Studies -05/24: 73% of students in grade 8 will pass the STAAR Social Studies test. 95% of students in grades 11 - 12 will pass the STAAR EOC U. S. History exam.

Strategy 1 Details

Strategy 1: Dyslexia Assessment - The district Dyslexia Coordinator coordinates the identification of dyslexia among students with the individual campuses. Children are given several assessments that measure the level of chronological awareness, the knowledge of letter names and sound, the ability to read and decode single words in isolation, understanding of what they read, understanding of what is read to them and how well they are able to organize and sequence thoughts in writing.

Strategy's Expected Result/Impact: Dyslexia services to students are not delayed; the students' needs are accurately diagnosed, and special programs and modifications are reflective of the needs of each student.

Staff Responsible for Monitoring: Campus Principals and Reading Specialist

Strategy 2 Details

Strategy 2: Modifications for Dyslexia - At Fort Hancock ISD, students who are identified as having dyslexia are provided a reading intervention program that is individualized to meet the unique learning needs of the student. Students will be served through pullout classes and inclusion classes on an as-needed basis. Monitored students not progressing in line with their peers may be recommended for reevaluation; and if necessary a more intensive specialized program will be prescribed.

Strategy's Expected Result/Impact: Increased student achievement.

Staff Responsible for Monitoring: Campus Principals and Reading Specialist

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 10: 504 Program - Students classified as 504 are those who have a physical or mental impairment which limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working and performing manual tasks, as well as an academic need. Assessments are administered if students are demonstrating chronic difficulties unresponsive to intervention strategies to determine need for ARD or 504 determinations. The educational program for a Section 504 student will be modified to meet the individual needs as identified by assessment data.

Evaluation Data Sources: Documentation :Counselor Records - 05/23: 100% of the students identified as 504 have had their individual needs diagnosed appropriately and are receiving timely and appropriate assistance, per counselor records.

Strategy 1 Details
<p>Strategy 1: Testing accommodations may include the following: Individual or small group administration, projection devices, manipulating tests materials, oral/signed administration, extra time, large print, transcription, and use of a calculator or overlays.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals and 504 Coordinator</p>
Strategy 2 Details
<p>Strategy 2: Environmental accommodations may also be made for students. These may include changing student seating as needed for the situation; adapting environment to avoid distractions; and providing notebooks for organization, lighting accommodations, or non-verbal behavior cues (cue cards).</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals and 504 Coordinator</p>
Strategy 3 Details
<p>Strategy 3: Students receiving services under section 504 services are required by TEC SS28.025(c) to meet all curriculum requirements and assessment graduation requirements to receive a Texas high school diploma. Students will take STAAR with or without allowable accommodations. The Section 504 Committee receives the results of the evaluation and determines the most appropriate instruction program for the child, and develops an individual education plan for him/her that will include and modifications or accommodations that may be needed. 504 meetings are held yearly and parents are welcome to attend.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: High School Principals - Lorena Molinar and Danny Medina Elementary Principal - Jess Schultz 504 Coordinator- Christine Robledo</p>

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 11: Gifted and Talented (G/T) Program - Fort Hancock ISD has adopted a process for identifying and serving G/T students who are defined as a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who: 1) exhibits high performance capability in an intellectual, creative, or artistic area; 2) possesses an unusual capacity for leadership; or 3) excels in a specific academic field.

Evaluation Data Sources: Informal Assessment :Classroom Assessments- 05/23: 100% of the G/T students will achieve scores within the 95% to 100% range on assessment instruments administered at the end of the year.

Strategy 1 Details
<p>Strategy 1: G/T Assessment - Students go through a nomination and assessment process for G/T identification that includes a minimum of 3 appropriate criteria that include both qualitative and quantitative measures. Final selection of students for services is made by a committee of at least three local district or campus educators who have received training in the nature and needs of gifted students (19 TAC SS89.1).</p> <p>Strategy's Expected Result/Impact: G/T students identified on a timely basis and provided the appropriate educational program and enrichment activities to ensure maximum performance.</p> <p>Staff Responsible for Monitoring: Campus Principals and GT Coordinator</p>
Strategy 2 Details
<p>Strategy 2: Modifications for G/T Students - Elementary G/T students in grades 1 - 5 are provided with a Biweekly, 30 minute, pullout session. The program provides a differentiated curriculum and an array of learning opportunities emphasizing content in the four major core areas.</p> <p>Strategy's Expected Result/Impact: G/T students identified on a timely basis and provided the appropriate educational program and enrichment activities to ensure maximum performance</p> <p>Staff Responsible for Monitoring: Campus Principals and GT Coordinator</p>
Strategy 3 Details
<p>Strategy 3: Multiple strategies are used for Middle and High School students who have met the district criteria for G/T. These include Cooperative Learning, Team teaching, Hands-on-activities, student presentations and product based learning.</p> <p>Strategy's Expected Result/Impact: G/T students identified on a timely basis and provided the appropriate educational program and enrichment activities to ensure maximum performance.</p> <p>Staff Responsible for Monitoring: Campus Principals and GT Coordinator</p>

Goal 2: Students will be encouraged and challenged to meet their full educational potential, with a well-balanced and appropriate curriculum provided to all students. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(2)(4)]

Performance Objective 12: Ancillary Services - Fort Hancock ISD provides Ancillary Services or related services to all students to ensure that variables beyond their control do not compromise academic performance or compel them to drop out of school.

Evaluation Data Sources: Informal Assessment :Classroom Assessments- 05/23: 90% of all students will pass EOY benchmark tests.

Strategy 1 Details
<p>Strategy 1: Counseling Services - The School Counselors provides the following services: * 1:1 and small group counseling sessions, * Focused informal groups- -behavior, attendance, * Assistance with testing coordination, * Class presentations on health, communication, drug and alcohol abstinence, behavior and safety related issues, * STAAR presentations, * Responsive services, * Parent Training, and * Individual student planning.</p> <p>Strategy's Expected Result/Impact: The Counseling and Guidance Program will have a positive impact on students, resulting in increased student achievement and reduced drop-out rates.</p> <p>Staff Responsible for Monitoring: Campus Principals and District Counselor</p>
Strategy 2 Details
<p>Strategy 2: Library and Media Services - A contracted, Certified Librarian conducts the Library-Media Services. Available resources include: * Full-scale Library facilities available to students; * Accelerated Reader Books and Tests; * Computers with internet access; * Electronic encyclopedias and references; and * Interactive Language Arts, Math, Science, and Social Studies resources.</p> <p>Strategy's Expected Result/Impact: The Fort Hancock ISD Library will provide the services necessary to ensure a positive impact on all students, resulting in increased student achievement for all students and all student groups.</p> <p>Staff Responsible for Monitoring: Campus Principals and District librarian and library staff</p>
Strategy 3 Details
<p>Strategy 3: Homeless Services - The Homeless Liaison will work with the district administrators and counseling and nursing personnel in the identification and the provision of ancillary services to homeless students to ensure there is no disruption in the students' education. The Homeless Liaison will conduct a district wide training on the identification and plight of the homeless student and strategies and activities that can be implemented at the district level, on the campus level and at the individual level. Fort Hancock ISD will be in compliance with federal Homeless regulations.</p> <p>Strategy's Expected Result/Impact: No student will suffer an interruption in their education because of homelessness. Increased student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals and Homeless Liaison</p>

Strategy 4 Details

Strategy 4: Attendance Incentives and Strategies - Parents will be provided with attendance requirements through the dissemination of the District Code of Conduct and Student/Parent Handbook, and during open house and parent meetings. Students with perfect attendance will be recognized every six weeks. Fort Hancock ISD will contact parents after a student has had three consecutive absences. The Principals at Fort Hancock ISD will ensure that the campus attendance procedures are up to date at the beginning of the school year.

Strategy's Expected Result/Impact: Fort Hancock ISD will encourage increased student attendance.

Staff Responsible for Monitoring: Campus Principals

Goal 3:

Through enhanced dropout prevention efforts, all students will remain in school until they obtain a high school diploma. (SWP CIP) [TEC SS4.001 (b)(3)]

Performance Objective 1: Dropout Prevention Program (SWP CIP) - Dropout prevention and intervention efforts begin in Prekindergarten in Fort Hancock ISD. Through enhanced dropout prevention efforts, 100% students will remain in school until they obtain a diploma. Students are encouraged to set high personal goals at an early age and are provided with supplemental programs and activities such as Tutorials and Individualized Assistance to assist them in their academic success.

Evaluation Data Sources: Documentation :School Records - 05/24: 90% of students will be promoted to the next grade level or obtain a high school diploma.

Strategy 1 Details
<p>Strategy 1: Incentives are provided to reward good behavior such as ice cream socials, dances, and bags of goodies. "Student of the Month" will be recognized at the monthly School Board meetings.</p> <p>Strategy's Expected Result/Impact: Student dropout rate of 0%.</p> <p>Staff Responsible for Monitoring: Campus Principals and District Counselor</p>

Goal 3:

Through enhanced dropout prevention efforts, all students will remain in school until they obtain a high school diploma. (SWP CIP) [TEC SS4.001 (b)(3)]

Performance Objective 2: Credit Recovery Program - Fort Hancock High School provides a credit recovery program during the school day for grades 9 - 12 using Edgenuity, a comprehensive, online coursework system that provides research-based, interactive curriculum while integrating assessments and student management. Credit Recovery allows students the opportunity to regain failed credits and serves as a tool to reduce dropout rates. Students who are having difficulty mastering the TEKS in core subject areas will be able to use this program to receive targeted interventions that extend and support the classroom lessons. This program will also accommodate students with different learning styles by providing multi-dimensional learning opportunities and allow students to work at their own pace outside of the foundation classroom.

Evaluation Data Sources: Documentation :School Records - - 05/24: 90% of students will attain the appropriate credits and graduate in four years.

Strategy 1 Details
<p>Strategy 1: The Credit Recovery aide, after coordination with the foundation teachers, will facilitate intensive, the appropriate instruction in the core subject areas.</p> <p>Strategy's Expected Result/Impact: Increased student achievement.</p> <p>Staff Responsible for Monitoring: High School Principals - Lorena Molinar and Danny Medina</p>

Goal 3:

Through enhanced dropout prevention efforts, all students will remain in school until they obtain a high school diploma. (SWP CIP) [TEC SS4.001 (b)(3)]

Performance Objective 3: Pregnancy Related Services (PRS) - Pregnancy Related Services (PRS) is a support service provided to students during the prenatal and postpartum periods of pregnancy. The intended purpose of the service is to provide academic, mental and physical support and encouragement so that students will remain in school until they earn a diploma. A student is eligible for PRS if: * the student is pregnant and attending classes on a district campus; * the pregnancy prenatal period prevents the student from attending classes on a district campus and * the pregnancy postpartum period prevents the student from attending classes on a district campus.

Evaluation Data Sources: Documentation :School Records - - 05/24: School records indicate all students graduate from school.

Strategy 1 Details
<p>Strategy 1: The district will also provide compensatory education home instruction (CEHI) for any identified pregnant students, as needed; and provide counseling services for the students, staff and parents. Counseling services include, but are not limited to, the development of career awareness and tracking, individual counseling, small support groups, child development instruction along with family responsibilities and coping skills.</p> <p>Strategy's Expected Result/Impact: Students are able to remain in school and complete their education.</p> <p>Staff Responsible for Monitoring: High School Principals</p>

Goal 3:

Through enhanced dropout prevention efforts, all students will remain in school until they obtain a high school diploma. (SWP CIP) [TEC SS4.001 (b)(3)]

Performance Objective 4: Extracurricular Activities - Fort Hancock ISD offers a variety of extracurricular activities to allow students to pursue interests they are talented and/or interested in to ensure that students develop into goal-oriented and well-rounded individuals in the realm of education, athletics, non-athletic talents and social skills and leadership. Students are recruited and encouraged to participate in all of the extracurricular activities that are available.

Evaluation Data Sources: Documentation :School Records - 05/24: Increase in the number of students participating in extracurricular activities as compared to the previous year.

Strategy 1 Details

Strategy 1: Student Activities include:

- * Student council
- * National Honor Society
- * One Act Play
- * UIL Academics
- * 4-H
- * Athletics
- * IT Club

Strategy's Expected Result/Impact: Students will become more diversified, goal-oriented and well-rounded individuals.

Staff Responsible for Monitoring: Campus Principals

Goal 4: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society, as well as, provide career and technology education. (SWP CIP) [TEC SS4.001 (b)(5)(11)]

Performance Objective 1: Career Guidance and Counseling (SWP CIP) - The counselors will assist students in monitoring and understanding their own development. Areas addressed include: * Education: Acquisition of study skills and choosing appropriate programs and services. * Career: Need for positive work habits, career awareness, and investigations of opportunities. *Personal-Social: Development of healthy self-concepts and development of adaptive and adjustive social behavior.

Evaluation Data Sources: Documentation :School Records - 05/24: All students complete school with ideas of potential careers and goals to prepare themselves for successful postsecondary opportunities.

Strategy 1 Details
<p>Strategy 1: The Counselors will be responsible for disseminating the following information to students, students' teachers and students' parents: 1) Higher education admissions and financial aid opportunities (Sources of information on higher education admissions and financial aid, are provided to ensure that all students have an equal opportunity to participate in higher education.). 2) The TEXAS grant program and the Teach for Texas grant program established under Subchapter M, Chapter 56. 3) The need for students to make informed curriculum choices to be prepared for success beyond high school. 4) Source of information on higher education admissions and financial aid. 5) Opportunities for credit by exam, dual credit or correspondence courses to allow for make-up credits, early graduation or college credits.</p> <p>Strategy's Expected Result/Impact: Students will demonstrate positive attitudes and willingness to be accountable for present and future actions and accomplishments</p> <p>Staff Responsible for Monitoring: High School Principals and District Counselor</p>
Strategy 2 Details
<p>Strategy 2: The Counselors will be responsible for collaborating with parents, community members and business representatives to provide students with an opportunity to meet and interact with people working in a variety of exciting careers through Career Day, as well as, to visit technical or academic institutions of higher learning through College Days.</p> <p>Strategy's Expected Result/Impact: Students will demonstrate positive attitudes and willingness to be accountable for present and future actions and accomplishments.</p> <p>Staff Responsible for Monitoring: Campus Principals and District Counselor</p>
Strategy 3 Details
<p>Strategy 3: Benito Martinez Elementary students will engage in a meaningful partnership with El Paso Community College to provide a significant way to involve our students, staff, and community in creating career and college awareness.</p> <p>Strategy's Expected Result/Impact: Students will demonstrate positive attitudes and willingness to be accountable for present and future actions and accomplishments.</p> <p>Staff Responsible for Monitoring: Elementary Principal and District Counselor</p>

Goal 4: Educators will prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society, as well as, provide career and technology education. (SWP CIP) [TEC SS4.001 (b)(5)(11)]

Performance Objective 2: Career and Technical Education - Fort Hancock ISD offers CTE programs at the secondary level in line with the State's CTE Goals and the State's CTE Plan (TEC Sections 29.181 and 29.182) to ensure that each student will master the basic skills and knowledge necessary for managing the dual roles of family member and wage earner and gaining entry-level employment in a high-skill, high-wage job or continuing the student's education at the postsecondary level.

Evaluation Data Sources: Documentation :School Records - 05/24: School records indicate an increase in the number of students enrolled in Career and Technology courses and students earning professional certifications as compared to the previous school year

Strategy 1 Details
<p>Strategy 1: Academic TEKS are integrated into the Career and Technology TEKS through administrative directives to teachers, the adoption of new curriculum materials, or the development of model curricula.</p> <p>Strategy's Expected Result/Impact: Students will be exposed to the career opportunities available so that they may make informed decisions regarding their course of study.</p> <p>Staff Responsible for Monitoring: High School Principals and District Counselor</p>

Goal 5: Qualified and highly effective personnel will be recruited, developed and retained, with educators keeping abreast of the development of creative and innovative techniques in

instruction and administration, using those techniques as appropriate to improve student learning. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(6)(9)]

Performance Objective 1: (SWP CNA, CIP) - Through the DPDMC, teachers participated in the Professional Development (PD) needs assessment process, recommending programs and activities and approving the PD plan for the district that: * will coordinate PD programs and activities across programs that will improve, enhance, or develop instructional methods; * will be intense and sustained; * will be tied to the TEKS and STAAR; * will apply research to meet the learning needs of all students, i.e., students meeting the State-adopted "at-risk" criteria, 504 students, EB/EL, students with disabilities, G/T students, etc. and * will enable all children to meet the same challenging State content standards and challenging State student performance standards that all children are expected to meet.

Evaluation Data Sources: Documentation :Professional Development Records - 04/24: The Principals and DPDMC have reviewed the list of PD activities determining that 100% of the teachers have participated in activities that support their individual needs.

Strategy 1 Details

Strategy 1: Annual needs assessment results indicate a need for: * District wide training on Content Area Best Practices through the Region XIX, Campus Staff, and Instructional Coaches. * District wide training on Reading and Writing through Region XIX. * District wide training on Guided Math through Region XVIII. * District wide training on High Quality Instructional Materials (HQIM) and Research Based Instructional Strategies (RBIS) through E3 * Ongoing district wide training on student mental health awareness and interventions. * Training on the incorporation of ELPS through ELlevation software. * Training on TEKS Resource System for all teachers. * Training on technology applications and programs.

Strategy's Expected Result/Impact: Increased student achievement.

Staff Responsible for Monitoring: High School Principals - Lorena Molinar and Danny Medina Elementary Principal - Jess Schultz
District Counselor- Teresa Gonzalez

Strategy 2 Details

Strategy 2: Evaluation of Professional Development Program (SWP EPE) - The Fort Hancock ISD Professional Development Program will be evaluated in light of students' performance to ensure that the program as a whole and individual activities have a positive impact on student achievement. Modifications and adjustments will be made as needed in order to improve student achievement.

Strategy's Expected Result/Impact: Increase in student performance as professional development activities focus on needs of students and faculty.

Staff Responsible for Monitoring: High School Principals - Lorena Molinar and Danny Medina Elementary Principal - Jess Schultz
C & I Director- Yvonne Samaniego

Goal 5: Qualified and highly effective personnel will be recruited, developed and retained, with educators keeping abreast of the development of creative and innovative techniques in instruction and administration, using those techniques as appropriate to improve student learning. (SWP CNA, CIP, EPE) [TEC SS4.001 (b)(6)(9)]

Performance Objective 2: Recruitment and Retention Initiatives (SWP CIP) - The DPDMC will be involved in the process of developing recruitment and retention initiatives and strategies. Teachers are recruited through Job Fairs and Online job posting. All applicants are screened prior to the interview process. Recruiting activities will ensure that Fort Hancock ISD has 100% fully certified faculty in each teaching position, as defined by state law.

Evaluation Data Sources: Documentation :Human Resources Records - 05/24: 100% Certified Faculty.

Strategy 1 Details
<p>Strategy 1: Fort Hancock ISD ensures professional development opportunities are available for staff to be able to maintain and enhance their certified status.</p> <p>Strategy's Expected Result/Impact: 100% Fully Certified Faculty.</p> <p>Staff Responsible for Monitoring: High School Principals and C & I Director</p>
Strategy 2 Details
<p>Strategy 2: In response to the COVID-19 pandemic, Fort Hancock ISD will provide all staff with retention stipends including high need field stipends, performance stipends, and Reading Academy Stipends to retain fully certified staff and continue to employ existing staff.</p> <p>Strategy's Expected Result/Impact: Retention of teachers and staff.</p> <p>Staff Responsible for Monitoring: High School Principals and HR Director</p>
Strategy 3 Details
<p>Strategy 3: All teachers must be fully certified or enrolled in an alternative certification program prior to employment at Fort Hancock ISD.</p> <p>Strategy's Expected Result/Impact: 100% Fully Certified Faculty.</p> <p>Staff Responsible for Monitoring: High School Principals and HR Director</p>

Goal 6: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development and administration. (SWP CIP, EPE)
 [TEC SS4.001 (b)(10)]

Performance Objective 1: Technology Integrated Curriculum (SWP CIP) - Fort Hancock ISD classroom teachers are using technology as an alternative instructional tool. Every grade level has access to the computer lab and interactive whiteboards. Mobile labs are also available for use in the classrooms. Ft Hancock ISD will purchase educational technology to mitigate learning loss due to the COVID-19 pandemic.

Evaluation Data Sources: Informal Assessment :Classroom Assessments - 05/24: 90% of students in grades PK - 2 will be promoted to the next grade.
 Criterion-Referenced Test :STAAR Reading - 05/24: 83% of students in grades 3 -6 will pass the appropriate grade-level STAAR RLA tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR RLA tests. 71% of students in grades 9- 12 will pass the STAAR EOC English I and 83% of students in grades 10 - 12 will pass the STAAR EOC English II exams.
 Criterion-Referenced Test :STAAR Math - 05/24: 80% of students in grades 3 - 6 will pass the appropriate grade-level STAAR Math tests. 81% of students in grades 7 - 8 will pass the appropriate grade-level STAAR Math tests. 72% of students in grades 9 - 12 will pass the STAAR EOC Algebra I exam.
 Criterion-Referenced Test :STAAR Science- 05/24: 81% of students in grade 5 will pass the STAAR Science test. 87% of students in grade 8 will pass the STAAR Science test. 79% of students in grades 9 - 12 will pass the STAAR EOC Biology exam.
 Criterion-Referenced Test :STAAR Social Studies -05/24: 73% of students in grade 8 will pass the STAAR Social Studies test. 95% of students in grades 11 - 12 will pass the STAAR EOC U. S. History exam.

Strategy 1 Details

Strategy 1: The use of instructional software programs, such as STEMscopes Texas, Learning A-Z, Measuring Up, Mentoring Minds, IXL, Accelerated Reader, and Discovery Education to support student learning within the classroom for reinforcement exercises, providing a media that complements tactile-kinesthetic learning styles and self-paced progression.

Strategy's Expected Result/Impact: Increased student achievement.
Staff Responsible for Monitoring: Campus Principals, Director of C &I , Technology Director

Strategy 2 Details

Strategy 2: Instructional management software tools such as Eduphoria Aware and ELlevation are used in the classroom, allowing teachers to track student performance as it relates to the TEKS, STAAR, and/or reading comprehension skills.

Strategy's Expected Result/Impact: Increased student achievement.
Staff Responsible for Monitoring: Campus Principals, Director of C &I , Technology Director

Goal 6: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development and administration. (SWP CIP, EPE)
[TEC SS4.001 (b)(10)]

Performance Objective 2: Technology Acceptable Use Policy - Every Fort Hancock ISD faculty member, student and parent having access to Fort Hancock computers, networked, Internet connected, or not, must have on file an Authorized User Permission (AUP) form. Students` AUP must be signed by the students and a parent or legal guardian, as well as a Parent Permission Form.

Evaluation Data Sources: Documentation :School Records - 05/24: No incidents of students, faculty, or parents breaking the Acceptable Use Policy.

Strategy 1 Details
<p>Strategy 1: Fort Hancock is in compliance with the Children's Internet Protections Act (CIPA). Under the CIPA, Fort Hancock has developed an Internet Safety Policy that ensures technology measures are in place to block or filter internet access of inappropriate or harmful activities to minors and adults. For more information, see the Fort Hancock ISD School Board Policy CQ (Local).</p> <p>Strategy's Expected Result/Impact: Responsible students with access to the instructional resources available through the internet, which will have a positive impact on student achievement.</p> <p>Staff Responsible for Monitoring: Campus Principals, Director of C &I , Technology Director</p>

Goal 6: Technology will be implemented and used to increase the effectiveness of student learning, instructional management, staff development and administration. (SWP CIP, EPE)
[TEC SS4.001 (b)(10)]

Performance Objective 3: Evaluation of Technology Program (SWP EPE) - At least once a year the technology program will be evaluated for effectiveness and to ensure that students and teachers are utilizing the program with the frequency and purpose intended. Modifications and adjustments will be made as needed to improve student achievement.

Evaluation Data Sources: Documentation :School Records- 05/24: Principal's classroom observations indicate that 100% of all classroom teachers are integrating technology into weekly instructions and are enriching instruction with technology.

Goal 7: Fort Hancock ISD will maintain a safe and disciplined environment conducive to student learning by providing appropriate programs to all students demonstrating need in suicide prevention, conflict resolution, violence prevention and intervention, discipline management and character education. (SWP CIP) [TEC SS4.001 (b)(8), SS11.252(3)(B)(E), SS11.253(8)]

Performance Objective 1: Coordinated School Health Program (CSHP) - The CSHP is designed to promote healthy behaviors and help students establish and practice healthy habits throughout their school years and beyond. The coordinated efforts of schools, families and the larger community support student development by reducing risky behaviors and improving student's overall health and academic achievement. The CSHP integrates the following eight components into health instruction: 1. A nutrition program that adheres to the U.S. Dietary Guidelines for Americans and the Texas Nutrition Policy. 2. Health services designed to ensure access to primary health care while simultaneously stressing the importance of preventative health care. 3. A healthy and safe school environment that is physically, aesthetically and psycho socially conducive to student achievement and well-being. 4. Counseling services designed to improve the mental, emotional and social health of students. 5. Opportunities for campus and district staff to improve their personal health through health education and fitness activities. 6. School, parent and community involvement in the health and well-being of students. 7. A physical education curriculum that integrates mental and physical learning experiences to promote optimum overall student health and 8. A health education curriculum that focuses on the personal (mental, physical, emotional) and social aspects of health.

Evaluation Data Sources: Documentation :Discipline Records - 05/24: An improvement in student behavior and a decrease in discipline referrals compared to the previous year due to students' improved physical, social, mental, and emotional health.

Strategy 1 Details
<p>Strategy 1: In response to the COVID-19 pandemic, Fort Hancock ISD will purchase cleaning and sanitizing supplies to clean and sanitize the facilities to minimize the spread of infectious diseases in accordance with CDC recommendations.</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.</p> <p>Staff Responsible for Monitoring: Campus principals & custodians</p>

Goal 7: Fort Hancock ISD will maintain a safe and disciplined environment conducive to student learning by providing appropriate programs to all students demonstrating need in suicide prevention, conflict resolution, violence prevention and intervention, discipline management and character education. (SWP CIP) [TEC SS4.001 (b)(8), SS11.252(3)(B)(E), SS11.253(8)]

Performance Objective 2: School Health Advisory Council (SHAC) - The School Health Advisory Council (SHAC), made up of more than 50% parents, monitors existing school health initiatives and recommends new programs to promote student health. Members meet at least four times a year to discuss prevention and intervention strategies concerning health and wellness.

Evaluation Data Sources: Documentation :Board Policies - - 05/24: Local Board Policies reflect all new mandated medical and health-related policies, as well as Fort Hancock ISD's specific policies.

Strategy 1 Details
<p>Strategy 1: The council's duties include recommending: 1. The number of hours of instruction to be provided in health education; 2. Curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, and type 2 diabetes through coordination of health education, physical education and physical activity, nutrition services, parental involvement, and instruction to prevent the use of tobacco; 3. Appropriate grade levels and methods of instruction for human sexuality instruction; and 4. Strategies for integrating the curriculum components specified above with the following elements in a coordinated school health program: a. School health services; b. Counseling and guidance services; c. A safe and healthy school environment; and d. School employee wellness. Texas Education Code 28.004(c)</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.</p> <p>Staff Responsible for Monitoring: Campus principals & SHAC</p>

Goal 7: Fort Hancock ISD will maintain a safe and disciplined environment conducive to student learning by providing appropriate programs to all students demonstrating need in suicide prevention, conflict resolution, violence prevention and intervention, discipline management and character education. (SWP CIP) [TEC SS4.001 (b)(8), SS11.252(3)(B)(E), SS11.253(8)]

Performance Objective 3: Trauma-Informed Care Program - The Fort Hancock ISD trauma-informed care program (see Board Policy FFBA - Local) will provide for the integration of trauma-informed care practices in the school environment, including increasing staff and parent awareness of trauma-informed care, implementation of trauma-informed practices and care by district and campus staff, and providing information about available counseling options for students affected by trauma or grief.

Evaluation Data Sources: Documentation :Professional Development Records - - 05/24: 100% of district and campus staff have received the required training.

Strategy 1 Details
<p>Strategy 1: Fort Hancock ISD will provide training in trauma-informed care to district educators. Training will be best practice-based programs and research-based practices, as well as, provided as part of any new employee orientation for all new district educators and provided to existing district educators at specific intervals.</p> <p>Strategy's Expected Result/Impact: Establishing a comprehensive safe and supportive school program that incorporates research-based best practices and procedures for training staff on integrating trauma-informed practices.</p> <p>Staff Responsible for Monitoring: Campus principals & district counselor</p>
Strategy 2 Details
<p>Strategy 2: Fort Hancock ISD will maintain records of all educators who have completed training and provide an annual report to the TEA on the number of employees who have participated in trauma-informed care training. (TEC 8.036)</p> <p>Strategy's Expected Result/Impact: Establishing a comprehensive safe and supportive school program that incorporates research-based best practices and procedures for training staff on integrating trauma-informed practices.</p> <p>Staff Responsible for Monitoring: Campus principals & district counselor</p>

Goal 7: Fort Hancock ISD will maintain a safe and disciplined environment conducive to student learning by providing appropriate programs to all students demonstrating need in suicide prevention, conflict resolution, violence prevention and intervention, discipline management and character education. (SWP CIP) [TEC SS4.001 (b)(8), SS11.252(3)(B)(E), SS11.253(8)]

Performance Objective 4: Safe Schools Initiatives (SWP CIP) - The health and safety of Fort Hancock ISD students is of utmost importance, and the district seeks to ensure student safety through compliance with Federal, State, and local policy. Various preventative measures are taken to ensure that students, faculty, and visitors remain safe while on and off campus.

Evaluation Data Sources: Documentation :Discipline Records - 05/24: An improvement in student behavior and a decrease in discipline referrals compared to the previous year due to students' improved physical, social, mental, and emotional health.

Strategy 1 Details
<p>Strategy 1: In an effort to promote "Safe Schools," Fort Hancock ISD will promote special initiatives and activities that support Safe Schools. Activities include, but are not limited to: * Campus Safety Rules * Campus Dress and Discipline Codes * 3Bs * Medical Services (screening and information) * Assemblies and Speakers to encourage safety and healthy choices * Security Devices such as ID Tags, Cameras, and Alarms * Active shooter alarm system notification software * Two-way radios</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.</p> <p>Staff Responsible for Monitoring: Campus principals & district counselor</p>
Strategy 2 Details
<p>Strategy 2: At this time, Fort Hancock ISD does not employ or contract with a School Resource Officer. (TEC SS37.081(d)) Instead we have the school guardian program.</p>
Strategy 3 Details
<p>Strategy 3: Disciplinary Alternative Education Program (DAEP) - Fort Hancock ISD students will be knowledgeable about the Student Code of Conduct, campus rules, 3B's, and the guidelines as set forth in the Acceptable Use policy. Fort Hancock ISD students who have violated the district code of conduct may be placed on Edgenuity.</p> <p>Strategy's Expected Result/Impact: A safe climate for student learning, having a positive impact on student achievement.</p> <p>Staff Responsible for Monitoring: Campus principals & district counselor</p>
Strategy 4 Details
<p>Strategy 4: Drug Use, Violence Prevention and/or Intervention Programs and Activities - The staff of Fort Hancock ISD recruits parents, community members and business representatives to assist in the design, development, implementation and evaluation of the drug use and violence prevention and/or intervention program and activities.</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle</p> <p>Staff Responsible for Monitoring: Campus principals & district counselor</p>

Strategy 5 Details

Strategy 5: An annual review of tobacco, alcohol and other drug use incident data will be conducted by the campus Counselors and Principals, using the data to plan specific programs and activities. Activities include, but are not limited to: * National Red Ribbon Week presentations and activities * Student Assemblies on violence, drug prevention, health and safety * Border Patrol presentations * Speak Out to Drugs Student Engagement

Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.

Staff Responsible for Monitoring: Campus principals & district counselor

Strategy 6 Details

Strategy 6: Child Sexual Abuse and Other Maltreatment of Children - The district has established a plan for addressing child sexual abuse and other maltreatment of children. As a parent, it is important for you to be aware of warning signs that could indicate a child may have been or is being sexually abused. Sexual abuse in the Texas Family Code is defined as any sexual conduct harmful to a child's mental, emotional, or physical welfare as well as a failure to make a reasonable effort to prevent sexual conduct with a child. Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS). Possible physical warning signs of sexual abuse could be difficulty sitting or walking, pain in the genital areas, and claims of stomachaches and headaches. Behavioral indicators may include verbal references or pretend games of sexual activity between adults and children, fear of being alone with adults of a particular gender, or sexually suggestive behavior. Emotional warning signs to be aware of include withdrawal, depression, sleeping and eating disorders, and problems in school. A child who has

experienced sexual abuse or any other type of abuse or neglect should be encouraged to seek out a trusted adult. Be aware as a parent or other trusted adult that disclosures of sexual abuse may be more indirect than disclosures of physical abuse and neglect, and it is important to be calm and comforting if your child, or another child, confides in you. Reassure the child that he or she did the right thing by telling you. As a parent, if your child is a victim of sexual abuse or other maltreatment, the campus counselor or principal will provide information regarding counseling options for you and your child available in your area. The Texas Department of Family and Protective Services (TDFPS) also manages early intervention counseling programs. To find out what services may be available in your county, see http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Programs_Available_In_Your_County/default.asp. The following Web sites might help you become more aware of child abuse and neglect: <http://www.childwelfare.gov/pubs/factsheets/signs.cfm> <http://sapr.nonprofitoffice.com> <http://www.taasa.org/member/materials2.php> http://www.oag.state.tx.us/AG_Publications/txts/childabuse1.shtml http://www.oag.state.tx.us/AG_Publications/txts/childabuse2.shtml

Reports may be made to: The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (1800-252-5400 or on the Web at <http://www.txabusehotline.org>).

Strategy's Expected Result/Impact: Staff, parents and students have an increased awareness of issues regarding the sexual abuse and other maltreatment of children

Staff Responsible for Monitoring: Campus principals & district counselor

Strategy 7 Details

Strategy 7: Each year, teachers and staff must take required online training.

Strategy's Expected Result/Impact: Staff will have an increased awareness of issues regarding the sexual abuse and other maltreatment of children.

Staff Responsible for Monitoring: Campus principals

Strategy 8 Details

Strategy 8: Dating Violence Policy - In accordance with TEC 37.0831, the dating violence is not tolerated in Fort Hancock ISD. Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense. Students who are victims of child abuse, family violence, dating violence, and sex trafficking should report to the school counselor, principal, Superintendent, or a teacher they are comfortable sharing this information. The principal or designee will notify the parent in a timely manner if a report identifies a student as an alleged victim or perpetrator. The district will provide counseling for victims and perpetrators and training to teachers and administrators. In addition, the district will provide students with age-appropriate educational materials on the dangers of dating violence and resources for students seeking help. For more information see Board Policy FFH (Local).

Strategy's Expected Result/Impact: Staff, parents, and students have an increased awareness of dating violence.

Staff Responsible for Monitoring: Campus principals, District counselor, and Superintendent

Goal 7: Fort Hancock ISD will maintain a safe and disciplined environment conducive to student learning by providing appropriate programs to all students demonstrating need in suicide prevention, conflict resolution, violence prevention and intervention, discipline management and character education. (SWP CIP) [TEC SS4.001 (b)(8), SS11.252(3)(B)(E), SS11.253(8)]

Performance Objective 5: Counseling Responsive Services (SWP CIP) - The counselors will conduct responsive services in prevention and intervention areas. Areas of focus will include: * Academic concerns * School-related concerns such as misbehavior, excessive absences and tardiness * Dropout prevention * Physical, sexual or emotional abuse * Coping with stress * Discipline management * Health and wellness * Drug and Alcohol abuse prevention * Bullying * Suicide prevention * Conflict resolution * Violence prevention * Parent education

Evaluation Data Sources: Documentation :Counselor Records - 05/24: Counselor records indicate that referrals to counselor have decreased as compared to the previous year.

Strategy 1 Details
<p>Strategy 1: The counselors and classroom teachers will deliver age-appropriate guidance curriculum focusing on: * Self-Esteem Development * Good Character * Emotion Management * Motivation to Achieve * Decision-Making Skills* *Goal Setting * Planning and Problem-Solving Skills * Interpersonal Effectiveness * Communication Skills * Cross Cultural Effectiveness * Responsible Behavior</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.</p> <p>Staff Responsible for Monitoring: Campus principals and District counselor</p>
Strategy 2 Details
<p>Strategy 2: In response to the COVID-19 pandemic, a counselor will provide mental health and support services to address the social, emotional, and mental health needs of all students using an SEL program.</p> <p>Strategy's Expected Result/Impact: Students' academic achievement, behavior and attitudes will improve as a result of living a healthier lifestyle.</p> <p>Staff Responsible for Monitoring: Campus principals and District counselor</p>

District Planning and Decision Making Committee

Committee Role	Name	Position
Administrator	Yvonne Samaniego	Associate Superintendent/Federal Programs Director
Administrator	Lorena Molinar	High School Principal
Administrator	Danny Medina	High School Principal
Administrator	Jess Schultz	Elementary School Principal
Non-classroom Professional	Cassandra Santillan	District Health Specialist
District-level Professional	Teresa Gonzalez	Counselor/SHAC Coordinator
District-level Professional	Luis Martinez	Technology Director
District-level Professional	Christine Robledo	504/GT/Dyslexia Coordinator
Classroom Teacher	Maria Fierro	Pk Teacher
Classroom Teacher	Zenia Quijas	Math Teacher
Classroom Teacher	Rita Moreno	SPED Teacher
Classroom Teacher	Noe Iglesias	CTE Teacher
Classroom Teacher	Amber Moseley	Secondary RLA Teacher
District-level Professional	Melissa Ramos	SPED Diagnostician
Paraprofessional	Refugio Grajeda	Instructional Aide
Paraprofessional	Jacob Aguilar	Instructional Aide
Non-classroom Professional	Maria Rubio	Parent Liaison
Non-classroom Professional	Jessica Garcia	Parent Liaison /Migrant Recruiter
Parent	Bo Gonzalez	Parent
Parent	Karina Mercado	Parent
Student	Juan Montoya	Student
Student	Estrella Hinojos	Student

Policies, Procedures, and Requirements

The following policies, procedures, and requirements are addressed in the District Improvement Plan. District addressed Policies, Procedures, and Requirements will print with the Improvement Plan:

Title	Person Responsible	Review Date	Addressed By	Addressed On
Bullying Prevention	District Guidance Counselor		Yvonne Samaniego	12/13/2023
Child Abuse and Neglect	Superintendent		Yvonne Samaniego	12/13/2023
Coordinated Health Program	Health Specialist		Yvonne Samaniego	12/13/2023
Decision-Making and Planning Policy Evaluation	Superintendent		Yvonne Samaniego	12/13/2023
Disciplinary Alternative Education Program (DAEP)	Superintendent		Yvonne Samaniego	12/13/2023
Dropout Prevention	Campus Principals		Yvonne Samaniego	12/13/2023
Dyslexia Treatment Program	Dyslexia Coordinator		Yvonne Samaniego	12/13/2023
Title I, Part C Migrant	Federal Programs Director		Yvonne Samaniego	12/13/2023
Pregnancy Related Services	Secondary Principal		Yvonne Samaniego	12/13/2023
Post-Secondary Preparedness	Secondary Principal		Yvonne Samaniego	12/13/2023
Recruiting Teachers and Paraprofessionals	HR		Yvonne Samaniego	12/13/2023
Student Welfare: Crisis Intervention Programs and Training	Campus Principals		Yvonne Samaniego	12/13/2023
Student Welfare: Discipline/Conflict/Violence Management	Campus Principals		Yvonne Samaniego	12/13/2023
Texas Behavior Support Initiative (TBSI)	Superintendent		Yvonne Samaniego	12/13/2023
Technology Integration	Technology Director		Yvonne Samaniego	12/13/2023
Job Description for Peace Officers, Resource Officers & Security Personnel	HR		Yvonne Samaniego	12/13/2023

Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyberbullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

Reporting Procedures

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

Employee Report

Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.

Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.</p>
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.
District Action	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
<i>Discipline</i>	A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.

	<p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where bullying has occurred, and reaffirming the District's policy against bullying.</p>
<i>Transfers</i>	<p>The principal or designee shall refer to FDB for transfer provisions.</p>
<i>Counseling</i>	<p>The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.</p>
Improper Conduct	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.</p>
Confidentiality	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.</p>
Appeal	<p>A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.</p>
Records Retention	<p>Retention of records shall be in accordance with CPC(LOCAL).</p>
Access to Policy and Procedures	<p>This policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and shall be readily available at each campus and the District's administrative offices.</p>

Purpose

As a condition of accreditation, a district shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

A district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

A primary purpose of the public school curriculum is to prepare thoughtful, informed citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the fundamental democratic principles of our state and national heritage.

A district shall require the teaching of informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. In providing instruction required by the State Board of Education under Education Code 28.002(h-1), regarding the founding documents of the United States, a district shall use those documents as part of the instructional materials for the instruction.

Education Code 28.002(h), (h-6)

Required Curriculum

Foundation
Curriculum

A district that offers kindergarten through grade 12 shall offer a foundation curriculum that includes:

1. English language arts and reading;
2. Mathematics;
3. Science; and
4. Social studies, consisting of Texas, United States, and world history; government; geography; and economics with emphasis on the free enterprise system and its benefits.

Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)

Enrichment
Curriculum

A district that offers kindergarten through grade 12 shall offer an enrichment curriculum that includes:

1. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the district may offer an elective course in the language;
2. Health, with emphasis on:
 - a. Physical health, including the importance of proper nutrition and exercise;
 - b. Mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
 - c. Suicide prevention, including recognizing suicide-related risk factors and warning signs;
3. Physical education;
4. Fine arts;
5. Career and technical education;
6. Technology applications;
7. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
8. Personal financial literacy.

Education Code 28.002(a)(2), (e); 19 TAC 74.1(a)(2)

Digital Citizenship

The State Board of Education by rule shall require each district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying.

"Cyberbullying" has the meaning assigned by Education Code 37.0832. [See FFI]

"Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

Education Code 28.002(z)

Positive Character
Traits

Districts are required to provide instruction in the essential knowledge and skills for positive character traits and personal skills at least once in the following grade bands: kindergarten–grade 2, grades 3–5, grades 6–8, and grades 9–12.

BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA
(LEGAL)

Districts may provide the required instruction in a variety of arrangements, including through a stand-alone course or by integrating the positive character traits standards in the essential knowledge and skills for one or more courses or subject areas at the appropriate grade levels.

19 TAC 120.3(a), .5(a), .7(a), .9(a)

Local Credit

A district may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. *Education Code 28.002(f); 19 TAC 74.1(b)*

Local Instructional Plan

A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A district is encouraged to exceed minimum requirements of law and State Board rule.

Major Curriculum Initiatives

Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that:

1. Includes teacher input;
2. Provides district employees with the opportunity to express opinions regarding the initiative; and
3. Includes a meeting of the board at which information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and members of the public and district employees are given the opportunity to comment regarding the initiative.

Education Code 28.002(g)

Common Core State Standards

A district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels. A district may not be required to offer any aspect of a common core state standards curriculum. "Common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative. *Education Code 28.002(b-1), (b-3), (b-4)*

Scope and Sequence

In adopting a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level, a district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level [see DG]. *Education Code 28.0027(a)*

Coordinated Health Programs

The Texas Education Agency (TEA) shall make available to each district one or more coordinated health programs in elementary, middle, and junior high school. Each program must provide for coordinating education and services related to:

1. Physical health education, including programs designed to prevent obesity, cardiovascular disease, oral diseases, and Type 2 diabetes and programs designed to promote the role of proper nutrition;
2. Mental health education, including education about mental health conditions, mental health well-being, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making;
3. Substance abuse education, including education about alcohol abuse, prescription drug abuse, and abuse of other controlled substances;
4. Physical education and physical activity; and
5. Parental involvement.

Education Code 38.013; 19 TAC 102.1031(a)

A district shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the district. *Education Code 38.014*

Coordinated school health programs that are developed by districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

Physical Education

Each district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and

3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

Student/Teacher
Ratio

The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to:

1. Carry out the purposes of and requirements for the physical education curriculum; and
2. Ensure the safety of students participating in physical education.

If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained.

Education Code 25.114, 28.002(d); 19 TAC 74.37

Classification for
Physical Education

A district shall classify students for physical education on the basis of health into one of the following categories:

1. Unrestricted — not limited in activities.
2. Restricted — excludes the more vigorous activities. Restricted classification is of two types:
 - a. Permanent — A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student.
 - b. Temporary — Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration.
3. Adapted and remedial — specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas.

19 TAC 74.31

**School Health
Advisory Council**

A board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See BDF regarding composition of the SHAC and FFA regarding federal wellness requirements.]

Duties

The SHAC's duties include recommending:

1. The number of hours of instruction to be provided in:
 - a. Health education in kindergarten through grade 8; and
 - b. If the district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12.
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - a. Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;
 - b. Physical education and physical activity;
 - c. Nutrition services;
 - d. Parental involvement;
 - e. Instruction on substance abuse prevention;
 - f. School health services, including mental health services;
 - g. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - h. A safe and healthy school environment; and
 - i. School employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:

- a. School health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;
 - b. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - c. A safe and healthy school environment; and
 - d. School employee wellness;
5. If feasible, joint use agreements or strategies for collaboration between the district and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the district and community organization;
 6. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.
 7. Appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods for administering an opioid antagonist; and
 8. Appropriate grade levels and curriculum for instruction regarding child abuse, family violence, dating violence, and sex trafficking, including likely warning signs that a child may be at risk for sex trafficking, provided that the local SHAC's recommendations under this provision do not conflict with the essential knowledge and skills developed by the State Board of Education.

Education Code 28.004(c), (n)

Policy
Recommendations

The SHAC shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The SHAC must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to the district concerning the importance of daily recess for elementary school students.

Education Code 28.004(l)

The SHAC shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Education Code 28.004(o)*

Complaints

A parent may use the grievance procedure at FNG concerning a complaint of a violation of Education Code 28.004. *Education Code 28.004(i-1)*

**Human Sexuality
Instruction**

Definitions

“Human sexuality instruction,” “instruction in human sexuality,” and “instruction relating to human sexuality” include instruction in reproductive health.

“Curriculum materials” includes the curriculum, teacher training materials, and any other materials used in providing instruction.

Education Code 28.004(p)

Board Selection

The board shall determine the specific content of a district’s instruction in human sexuality. *Education Code 28.004(h)*

The board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the SHAC. The instruction must:

1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;
2. Devote more attention to abstinence than to any other behavior;
3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.

Education Code 28.004(e)

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board’s deci-

sion regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

1. A statement informing the parent of the human sexuality instruction requirements under state law;
2. A detailed description of the content of the district's human sexuality instruction and a general schedule on which the instruction will be provided;
3. A statement of the parent's right to:
 - a. At the parent's discretion, review or purchase a copy of curriculum materials as provided by Education Code 28.004(j) [see EFA];
 - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and
 - c. Use the grievance procedure at FNG or the appeals process under Education Code 7.057 concerning a complaint of a violation of Education Code 28.004;
4. A statement that any curriculum materials in the public domain used for the district's human sexuality instruction must be posted on the district's internet website, if the district has an internet website, and the internet website address at which the curriculum materials are located; and
5. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

Education Code 28.004(i)

Parent Consent
Before Instruction

Before a student may be provided with human sexuality instruction, a district must obtain the written consent of the student's parent. A request for written consent may not be included with any other notification or request for written consent provided to the parent, other than the notice provided under Education Code 28.004(i), described above, and must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins. The requirements in this paragraph expire August 1, 2024. *Education Code 28.004(i-2)–(i-3)*

Condoms

A district may not distribute condoms in connection with instruction relating to human sexuality. *Education Code 28.004(f)*

Separate Classes If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. *Education Code 28.004(g)* [See FB regarding single-sex classes under Title IX.]

Adoption of Instructional Materials The board shall adopt a policy establishing a process for the adoption of curriculum materials for the district's human sexuality instruction. The policy must require:

1. The board to adopt a resolution convening the local SHAC for the purpose of making recommendations regarding the curriculum materials;
2. The local SHAC to:
 - a. After the board's adoption of the resolution, hold at least two public meetings [see BDF] on the curriculum materials before adopting recommendations; and
 - b. Provide the adopted recommendations to the board at a public meeting of the board; and
3. The board, after receipt of the local SHAC's recommendations under item 2, above, to take action on the adoption of the recommendations by a record vote at a public meeting.

Before adopting curriculum materials for the district's human sexuality instruction, the board shall ensure that the curriculum materials are:

1. Based on the advice of the local SHAC;
2. Suitable for the subject and grade level for which the curriculum materials are intended; and
3. Reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

Education Code 28.004(e)–(e-1), (e-3)

Abuse Prevention Instruction

Adoption of Instructional Materials

Any course materials relating to the prevention of child abuse, family violence, dating violence, and sex trafficking shall be selected by the board with the advice of the local SHAC.

The board shall adopt a policy establishing a process for the adoption of curriculum materials for the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking. The policy must require:

1. The board to adopt a resolution convening the SHAC for the purpose of making recommendations regarding the curriculum materials;

BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA
(LEGAL)

2. The SHAC to:
 - a. After the board's adoption of the resolution, hold at least two public meetings [see BDF] on the curriculum materials before adopting recommendations; and
 - b. Provide the adopted recommendations to the board at a public meeting of the board; and
3. The board, after receipt of the SHAC's recommendations, to take action on the adoption of the recommendations by a record vote at a public meeting.

Board Selection

Before adopting curriculum materials for the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, the board shall ensure that the curriculum materials are:

1. Based on the advice of the local SHAC;
2. Suitable for the subject and grade level for which the curriculum materials are intended; and
3. Reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

The board shall determine the specific content of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, including the essential knowledge and skills addressing these topics developed by the State Board of Education.

Education Code 28.004(q)-(q-1), (q-3)-(q-4)

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board's decision regarding whether the district will provide instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking to district students. If instruction will be provided. The notice must include:

1. A statement informing the parent of the requirements under state law regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
2. A detailed description of the content of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
3. A statement of the parent's right to:

- a. At the parent's discretion, review or purchase a copy of curriculum materials [see below at Availability of Instructional Materials];
 - b. Remove the student from any part of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and
 - c. Use the grievance procedure at FNG or the appeals process under Education Code 7.057 concerning a complaint of a violation of Education Code 28.004;
4. A statement that any curriculum materials in the public domain used for the district's instruction regarding the prevention of child abuse, family violence, dating violence, and sex trafficking must be posted on the district's internet website address at which the curriculum materials are located; and
 5. Information describing the opportunities for parental involvement in the development of the curriculum to be used in instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, including information regarding the local SHAC.

Parent Consent
Before Instruction

Before a student may be provided with instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, a district must obtain the written consent of the student's parent. A request for written consent:

1. May not be included with any other notification or request for written consent provided to the parent, other than the notice described above; and
2. Must be provided to the parent not later than the 14th day before the date on which the instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking begins.

Education Code 28.004(q-5)–(q-6)

**Availability of
Materials for Human
Sexuality Instruction
and Abuse Prevention
Instruction**

Curriculum materials proposed to be adopted for the district's human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking must be made available as provided below, except copyrighted materials must be provided as described by items (2)(a) or (2)(c), as applicable.

A district shall make all curriculum materials used in human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking available by:

1. For curriculum materials in the public domain:
 - a. Providing a copy of the curriculum materials by mail or email to a parent of a student enrolled in the district on the parent's request; and
 - b. Posting the curriculum materials on the district's internet website, if the district has an internet website; and
2. For copyrighted curriculum materials, allowing a parent of a student enrolled in the district to:
 - a. Review the curriculum materials at the student's campus at any time during regular business hours;
 - b. Purchase a copy of the curriculum materials from the publisher as provided by the district's purchase agreement for the curriculum materials; or
 - c. Review the curriculum materials online through a secure electronic account in a manner that prevents the curriculum materials from being copied and that otherwise complies with copyright law.

For purchase agreements entered into, amended, or renewed on or after September 1, 2021, if a district purchases from a publisher copyrighted curriculum materials for use in the district's human sexuality instruction, the district shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the district may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by the district for the curriculum materials.

If a district purchases from a publisher copyrighted curriculum materials for use in the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, the district shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the district may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by the district for the curriculum materials.

Education Code 28.004(e-2), (j)-(j-2), (q-2)

Character Education A district must adopt a character education program that includes the following positive character education traits and personal skills:

1. Courage;
2. Trustworthiness, including honesty, reliability, punctuality, and loyalty;
3. Integrity;
4. Respect and courtesy;
5. Responsibility, including accountability, diligence, perseverance, self-management skills, and self-control;
6. Fairness, including justice and freedom from prejudice;
7. Caring, including kindness, empathy, compassion, consideration, patience, generosity, charity, and interpersonal skills;
8. Good citizenship, including patriotism, concern for the common good and the community, responsible decision-making skills, and respect for authority and the law;
9. School pride; and
10. Gratitude.

In developing or selecting a character education program under Education Code 29.906, a district shall consult with a committee selected by the district that consists of parents of district students, educators, and other members of the community, including community leaders.

The provisions above do not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

Education Code 29.906

A disciplinary alternative education program (DAEP) is an educational and self-discipline alternative instruction program, adopted by local policy, for students in elementary through high school grades who are removed from their regular classes for mandatory or discretionary disciplinary reasons and placed in a DAEP. *19 TAC 103.1201(a)*

[See board-adopted Student Code of Conduct for information regarding DAEP.]

**Joint/Contracted
DAEP**

A district may provide a DAEP jointly with one or more other districts or may contract with third parties for DAEP services. The district must require and ensure compliance with district responsibilities that are transferred to the third-party provider. *Education Code 37.008(d); 19 TAC 103.1201(d)*

A DAEP may provide for a student's transfer to a different campus, a school-community guidance center, or a community-based alternative school. *Education Code 37.008(b)*

Community
Organizations

A district shall cooperate with government agencies and community organizations that provide services in the district to students placed in a DAEP. *Education Code 37.008(e)*

Shared Service
Arrangements

A district that participates in a shared service arrangement for DAEP services shall ensure that the district improvement plan and each campus-level plan include the performance of the DAEP student group for the district in accordance with 19 Administrative Code 103.1201(b) [see BQ]. *19 TAC 103.1201(b)*

Funding

A student removed to a DAEP is counted in computing a district's average daily attendance for the student's time in actual attendance in the program. *Education Code 37.008(f)*

A district shall allocate to a DAEP the same expenditure per student attending the DAEP that would be allocated to the student's school if the student were attending the student's regularly assigned education program, including a special education program. *Education Code 37.008(g)* [See also EHBC(LEGAL), Limit on DAEP Expenditures]

Location

A DAEP shall be provided in a setting other than the student's regular classroom. *Education Code 37.008(a)(1)*

A DAEP may be located on-campus or off-campus in adherence with requirements of the *Student Attendance Accounting Handbook*. For reporting purposes, the DAEP shall use the county-district-campus number of the student's locally assigned campus (the

campus the student would be attending if the student was not attending the DAEP). *19 TAC 103.1201(c); Education Code 37.008(a)(2)*

An off-campus DAEP is not subject to a requirement imposed by the Education Code, other than a limitation on liability, a reporting requirement, or a requirement imposed by Education Code Chapter 37 or Chapter 39 or 39A. *Education Code 37.008(c)*

An elementary school student may not be placed in a DAEP with a student who is not an elementary school student. The designation of elementary and secondary is determined by adopted local policy. *Education Code 37.006(f); 19 TAC 103.1201(h)(1)*

Students who are assigned to the DAEP shall be separated from students who are not assigned to the program. Notwithstanding this requirement, summer programs provided by the district may serve students assigned to a DAEP in conjunction with other students, as determined by local policy.

Students in the DAEP shall be separated from students in a juvenile justice alternative education program.

Education Code 37.008(a)(3), (c); 19 TAC 103.1201(f)(3), (h)(3)

Safety

A district is responsible for the safety and supervision of the students assigned to the DAEP; however, the immunity from the liability established in Education Code 22.0511 [see DG], shall not be impacted. The DAEP staff shall be prepared and trained to respond to health issues and emergencies.

Each district shall establish a board-approved policy for discipline and intervention measures to prevent and intervene against unsafe behavior and include disciplinary actions that do not jeopardize students' physical health and safety, harm emotional well-being, or discourage physical activity.

19 TAC 103.1201(h)

Staffing

A DAEP shall employ only teachers who meet certification requirements under Education Code Chapter 21, Subchapter B. The certified teacher-to-student ratio in a DAEP shall be one teacher for each 15 students in elementary through high school grades. *Education Code 37.008(a)(7); 19 TAC 103.1201(h)(1)*

Staff at each DAEP shall participate in training programs on education, behavior management, and safety procedures that focus on positive and proactive behavior management strategies. The training programs must also target prevention and intervention that include:

1. Training on the education and discipline of students with disabilities who receive special education services;
2. Instruction in social skills and problem-solving skills that addresses diversity, dating violence, anger management, and conflict resolution to teach students how to interact with teachers, family, peers, authority figures, and the general public; and
3. Annual training on established procedures for reporting abuse, neglect, or exploitation of students.

19 TAC 103.1201(i)

Entrance Procedures

Procedures for each DAEP shall be developed and implemented for newly entering students and their parents or guardians on the expectations of the DAEP. These procedures shall include written contracts between students, parents or guardians, and the DAEP that formalize expectations and establish the students' individual plans for success. *19 TAC 103.1201(j)*

Academics

The academic mission of DAEPs shall be to enable students to perform at grade level. A DAEP shall focus on English language arts, mathematics, science, history, and self-discipline. *Education Code 37.008(a)(4), (m)*

A district shall provide an academic and self-discipline program that leads to graduation and includes instruction in each student's currently enrolled foundation curriculum necessary to meet the student's individual graduation plan, including special education services. A student's required high school personal graduation plan [see EIF] may not be altered when the student is assigned to a DAEP.

**Opportunity to
Complete Course**

A district shall offer a student removed to a DAEP an opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal, before the beginning of the next school year, through any method available, including a correspondence course, distance learning, or summer school. The district may not charge the student for a course provided under this provision.

Education Code 37.008(l); 19 TAC 103.1201(f)

A district shall provide the parents of a student removed to a DAEP with written notice of the district's obligation to provide the student with an opportunity to complete coursework required for graduation. The notice must include information regarding all methods available for completing the coursework and state that the methods are available at no cost to the student. *Education Code 37.008(l-1)*

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School Day The school day for a DAEP shall be at least 240 minutes in length each day, including intermissions and recesses. *19 TAC 103.1201(f)(2)*

Accountability The campus of accountability for student performance must be the student's locally assigned campus, including when the district or shared services arrangement contracts with a third party for DAEP services. *19 TAC 103.1201(e)*

Academic Assessments A district shall administer to a student placed in a DAEP program for a period of 90 school days or longer an assessment instrument:

1. Initially on placement of the student in the program; and
2. Subsequently on the date of the student's departure from the program, or as near that date as possible.

The assessment instrument:

1. Must be designed to assess at least a student's basic skills in reading and mathematics;
2. May be:
 - a. Comparable to any assessment instrument generally administered to students placed in juvenile justice alternative education programs for a similar purpose; or
 - b. Based on an appropriate alternative assessment instrument developed by the agency to measure student academic growth; and
3. Is in addition to the required state assessments [see EKB].

Education Code 37.0082

Released state assessments for reading and mathematics for the appropriate grade may be used. A district may apply for approval of an assessment that includes the Texas Essential Knowledge and Skills for reading and mathematics for the student's assigned grade. The commissioner will publish on the TEA website a list of assessments approved for use in each school year. A district may contact TEA to obtain accommodated versions of particular assessments.

The grade level of an assessment shall be based upon the academic grade completed prior to the student being assigned to a DAEP if placement occurs in the fall or first semester of the academic school year. If placement occurs in the spring or second semester of the academic school year, the student shall be administered an assessment based on the current grade level.

Each district shall provide an academic report to the student's locally assigned campus, which shall include the pre- and post-assessment results of the student's basic skills in reading and mathematics, within ten school days of the student completing the post-assessment.

Procedures for administering the pre- and post-assessment, including appropriate accommodations as needed, shall be developed and implemented in accordance with local district policy.

A student in the district's DAEP must also be assessed under the required state assessment [see EKB].

19 TAC 103.1203

Special Populations

Special Education

A DAEP serving a student with a disability who receives special education services shall provide educational services that will support the student in meeting the goals identified in the individualized education program (IEP) established by a duly-constituted admission, review, and dismissal (ARD) committee, in accordance with Education Code 37.004 and federal requirements. *19 TAC 103.1201(g)*

Drug and Alcohol
Treatment

A program of educational and support services may be provided to a student and the student's parents when the offense involves drugs or alcohol as specified under Education Code 37.006 and 37.007. A DAEP that provides chemical dependency treatment services must be licensed under Health and Safety Code Chapter 464. *Education Code 37.008(k)*

**Transition to Regular
Classroom**

The transition services established for a student who is exiting a DAEP and returning to the student's locally assigned campus shall be implemented as required by Education Code 37.023. *19 TAC 103.1201(k)*

Definitions

"Alternative education program" includes:

1. A disciplinary alternative education program operated by a school district or open-enrollment charter school;
2. A juvenile justice alternative education program; and
3. A residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity.

"Licensed clinical social worker" has the meaning assigned by Occupations Code 505.002.

Education Code 37.023(a)

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FOCA
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After Determination
of the Release Date

As soon as practicable after an alternative education program determines the date of a student's release from the program, the alternative education program administrator shall:

1. Provide written notice of that date to:
 - a. The student's parent or a person standing in parental relation to the student; and
 - b. The administrator of the campus to which the student intends to transition; and
2. Provide the campus administrator:
 - a. An assessment of the student's academic growth while attending the alternative education program; and
 - b. The results of any assessment instruments administered to the student.

Education Code 37.023(b)

Coordination After
Release

Not later than five instructional days after the date of a student's release from an alternative education program, the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from:

1. School counselors;
2. School district peace officers;
3. School resource officers;
4. Licensed clinical social workers;
5. Campus behavior coordinators;
6. Classroom teachers who are or may be responsible for implementing the student's personalized transition plan; and
7. Any other appropriate school district personnel.

Education Code 37.023(c)

Personalized
Transition Plan

The assistance described above must include a personalized transition plan for the student developed by the campus administrator. A personalized transition plan:

1. Must include recommendations for the best educational placement of the student; and
2. May include:

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- a. Recommendations for counseling, behavioral management, or academic assistance for the student with a concentration on the student's academic or career goals;
- b. Recommendations for assistance for obtaining access to mental health services provided by the district or school, a local mental health authority, or another private or public entity;
- c. The provision of information to the student's parent or a person standing in parental relation to the student about the process to request a full individual and initial evaluation of the student for purposes of special education services under Education Code 29.004; and
- d. A regular review of the student's progress toward the student's academic or career goals.

Education Code 37.023(d)

Parent Meeting

If practicable, the campus administrator, or the administrator's designee, shall meet with the student's parent or a person standing in parental relation to the student to coordinate plans for the student's transition.

Applicability

Education Code 37.023 applies only to a student subject to compulsory attendance requirements under Education Code 25.085 [see FEA].

Education Code 37.023(e)–(f)

**Planning and
Decision-Making
Process**

A board shall adopt a policy to establish a district- and campus-level planning and decision-making process that will involve the professional staff of a district, parents of students enrolled in a district, business representatives, and community members in establishing and reviewing the district's and campuses' educational plans, goals, performance objectives, and major classroom instructional programs. *Education Code 11.251(b)*

The planning and decision-making requirements do not:

1. Prohibit a board from conducting meetings with teachers or groups of teachers other than the district-level committee meetings.
2. Prohibit a board from establishing policies providing avenues for input from others, including students or paraprofessional staff, in district- or campus-level planning and decision making.
3. Limit or affect the power of a board to govern the public schools.
4. Create a new cause of action or require collective bargaining.

Education Code 11.251(g)

Evaluation

At least every two years, a district shall evaluate the effectiveness of the district's decision-making and planning policies, procedures, and staff development activities related to district- and campus-level decision making and planning to ensure that they are effectively structured to positively impact student performance. *Education Code 11.252(d)*

**Administrative
Procedure**

A board shall ensure that an administrative procedure is provided to clearly define the respective roles and responsibilities of the superintendent, central office staff, principals, teachers, district-level committee members, and campus-level committee members in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization.

A board shall ensure that the district-level planning and decision-making committee will be actively involved in establishing the administrative procedure that defines the respective roles and responsibilities pertaining to planning and decision making at the district and campus levels.

Education Code 11.251(d)

**Federal
Requirements**

The district policy must provide that all pertinent federal planning requirements are addressed through the district- and campus-level planning process. *Education Code 11.251(f)*

Required Plans

A board shall ensure that a district improvement plan and improvement plans for each campus are developed, reviewed, and revised annually for the purpose of improving the performance of all students. A board shall annually approve district and campus performance objectives and shall ensure that the district and campus plans:

1. Are mutually supportive to accomplish the identified objectives; and
2. At a minimum, support the state goals and objectives under Education Code Chapter 4.

Education Code 11.251(a)

Shared Services
Arrangement for
DAEP Services

Each district participating in a shared services arrangement for disciplinary alternative education program (DAEP) services shall be responsible for ensuring that the board-approved district improvement plan and the improvement plans for each campus include the performance of the DAEP student group for the respective district. The identified objectives for the improvement plans shall include:

1. Student groups served, including overrepresentation of students from economically disadvantaged families, with ethnic and racial representations, with a disability who receive special education services, or receiving limited English proficiency/English learner services;
2. Attendance rates;
3. Pre- and post-assessment results;
4. Dropout rates;
5. Graduation rates; and
6. Recidivism rates.

19 TAC 103.1201(b) [See FOCA]

District
Improvement Plan

A district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators. *Education Code 11.252(a) [See AIA]*

*Availability to
TEA*

A district's plan for the improvement of student performance is not filed with the Texas Education Agency (TEA), but the district must make the plan available to TEA on request. *Education Code 11.252(b)*

*Required
Provisions*

The district improvement plan must include provisions for:

1. A comprehensive needs assessment addressing performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by a district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Education Code Chapter 29, Subchapter A.
2. Measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Education Code Chapter 29, Subchapter A, and other measures of student performance that may be identified through the comprehensive needs assessment.
3. Strategies for improvement of student performance that include:
 - a. Instructional methods for addressing the needs of student groups not achieving their full potential.
 - b. Evidence-based practices that address the needs of students for special programs, including:
 - (1) Suicide prevention programs, in accordance with Education Code Chapter 38, Subchapter G, which include a parental or guardian notification procedure [see FFEB];
 - (2) Conflict resolution programs;
 - (3) Violence prevention programs; and
 - (4) Dyslexia treatment programs.
 - c. Dropout reduction.
 - d. Integration of technology in instructional and administrative programs.
 - e. Positive behavior interventions and support, including interventions and support that integrate best practices on grief-informed and trauma-informed care.
 - f. Staff development for professional staff of a district.
 - g. Career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities.

- h. Accelerated education.
 - i. Implementation of a comprehensive school counseling program under Education Code 33.005. [See FFEA]
4. Strategies for providing to elementary school, middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:
- a. Higher education admissions and financial aid opportunities, including state financial aid opportunities such as the TEXAS grant program and the Teach for Texas grant program.
 - b. The need for students to make informed curriculum choices to be prepared for success beyond high school.
 - c. Sources of information on higher education admissions and financial aid.
5. Resources needed to implement identified strategies.
6. Staff responsible for ensuring the accomplishment of each strategy.
7. Timelines for ongoing monitoring of the implementation of each improvement strategy.
8. Formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance.
9. The policy under Education Code 38.0041 addressing sexual abuse and other maltreatment of children. [See FFG]
10. The trauma-informed care policy required under Education Code 38.036. [See FFBA]

Education Code 11.252(a)

Law Enforcement Duties	The law enforcement duties of peace officers, school resource officers, and security personnel must be included in the district improvement plan. <i>Education Code 37.081(d)(1)</i> [See CKE]
Discipline Management	A district shall adopt and implement a discipline management program to be included in the district improvement plan. <i>Education Code 37.083(a)</i> [See FNC]
Dating Violence	A district shall adopt and implement a dating violence policy to be included in the district improvement plan. <i>Education Code 37.0831</i> [See FFH]

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Mental Health, Substance Abuse, and Suicide	The practices and procedures developed under Education Code 38.351(i) or (i-1) (mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention) must be included in the district improvement plan. <i>Education Code 38.351(k)(2)</i> [See FFEB]
Campus-Level Plan	Each school year, the principal of each school campus, with the assistance of the campus-level committee, shall develop, review, and revise the campus improvement plan for the purpose of improving student performance for all student populations, including students in special education programs under Education Code Chapter 29, Subchapter A, with respect to the student achievement indicators and any other appropriate performance measures for special needs populations. <i>Education Code 11.253(c)</i>
	Each campus improvement plan must:
	<ol style="list-style-type: none">1. Assess the academic achievement for each student in the school using the achievement indicator system.2. Set the campus performance objectives based on the achievement indicator system, including objectives for special needs populations, including students in special education programs under Education Code Chapter 29, Subchapter A.3. Identify how the campus goals will be met for each student.4. Determine the resources needed to implement the plan.5. Identify staff needed to implement the plan.6. Set timelines for reaching the goals.7. Measure progress toward the performance objectives periodically to ensure that the plan is resulting in academic improvement.8. Include goals and methods for violence prevention and intervention on campus.9. Provide for a program to encourage parental involvement at the campus.10. If the campus is an elementary, middle, or junior high school, set goals and objectives for the coordinated health program at the campus based on:<ol style="list-style-type: none">a. Student fitness assessment data, including any data from research-based assessments such as the school health index assessment and planning tool created by the federal Centers for Disease Control and Prevention;

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- b. Student academic performance data;
- c. Student attendance rates;
- d. The percentage of students who are educationally disadvantaged;
- e. The use and success of any method to ensure that students participate in moderate to vigorous physical activity; and
- f. Any other indicator recommended by the local school health advisory council.

Education Code 11.253(d)

Threat Assessment

Definitions

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

“Team” means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

Education Code 37.115(a)

Threat Assessment Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs; and
3. Require each team established under this section to report the required information regarding the team’s activities to TEA [see Reporting to TEA, below].

Membership

The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration,

school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight
Committee

The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties

Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:
 - a. Referring a student for mental health assessment; and
 - b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;
2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and
3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Consent for Mental
Health-Care Service

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Education Code 37.115(c)–(g)

Determination of
Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a

student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

Education Code 37.115(h)–(j)

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
 - a. Any disciplinary action taken, including a change in school placement;
 - b. Any action taken by law enforcement; or
 - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
 - a. Citations issued for Class C misdemeanor offenses;
 - b. Arrests;
 - c. Incidents of uses of restraint;

- d. Changes in school placement, including placement in a JJAEP or DAEP;
 - e. Referrals to or changes in counseling, mental health, special education, or other services;
 - f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
 - g. Unexcused absences of 15 or more days during the school year; and
 - h. Referrals to juvenile court for truancy; and
5. The number and percentage of school personnel trained in:
- a. A best-practices program or research-based practice under Education Code 38.351 [see FFEB], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;
 - b. Mental health or psychological first aid for schools;
 - c. Training relating to the safe and supportive school program; or
 - d. Any other program relating to safety identified by the commissioner.

Education Code 37.115(k)

THE DYSLEXIA HANDBOOK

2021 Update

Procedures Concerning
Dyslexia and Related
Disorders

TEXAS EDUCATION AGENCY • AUSTIN, TEXAS

SEPTEMBER 2021

THE DYSLEXIA HANDBOOK

Procedures Concerning Dyslexia and Related Disorders

2021 Update

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Foreword

Reading is the fundamental skill upon which all formal education depends. Research now shows that a child who doesn't learn the reading basics early is unlikely to learn them at all. Any child who doesn't learn to read early and well will not easily master other skills and knowledge and is unlikely to ever flourish in school or life.

—Moats. L.C. *Reading is Rocket Science: What Expert Teachers of Reading Should Know and be Able to Do*, 1999

Texas has a long history of supporting the fundamental skill of reading. This history includes a focus on early identification and intervention for children who experience reading difficulties. In support of dyslexia legislation passed by the Texas Legislature, the State Board of Education (SBOE) first approved the handbook, *Dyslexia and Related Disorders: An Overview of State and Federal Requirements* in January 1986.

The SBOE approved new guidelines called the *Revised Procedures Concerning Dyslexia and Related Disorders* in 1992, which were revised in 1998. The handbook was updated again in 2001 and was called *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*. The SBOE continued to stress the importance of using research-based strategies to prevent reading difficulties and provide appropriate instruction to struggling readers in November 2006 when *The Dyslexia Handbook Revised 2007: Procedures Concerning Dyslexia and Related Disorders* was approved. In the summer of 2010, the need arose for an update of the handbook to include new legislation and additional research.

Legislation passed in the 82nd and 83rd sessions of the Texas Legislature resulted in the need for revision of the handbook. Consequently, *The Dyslexia Handbook—Revised 2014: Procedures Concerning Dyslexia and Related Disorders* was approved by the SBOE in July 2014. The most recent version, *The Dyslexia Handbook—2018 Update: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook)* implements statutory requirements added by the 85th Texas Legislature. The *Dyslexia Handbook* provides guidelines for school districts to follow as they identify and provide services for students with dyslexia and related disorders. Additionally, the handbook provides school districts and parents/guardians with information regarding the state's dyslexia laws and their relation to these federal laws: the Rehabilitation Act of 1973, Section 504 as amended in 2008 (Section 504), the Americans with Disabilities Amendments Act and the Individuals with Disabilities Education Act (IDEA). This handbook replaces all previous handbooks and guidelines.

There are also designated consultants at each regional education service center (ESC) available to assist district stakeholders with implementing state law and SBOE rules and procedures regarding dyslexia. Appendix E of this handbook contains information for the 20 ESCs. Or visit

In addition to *The Dyslexia Handbook*, resources include a State Dyslexia Network, a State Dyslexia Consultant, and a helpline (1-800-232-3030) at regional Education Service Center (ESC) 10.

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Acknowledgments

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Dedication

*The 2018 Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders
was dedicated in honor of Geraldine "Tincy" Miller in recognition of her tireless
work on behalf of all Texas children with dyslexia.*

Preface

In the state of Texas, students who continue to struggle with reading, despite appropriate or intensified instruction, are provided organized systems of reading support. Some students struggle during early reading acquisition while others do not struggle until the later grades, even at the postsecondary level. Here they face more complex language demands, for example reading textbooks, academic texts, and other print materials. For many struggling readers, the difficulty may be due to dyslexia. Dyslexia is found in all student populations and languages. Some students with dyslexia may be English Learners (ELs) who struggle with reading not only in English, but also in their native language. In Texas, evaluation for dyslexia is conducted from kindergarten through grade 12.

The purpose of *The Dyslexia Handbook* is to provide procedures for school districts, charter schools, campuses, teachers, students, and parents/guardians in early identification of, instruction for, and accommodations for students with dyslexia. This handbook will be used by school districts and charter schools as they develop their written procedures regarding students with dyslexia. It will also serve as a resource for educator preparation programs and other entities seeking guidance in serving students with dyslexia.

Texas Education Code (TEC) §38.003 defines dyslexia and related disorders, mandates screening and testing students for dyslexia and the provision of instruction for students with dyslexia and gives the State Board of Education (SBOE) authority to adopt rules and standards for screening, testing, and serving students with dyslexia. Texas Education Code §7.028(b) assigns the responsibility for school compliance with the requirements for state educational programs to the local district board of trustees. Title 19 of the Texas Administrative Code (TAC) §74.28 outlines the responsibilities of districts and charter schools in the delivery of services to students with dyslexia. Finally, two federal laws, the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973, Section 504, establish assessment and evaluation standards and procedures for students (34 C.F.R. Part 300 (IDEA), Part 104 (Section 504)).

This handbook reflects current law as well as legislative action from the 84th and 85th sessions of the Texas Legislature and replaces all previous handbook editions. Recent legislation includes the following:

- TEC §21.044(c)(2) outlines the curriculum requirement for teacher preparation programs to include the characteristics of dyslexia, identification of dyslexia, and multisensory strategies for teaching students with dyslexia.
- TEC §21.054(b) and 19 TAC §232.11(e) mandate continuing education requirements for educators who teach students with dyslexia.
- TEC §28.021(b) establishes guidelines for districts when measuring academic achievement or proficiency of students with dyslexia.
- TEC §38.003(a) requires students to be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the SBOE. Screening must occur at the end of the school year of each student in kindergarten and each student in the first grade.
- TEC §38.0032 requires the Texas Education Agency (TEA) to annually develop a list of training opportunities regarding dyslexia that satisfy continuing education requirements for educators who teach students with dyslexia.

- TEC §38.0031 requires the agency to establish a committee to develop a plan for integrating technology into the classroom to help accommodate students with dyslexia.
- TEC §42.006(a-1) requires school districts and open-enrollment charter schools to report through the Texas Student Data System (TSDS) Public Education Information Management System (PEIMS) the number of enrolled students who have been identified as having dyslexia.
- 19 TAC §230.23 requires TEA to provide accommodations for persons with dyslexia who take licensing examinations.

The following chapters are included in this handbook:

- I. Definitions and Characteristics of Dyslexia
- II. Screening
- III. Procedures for the Evaluation and Identification of Students with Dyslexia
- IV. Critical, Evidence-Based Components of Dyslexia Instruction
- V. Dysgraphia

The Dyslexia Handbook has 12 appendices:

- A. Questions and Answers
- B. Sources of Laws and Rules for Dyslexia Identification and Instruction
- C. State Laws and Rules Related to Dyslexia
- D. IDEA/Section 504 Side-by-Side Comparison
- E. Contacts for Further Information
- F. Associated Terms
- G. Bibliography
- H. Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities
- I. 2015 U.S. Department of Education Dyslexia Guidance
- J. Pathways for the Identification and Provision of Instruction for Students with Dyslexia
- K. Addressing Concerns about Dyslexia Programs
- L. History of Dyslexia Law

I. Definitions and Characteristics of Dyslexia

The student who struggles with reading and spelling often puzzles teachers and parents. The student displays ability to learn in the absence of print and receives the same classroom instruction that benefits most children; however, the student continues to struggle with some or all of the many facets of reading and spelling. This student may be a student with dyslexia.

Texas Education Code (TEC) §38.003 defines dyslexia and related disorders in the following way:

“Dyslexia” means a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity.

“Related disorders” include disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

TEC §38.003(d)(1)-(2) (1995)

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.38.htm#38.003>

The International Dyslexia Association defines “dyslexia” in the following way:

Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

Adopted by the International Dyslexia Association Board of Directors,
November 12, 2002

Students identified as having dyslexia typically experience primary difficulties in phonological awareness, including phonemic awareness and manipulation, single-word reading, reading fluency, and spelling. Consequences may include difficulties in reading comprehension and/or written expression. These difficulties in phonological awareness are unexpected for the student’s age and educational level and are not primarily the result of language difference factors. Additionally, there is often a **family history** of similar difficulties.

The following are the primary reading/spelling characteristics of dyslexia:

- Difficulty reading words in isolation
- Difficulty accurately decoding unfamiliar words
- Difficulty with oral reading (slow, inaccurate, or labored without prosody)
- Difficulty spelling

It is important to note that individuals demonstrate differences in degree of impairment and may not exhibit all the characteristics listed above.

The reading/spelling characteristics are most often associated with the following:

- Segmenting, blending, and manipulating sounds in words (phonemic awareness)
- Learning the names of letters and their associated sounds
- Holding information about sounds and words in memory (phonological memory)
- Rapidly recalling the names of familiar objects, colors, or letters of the alphabet (rapid naming)

Consequences of dyslexia may include the following:

- Variable difficulty with aspects of reading comprehension
- Variable difficulty with aspects of written language
- Limited vocabulary growth due to reduced reading experiences

Sources for Characteristics and Consequences of Dyslexia

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The International Dyslexia Association. (2018). *Knowledge and practice standards for teachers of reading*, (2nd ed.). Retrieved from <https://app.box.com/s/21gdk2k1p3bnagdfz1xy0v98j5ytl1w>.

Moats, L. C., & Dakin, K. E. (2008). *Basic facts about dyslexia and other reading problems*. Baltimore, MD: The International Dyslexia Association.

Evidence-based Core Reading Instruction (Tier I)

House Bill 3, passed by the 86th Legislature, requires each school district and open-enrollment charter school to provide for the use of a phonics curriculum that uses systematic direct instruction in kindergarten through third grade to ensure all students obtain necessary early literacy skills. Districts and charter schools must ensure that all kindergarten, first, second, and third grade teachers attend a teacher literacy achievement academy to increase teacher knowledge and implementation of the science of teaching reading. Additionally, districts and charter schools must certify to the agency that they prioritize placement of highly effective teachers in kindergarten through second grade and have integrated reading instruments used to diagnose reading development and comprehension to support each student in prekindergarten through third grade. This handbook assumes that all students have received strong systematic reading instruction in Tier 1.

Connecting Research and Practice

Research in understanding dyslexia as a neurodevelopmental disorder is ongoing. Future research will assist in learning more about the phonological awareness deficit and how this deficit interacts with other risk factors related to dyslexia. Research is now also focusing on the developmental cause of neural abnormalities and how these predict treatment response.

Pennington, B. F. (2009). *Diagnosing learning disorders: A neuropsychological framework* (2nd ed.). New York, NY: The Guilford Press.

Peterson, R. L., & Pennington, B. F. (2012). Developmental dyslexia. *The Lancet, 379*(9830), 1997–2007.

Common Risk Factors Associated with Dyslexia

If the following behaviors are unexpected for an individual's age, educational level, or cognitive abilities, they may be risk factors associated with dyslexia. A student with dyslexia usually exhibits several of these behaviors that persist over time and interfere with his/her learning. A family history of dyslexia may be present; in fact, recent studies reveal that the whole spectrum of reading disabilities is strongly determined by genetic predispositions (inherited aptitudes) (Olson, Keenan, Byrne, & Samuelsson, 2014).

The following characteristics identify risk factors associated with dyslexia at different stages or grade levels.

Preschool

- Delay in learning to talk
- Difficulty with rhyming
- Difficulty pronouncing words (e.g., "pusgetti" for "spaghetti," "mawn lower" for "lawn mower")
- Poor auditory memory for nursery rhymes and chants
- Difficulty adding new vocabulary words
- Inability to recall the right word (word retrieval)
- Trouble learning and naming letters and numbers and remembering the letters in his/ her name
- Aversion to print (e.g., doesn't enjoy following along if a book is read aloud)

Kindergarten and First Grade

- Difficulty breaking words into smaller parts, or syllables (e.g., "baseball" can be pulled apart into "base" "ball" or "napkin" can be pulled apart into "nap" "kin")
- Difficulty identifying and manipulating sounds in syllables (e.g., "man" sounded out as /m/ /ă/ /n/)
- Difficulty remembering the names of letters and recalling their corresponding sounds
- Difficulty decoding single words (reading single words in isolation)
- Difficulty spelling words the way they sound (phonetically) or remembering letter sequences in very common words seen often in print (e.g., "sed" for "said")

Second Grade and Third Grade

Many of the previously described behaviors remain problematic along with the following:

- Difficulty recognizing common sight words (e.g., "to," "said," "been")
- Difficulty decoding single words
- Difficulty recalling the correct sounds for letters and letter patterns in reading
- Difficulty connecting speech sounds with appropriate letter or letter combinations and omitting letters in words for spelling (e.g., "after" spelled "eftr")
- Difficulty reading fluently (e.g., reading is slow, inaccurate, and/or without expression)
- Difficulty decoding unfamiliar words in sentences using knowledge of phonics
- Reliance on picture clues, story theme, or guessing at words
- Difficulty with written expression

Fourth Grade through Sixth Grade

Many of the previously described behaviors remain problematic along with the following:

- Difficulty reading aloud (e.g., fear of reading aloud in front of classmates)
- Avoidance of reading (particularly for pleasure)
- Difficulty reading fluently (e.g., reading is slow, inaccurate, and/or without expression)
- Difficulty decoding unfamiliar words in sentences using knowledge of phonics
- Acquisition of less vocabulary due to reduced independent reading
- Use of less complicated words in writing that are easier to spell than more appropriate words (e.g., "big" instead of "enormous")

- Reliance on listening rather than reading for comprehension

Middle School and High School

Many of the previously described behaviors remain problematic along with the following:

- Difficulty with the volume of reading and written work
- Frustration with the amount of time required and energy expended for reading
- Difficulty reading fluently (e.g., reading is slow, inaccurate, and/or without expression)
- Difficulty decoding unfamiliar words in sentences using knowledge of phonics
- Difficulty with written assignments
- Tendency to avoid reading (particularly for pleasure)
- Difficulty learning a foreign language

Postsecondary

Some students will not be identified as having dyslexia prior to entering college. The early years of reading difficulties evolve into slow, labored reading fluency. Many students will experience extreme frustration and fatigue due to the increasing demands of reading as the result of dyslexia. In making a diagnosis for dyslexia, a student's reading history, familial/genetic predisposition, and assessment history are critical. Many of the previously described behaviors may remain problematic along with the following:

- Difficulty pronouncing names of people and places or parts of words
- Difficulty remembering names of people and places
- Difficulty with word retrieval
- Difficulty with spoken vocabulary
- Difficulty completing the reading demands for multiple course requirements
- Difficulty with notetaking
- Difficulty with written production
- Difficulty remembering sequences (e.g., mathematical and/or scientific formulas)

Appendix H, Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities has been included for additional information.

Since dyslexia is a neurobiological, language-based disability that persists over time and interferes with an individual's learning, it is critical that identification and intervention occur as early as possible.

Associated Academic Difficulties and Other Conditions

The behaviors in the previous sections represent common difficulties that students with dyslexia may exhibit. In addition, students with dyslexia may have problems in written expression, reading comprehension, and mathematics as well as other complicating conditions and/or behaviors.

Besides academic struggles, some students with dyslexia may exhibit other complex conditions and/or behaviors. The most common co-occurring disorders with dyslexia are attention deficit hyperactivity disorder (ADHD) and specific developmental language disorders (Snowling & Stackhouse, 2006, pp. 8–9). Some, though not all, students with dyslexia may also experience symptoms such as anxiety, anger, depression, lack of motivation, or low self-esteem. In such instances, appropriate instructional/referral services need to be provided to ensure each student's needs are met.

These additional conditions can have a significant impact on the effectiveness of instruction provided to students with dyslexia. Motivation, in particular, has been shown to be critical to the success or failure of instructional practices. Regarding motivation, Torgesen states (as cited in Sedita, 2011), "even technically sound instructional

techniques are unlikely to succeed unless we can ensure that, most of the time, students are engaged and motivated to understand what they read” (p. 532). Acknowledging that students with dyslexia must exert extra effort to meet grade-level expectations, all the factors that may affect learning must be considered when identifying and providing instruction for students with dyslexia. ADHD or symptoms of anxiety, anger, depression, or low self-esteem may lower a student’s engagement in learning. Educators and parents should provide students with affirmation and an environment that fosters engagement and success.

Sources for Common Characteristics and Risk Factors of Dyslexia

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Dickman, E., JD. (2017, February). *Do we need a new definition of dyslexia?* The International Dyslexia Association. Retrieved from <https://dyslexiaida.org/>

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Shaywitz, S. (2003). *Overcoming dyslexia: A new and complete science-based program for reading problems at any level*. New York, NY: Alfred A. Knopf.

Sources for Associated Academic Difficulties and Other Conditions

Gooch, D., Snowling, M., & Hulme, C. (2011). Time perception, phonological skills, and executive function in children with dyslexia and/or ADHD symptoms. *The Journal of Child Psychology and Psychiatry*, 52(2), 195– 203.

Harpin, V., Mazzone, L., Raynaud, J. P., Kahle, J. R., & Hodgkins, P. (2013). Long-term outcomes of ADHD: A systematic review of self-esteem and social function. *Journal of Attention Disorders*. doi:10.1177/1087054713486516

Kavale, K. A., & Forness, S. R. (1996). Social skill deficits and learning disabilities: A meta-analysis. *Journal of Learning Disabilities*, 29(3), 226–237.

Klassen, A. F., Miller, A., & Fine, S. (2004). Health-related quality of life in children and adolescents who have a diagnosis of attention-deficit/hyperactivity disorder. *Pediatrics*, 114(5), 541-547.

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Sedita, J. (2011). Adolescent literacy: Addressing the needs of students in grades 4–12. In J. R. Birsh (Ed.), *Multisensory teaching of basic language skills* (3rd ed., p. 532). Baltimore, MD: Paul H. Brookes Publishing.

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II. Screening

Overview of Chapter II

The purpose of Chapter II is to further clarify the following topics related to screening for dyslexia:

- The definition of universal screening
- Administration of screening instruments
- Interpretation of screening results
- Best practices for ongoing monitoring

Part A of Chapter II will cover the definition of universal screening as well as the local, state, and federal requirements related to dyslexia and related disorders, including the Child Find requirement imposed under the Individuals with Disabilities Education Act (IDEA).

Part B will address the administration of the required screening instruments for kindergarten and grade 1 students.

Part C will cover how the interpretation of the screening results affect the decisions that the school will make to determine when a student is at risk for reading difficulties, including dyslexia and related disorders.

Part D will address ongoing monitoring of students throughout their academic careers.

Part A: Universal Screening and State and Federal Requirements

The Importance of Early Screening

If the persistent achievement gap between dyslexic and typical readers is to be narrowed, or even closed, reading interventions must be implemented early, when children are still developing the basic foundation for reading acquisition. The persistent achievement gap poses serious consequences for dyslexic readers, including lower rates of high school graduation, higher levels of unemployment, and lower earnings because of lowered college attainment. Implementing effective reading programs early, even in preschool and kindergarten, offers the potential to reduce and perhaps even close the achievement gap between dyslexic and typical readers and bring their trajectories closer over time.

—Ferrer, et al., Achievement Gap in Reading Is Present as Early as First Grade and Persists through Adolescence, 2015

The early identification of students with dyslexia along with corresponding early intervention programs for these students will have significant implications for their future academic success. In the book *Straight Talk about Reading*, Hall and Moats (1999) state the following:

- Early identification is critical because the earlier the intervention, the easier it is to remediate.
- Inexpensive screening measures identify at-risk children in mid-kindergarten with 85 percent accuracy.
- If intervention is not provided before the age of eight, the probability of reading difficulties continuing into high school is 75 percent (pp. 279–280).

Research continues to support the need for early identification and assessment (Birsh, 2018; Sousa, 2005; Nevills & Wolfe, 2009). The rapid growth of the brain and its responsiveness to instruction in the primary years make the time from birth to age eight a critical period for literacy development (Nevills & Wolfe, 2009). Characteristics associated with reading difficulties are connected to spoken language. Difficulties in young children can be assessed through screenings of phonemic awareness and other phonological skills (Sousa, 2005). Additionally, Eden (2015) points out that “when appropriate intervention is applied early, it is not only more effective in younger children, but also increases the chances of sparing a child from the negative secondary consequences associated with reading failure, such as decline in self-confidence and depression.”

Keeping the above information in mind, it is essential to screen students for dyslexia and related disorders early in their academic careers.

State Requirements

In 2017, the 85th Texas Legislature passed House Bill (HB) 1886, amending Texas Education Code (TEC) §38.003, Screening and Treatment for Dyslexia,¹ to require that all kindergarten and first-grade public school students be screened for dyslexia and related disorders. Additionally, the law requires that all students beyond first grade be screened or tested as appropriate.

In response to the screening requirements of HB 1886, the SBOE amended its rule in 19 Texas Administrative Code (TAC) §74.28, Students with Dyslexia and Related Disorders. While this rule speaks primarily to evaluation and identification of a student with dyslexia or related disorders, it also requires that evaluations only be conducted by appropriately trained and qualified individuals. Guidelines regarding the required screening for kindergarten and first-grade students are discussed in Part B of this chapter.

A related state law adds an additional layer to screening requirements for public school students. Texas Education Code §28.006, Reading Diagnosis, requires each school district to administer to students in kindergarten, first grade, and second grade a reading instrument to diagnose student reading development and comprehension. This law also requires school districts to administer a reading instrument at the beginning of seventh grade to students who did not demonstrate reading proficiency on the sixth-grade state reading assessment. The law requires each school district to administer to kindergarten students a reading instrument adopted by the commissioner or an alternative reading instrument approved by the commissioner. The commissioner must adopt a list of reading instruments that a school district may use to diagnose student reading development and comprehension. Districts are permitted to use reading instruments other than those adopted by the commissioner for first, second, and seventh grades only when a district-level committee adopts these additional instruments. Texas Education Code §28.006(d) requires each district to report the results of these reading instruments to the district’s board of trustees, TEA, and the parent or guardian of each student.

Further, a school district is required to notify the parent or guardian of each student in kindergarten, first grade, or second grade who is determined to be at risk for dyslexia or other reading difficulties based on the results of the reading instruments. In accordance with TEC §28.006(g), an accelerated reading instruction program must be provided to these students.

¹ For the full text of the state laws and rules referenced in this chapter, please refer to Appendix C, State Laws and Rules Related to Dyslexia.

*Are the dyslexia screening under TEC §38.003
and the early reading diagnosis under TEC §28.006 the same?*

The answer to this question is not a simple one. School districts must meet the requirements of TEC §28.006 and §38.003, both of which deal, at least in part, with early screening for dyslexia.

Should a district wish to use a single instrument to meet the requirements of both TEC §28.006 and §38.003, the district may, but is not required to do so.

It is important to note that TEC §38.003 applies only to the screening of kindergarten and first-grade students for dyslexia and related disorders, whereas TEC §28.006 addresses general reading diagnoses for students in kindergarten and grades 1, 2, and 7. Districts that decide to use one instrument to meet the requirements of both the dyslexia screening and the early reading diagnosis for kindergarten and grade 1 must also continue to administer reading instruments to all second-grade students and to students in grade 7 who did not demonstrate proficiency on the state reading assessment for sixth grade.

The approved reading Instruments on the current list meet the requirements of TEC §28.006 and are available on the Texas Education Agency (TEA) website at <https://tea.texas.gov/academics/early-childhood-education/data-tool-selection-guidance>. The approved reading instruments include the required elements of a dyslexia screener. These instruments will meet the requirements of both the early reading diagnosis under TEC §28.006 and the dyslexia screening under TEC §38.003. This allows districts and charter schools to use an instrument from the approved list to satisfy both requirements should they choose to do so.

Should it be determined that funds are not available for the early reading instruments under TEC §28.006, districts are not required to notify parents/guardians of or implement the accelerated reading program. However, districts and charter schools **must** screen all students in kindergarten and grade 1 for dyslexia and related disorders regardless of the availability of funding.

While this chapter primarily addresses the screening required under TEC §38.003 for kindergarten and grade 1, the screening and ongoing monitoring of *all students* should be done regularly according to district, state, and federal laws and procedures.

Federal Requirements- Child Find

In addition to state and local requirements to screen and identify students who may be at risk for dyslexia, there are also overarching federal laws and regulations to identify students with disabilities, commonly referred to as Child Find. Child Find is a provision in the Individuals with Disabilities Education Act (IDEA), a federal law that requires the state to have policies and procedures in place to ensure that every student in the state who needs special education and related services is located, identified, and evaluated. The purpose of the IDEA is to ensure that students with disabilities are offered a free and appropriate public education (20 U.S.C. §1400(d); 34 C.F.R. §300.1). Because a student suspected of having dyslexia may be a student with a disability under the IDEA, the Child Find mandate includes these students. Therefore, when referring and evaluating students suspected of having dyslexia, LEAs must follow procedures for conducting a full individual and initial evaluation (FIIE) under the IDEA.

Another federal law that applies to students with disabilities in public school is Section 504 of the Rehabilitation Act of 1973, commonly referred to as Section 504. Under Section 504, public schools must annually attempt to identify and locate every qualified student with a disability residing in its jurisdiction and notify them and/or their parents of the requirements of Section 504.

Dyslexia Screening

Universal Screening

For purposes of this chapter, screening is defined as a universal measure administered to **all** students by qualified personnel to determine which students are at risk for dyslexia or reading difficulties and/or a related disorder. Screening is not a formal evaluation.

Timing of Screening

Texas Education Code §38.003 mandates that kindergarten students be screened at the end of the school year. In scheduling the kindergarten screener, districts and charter schools should consider the questions in Figure 2.1 below.

Figure 2.1. Considerations for Local Scheduling of Dyslexia Screening

- Has adequate time for instruction been provided during the school year?
- Has adequate time been provided to compile data prior to the end of the school year?
- How will the timing of the administration of the screener fit in with the timing of other required assessments?
- Has sufficient time been provided to inform parents in writing of the results of the reading instrument and whether the student is at risk for dyslexia or other reading difficulties?
- Has adequate time been provided for educators to offer appropriate interventions to the student?
- Has sufficient time been provided for decision making regarding next steps in the screening process?

Texas Education Code §38.003 does not explicitly state when first grade students must be screened. The SBOE, through approval of the rule which requires adherence to this handbook (TAC §74.28), has determined that students in first grade must be screened no later than the middle of the school year. Screening of first-grade students can begin anytime in the fall as the teacher deems appropriate. Grade 1 screening must conclude **no later than January 31 of each year**.

The timing of the grade 1 screening is designed to ensure that students are appropriately screened, and if necessary, evaluated further so that reading difficulties can be addressed in a timely manner. Because kindergarten is not mandatory in the State of Texas, some students will not have been enrolled in kindergarten and will therefore not have been screened prior to the first grade. Waiting too long in the first-grade year would delay critical early intervention for students at risk for dyslexia or reading difficulties. Screening of first grade students by the middle of the school year will ensure that sufficient time is provided for data gathering, evaluation, early intervention, etc., to meet the needs of students. Conducting the grade 1 screening no later than the middle of the school year will allow districts and charter schools to complete the evaluation process with enough time for interventions to be provided to the student prior to the end of first grade.

Other Related Disorders

It is important to note that, while TEC §38.003 requires that all students in kindergarten and grade 1 be screened for dyslexia and related disorders, at the time of the update to this handbook it was determined there are no grade-level appropriate screening instruments for dysgraphia and the other identified related disorders. For more information, please see Chapter V: Dysgraphia.

Local District Requirements

Each district may have additional policies and procedures in place regarding screening and evaluating students for dyslexia and related disorders. Refer to your district’s website or administrative office for more information on local policies or search for information specific to your school district or charter school by accessing the *Legal Framework for the Child-Centered Special Education Process* at <http://framework.esc18.net/>.

Part B: Kindergarten-Grade 1 Universal Screening: Administration

Dyslexia screening is a tool for identifying children who are at risk for this learning disability, particularly in preschool, kindergarten, or first grade. This means that the screening does not “diagnose” dyslexia. Rather, it identifies “predictor variables” that raise red flags, so parents and teachers can intervene early and effectively.

—Richard Selznick, *Dyslexia Screening: Essential Concepts for Schools and Parents*, 2015

The importance of early interventions for students with reading difficulties cannot be overstated. In order for early interventions to be provided, a student must first be identified as at risk for dyslexia or another reading difficulty. While educators once delayed identification of reading difficulties until the middle elementary grades, recent research has encouraged the identification of children at risk for dyslexia and reading difficulties “prior to, or at the very least, the beginning of formal reading instruction” (Catts, 2017).

The requirement in TEC §38.003 that all kindergarten and first grade students be screened for dyslexia and related disorders is aligned with this shift to identify students at risk for dyslexia and reading difficulties when they are just beginning their formal education. Universal screeners generally measure reading or literacy-related skills such as sound-symbol recognition, letter knowledge, phonological awareness, and other skills. The International Dyslexia Association (2017) describes screening instruments as follows.

Screening measures, by definition, are typically brief assessments of a skill or ability that is highly predictive of a later outcome. Screening measures are designed to quickly differentiate students into one of two groups: 1) those who require intervention and 2) those who do not. A screening measure needs to focus on specific skills that are highly correlated with broader measures of reading achievement resulting in a highly accurate sorting of students.

—International Dyslexia Association, *Universal Screening: K-2 Reading*, 2017

Screening Instruments

While screening instruments can measure the skills and abilities of students at different grade levels, this section is dedicated to a discussion of instruments that may meet the dyslexia screening requirement for kindergarten and first grade students. As previously mentioned, at the time of the update to this handbook it was determined there are no grade-level appropriate screening instruments for dysgraphia and the other

identified related disorders. As a result, the focus of this section is on screening instruments for dyslexia and reading difficulties.

It is important that screening instruments be accurate and comprehensive; however, they need not be as comprehensive as an extensive individualized evaluation. With this in mind, various types of instruments that meet the criteria below could be used to screen for dyslexia.

In developing the criteria for the kindergarten and grade 1 screening instruments for dyslexia and other reading difficulties, it was important to differentiate between the skills and behaviors appropriate at each grade level. Additionally, with a sizable English Learner (EL) population in Texas, it was essential that Spanish language screening instruments be addressed. Therefore, criteria for both English and Spanish speakers are included.

Screeener Criteria

Regardless of the primary language of the student, instruments used to screen for dyslexia and other reading difficulties must address the skills in Figure 2.2 below.

Figure 2.2. Criteria for English and Spanish Screening Instruments	
Kindergarten	First Grade
<ul style="list-style-type: none">• Letter Sounds Knowledge or Letter Naming Fluency• Phonological Awareness	<ul style="list-style-type: none">• Word Reading Accuracy or Fluency• Phonological Awareness

While the selected screening instrument will be expected to measure each of the skills identified above, it is important that individuals who administer the screening instrument document student behaviors observed during the administration of the instrument. A list of behaviors that may be observed during the administration of the screening and which should be documented are included in Figure 2.3 below.

Figure 2.3. Student Behaviors Observed During Screening
<ul style="list-style-type: none">• Lack of automaticity• Difficulty sounding out words left to right• Guessing• Self-correcting• Inability to focus on reading• Avoidance behavior

Other Criteria

In addition to the measures of the skills identified in Figure 2.2 above, other criteria should be considered when selecting a screening instrument. Approved screening instruments must take only a brief time to administer and be cost effective. They must have established validity and reliability and standards. They must also include distinct indicators identifying students as either not at risk or at risk for dyslexia or reading difficulties. Screening instruments must also provide standardized directions for administration as well as clear guidance for the administrator regarding scoring and interpretation of indicators/results. Additionally, each screening instrument must include adequate training for educators on how to administer the instrument and interpret results.

Selecting an Appropriate Screening Instrument

Screening instruments must include a measure for each of the skills noted above. The commissioner of education is expected to periodically issue a request for English and Spanish screening instruments that meet the established criteria. Instruments that meet each of the criteria will be included on the Commissioner’s List of Reading Instruments. A district or charter school must select for use an instrument from the commissioner’s list. In determining which screening instrument to use, a district or charter school must consider the primary language of the student and other factors as determined by the local district or school.

Administration of Screening Instruments

Who May Administer the Dyslexia Screener

A district or charter school must ensure that appropriately trained and qualified individuals administer and interpret the results of the selected screening instrument. Please note that an educational aide is not eligible to administer or interpret the dyslexia screening instrument. Individuals who administer and interpret the screening instrument must, at minimum, meet the following qualifications:

- An individual who is certified/licensed in dyslexia; or
- A classroom teacher who holds a valid certification for kindergarten and grade 1.
(For a list of current certifications for kindergarten and grade 1, see the State Board for Educator Certification Teacher Assignment Chart at [https://tea.texas.gov/Texas_Educators/Certification/.](https://tea.texas.gov/Texas_Educators/Certification/))

BEST PRACTICE: Whenever possible, the student’s current classroom teacher should administer the screening instrument for dyslexia and reading difficulties.

Training

The individual who administers and interprets the screening instrument must receive training designed specifically for the selected instrument in the following:

- Characteristics of dyslexia and other reading difficulties
- Interpretation of screening results and at-risk indicators and decisions regarding placement/services

When to Administer the Dyslexia/Reading Screener

Districts and charter schools must implement a screening program that includes each of the following:

- Screening of **each** student in kindergarten at the end of the school year
- Screening of **each** student in the first grade no later than January 31

For more information on considerations regarding the scheduling of the mandated dyslexia screening, please refer to Part A, Dyslexia Screening, on p. 10.

Part C—Kindergarten-Grade 1 Universal Screening: Interpretation

The importance of early intervention cannot be overstated. Intervening early, before difficulties become intractable, offers the best hope for successful outcomes and prevention of long-term deficits. The purpose of screening is to help identify, as early as possible, the students at risk for dyslexia or other reading difficulties so that targeted intervention can be provided. Screening alone will never improve outcomes for students. The screening must lead to effective instruction for it to be useful. Therefore, once the screening has been administered the next steps are to analyze results, identify level of risk for each student, and make informed decisions. The next steps are broadly categorized as: refer for evaluation, implement targeted intervention, and/or continue with core instruction.

There are several important factors to consider when interpreting screening results. First, it is important to remember that there is no definitive test score that invariably identifies dyslexia. Dyslexia is a neurobiological disorder that exists along a continuum of severity. Similar to diabetes or hypertension, dyslexia is identified based on how far an individual’s condition departs from the average range. This makes

the identification of dyslexia more challenging than identifying other forms of disability.

Second, it is important to keep the definition and goals of screening in mind. The purpose of screening is to differentiate a smaller set of individuals who may be at risk for dyslexia. Screening, by definition, should never be the final determination of whether a student has dyslexia. Therefore, screening tools must be brief, efficient, and cost effective. Subsequent consideration of other data and information with the smaller group is then used to determine next steps. However, it is key to remember that “screening” represents the initial step in the process. Dyslexia referral and identification under IDEA must be individualized and based on multiple pieces of information, including results of the screening.

As with any evaluation, it is important that schools administer and interpret the screening instrument with fidelity. Screening tools use criterion-referenced criteria to establish cut points derived by the publisher of the tool. Cut points are used to group students into categories (e.g., at risk or not at risk) based on the results of the screening tool. Districts and charter schools must adhere to the cut points established by the published screening instrument.

In general, students scoring below the publisher-determined cut point are considered “at risk” for dyslexia, while those who score above the cut point are considered “not at risk” for dyslexia. However, it is important to realize that risk falls on a continuum and there will always be false positives (students who screen at risk when they are not) and false negatives (students who screen not at risk when they are). Consequently, continual progress monitoring and an ongoing review of data is important. Any student may be referred for a full individual and initial evaluation under IDEA, at any time, regardless of the results of the screening instrument.

Students falling well below the cut point have a much higher probability of being at risk for dyslexia while students scoring well above the cut point have lower probability of being at risk for dyslexia. The decision for what to do next is easiest for students whose scores fall at the extreme ends of the continuum. Students falling well above the cut point can be considered at low risk for dyslexia and are much less likely to need additional intervention or evaluation. Students scoring far below the cut point should be considered at high risk for dyslexia.

For students who are identified as at risk for dyslexia, the school should provide targeted intervention provided by the appropriate staff as determined by the district or charter school. The district or school should also continue the data collection and evaluation process outlined in Chapter III, Procedures for the Evaluation and Identification of Students with Dyslexia. It is important to note that the use of a tiered intervention process, such as Response to Intervention or RTI, must not be used to delay or deny an evaluation for dyslexia, especially when parent or teacher observations reveal the common characteristics of dyslexia.

For students who score close to the cut point, more information will be needed to make an informed decision regarding referral for evaluation, implementation of targeted interventions with progress monitoring, or continuation of core instruction only. Data gathering will provide this additional information.

Screening Data Gathering

Both quantitative and qualitative information are critical components of the screening process. Examples of quantitative and qualitative information used in determining next steps are provided in Figure 2.4 below.

Figure 2.4. Sources and Examples of Screening Data

Quantitative Information	Qualitative Information
<p>Results of—</p> <ul style="list-style-type: none"> • Current screening instruments • Previous screening instruments • Formal and informal classroom reading assessments • Additional brief and targeted skill assessments 	<ul style="list-style-type: none"> • Observations of student during screening (See Figure 2.3, Student Behaviors Observed During Screening) • Other observations of student progress • Teacher observations • Parent/guardian input (e.g., family history, early language skills) • Current student work samples • Work samples from earlier grade(s) • Intervention history

For students who fall close to the predetermined cut points, implementation of short-term, targeted intervention with regular progress monitoring is one way to determine if additional evaluation is needed. Teachers and administrators should also be mindful that screening for risk is an ongoing process. Decisions made based on a single-point-in-time screening instrument should always be reevaluated and altered as more information is obtained as instruction continues. See Part D of this chapter, *Best Practices for Ongoing Monitoring*, for additional information.

Screening data should always be shared with parents. Screening data should also be used by teachers and school administrators to guide instruction at the classroom level. When large percentages of students fall below the cut point (are at risk for dyslexia), it signals a need to review instructional programming and practices and teacher training in effective and explicit reading instruction.

Interpretation of Data

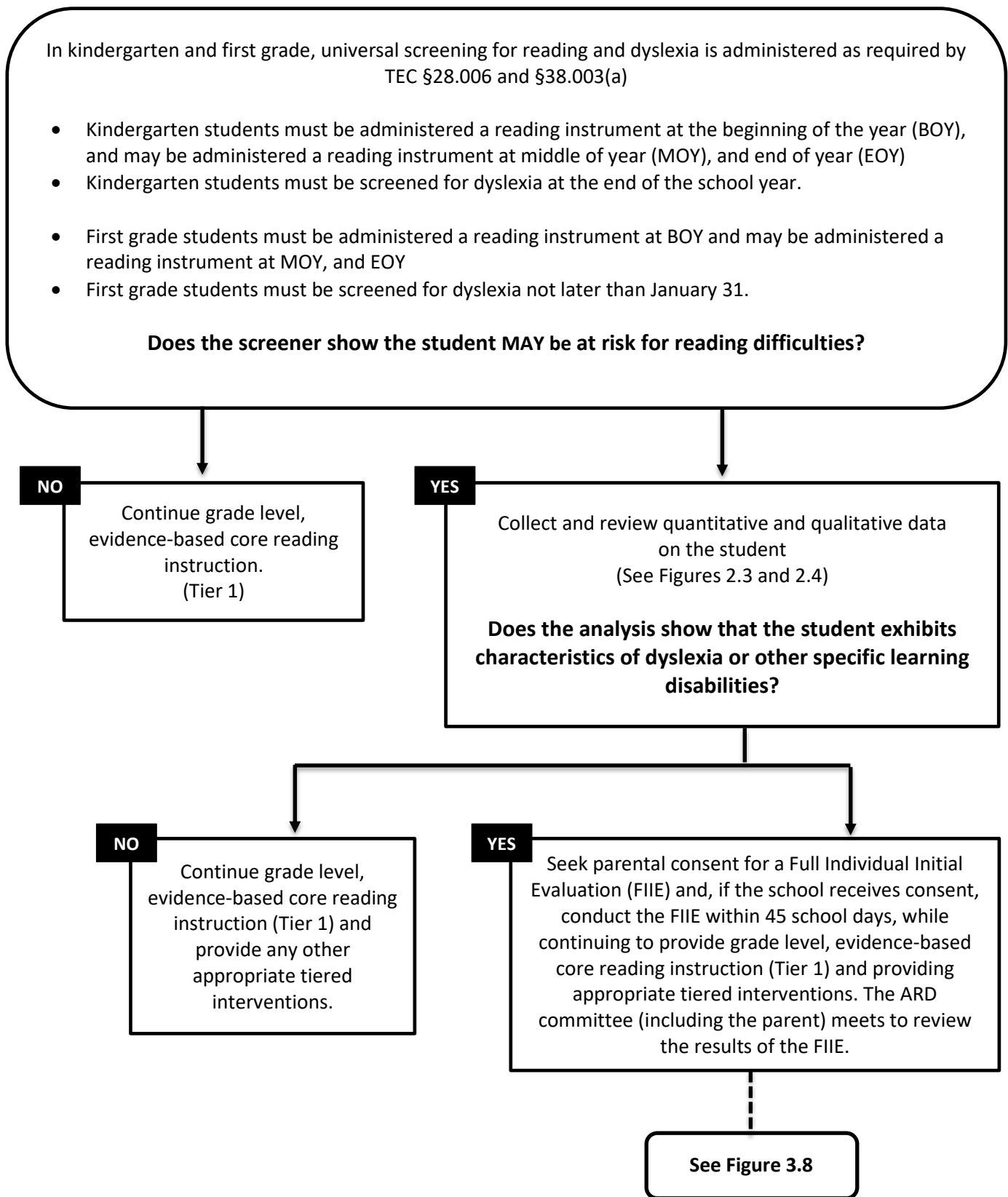
A qualified team is required to review all data to make informed decisions regarding whether a student exhibits characteristics of dyslexia. This team must consist of individuals who—

- have knowledge of the student;
- are appropriately trained in the administration of the screening tool;
- are trained to interpret the quantitative and qualitative results from the screening process; and
- recognize characteristics of dyslexia.

The team may consist of the student’s classroom teacher, the dyslexia specialist, the individual who administered the screener, a representative of the Language Proficiency Assessment Committee (LPAC) (as appropriate), and an administrator.

It is important to remember that at any point in the data review process a referral for a FIIE under the IDEA may be initiated. Parents also have the right to request a FIIE at any time. Regardless of the process in place for screening and data review, whenever accumulated data indicate that a student continues to struggle with one or more of the components of reading, despite the provision of adequate instruction and intervention, the student must be referred for a full individual and initial evaluation under the IDEA.

**Figure 2.5
Universal Screening and Data Review for
Reading Risk**



Part D: Best Practices for Ongoing Monitoring

Ongoing progress monitoring allows educators to assess student academic performance in order to evaluate student response to evidence-based instruction. Progress monitoring is also used to make diagnostic decisions regarding additional targeted instruction that may be necessary for the student.

While some kindergarten and first grade students may not initially appear to be at risk for dyslexia based on screening results, they may actually still be at risk. Students who have learned to compensate for lack of reading ability and twice-exceptional students are two groups who may not initially appear to be at risk for dyslexia based on the results of a screening instrument.

Compensation

Some older students may not appear at first to exhibit the characteristics of dyslexia. They may demonstrate relatively accurate, but not fluent, reading.

The consequence is that such dyslexic older children may appear to perform reasonably well on a test of word reading or decoding; on these tests, credit is given irrespective of how long it takes the individual to respond or if initial errors in reading are later corrected.

—Shaywitz, S.E., Morris, R., Shaywitz, B.A., *The Education of Dyslexic Children from Childhood to Young Adulthood*, 2008

Awareness of this developmental pattern is critically important for the diagnosis in older children, young adults, and beyond. According to Shaywitz, et al., examining reading fluency and reading rate would provide more accurate information for these students.

Twice Exceptionality

Twice-exceptional students may not initially appear to be at risk for dyslexia. Twice exceptional, or 2e, is a term used to describe students who are both intellectually gifted and learning disabled, which may include students with dyslexia. Parents and teachers may fail to notice either giftedness or dyslexia in a student as the dyslexia may mask giftedness or the giftedness may mask dyslexia.

The International Dyslexia Association's Gifted and Dyslexic: Identifying and Instructing the Twice Exceptional Student Fact Sheet (2013), identifies the following common characteristics of twice-exceptional students.

- Superior oral vocabulary
- Advanced ideas and opinions
- High levels of creativity and problem-solving ability
- Extremely curious, imaginative, and questioning
- Discrepant verbal and performance skills
- Clear peaks and valleys in cognitive test profile
- Wide range of interests not related to school
- Specific talent or consuming interest area
- Sophisticated sense of humor

For additional information on twice-exceptional students, see Chapter IV, Critical, Evidence-Based Components of Dyslexia Instruction.

For a description of common risk factors of dyslexia that may be seen in older students, refer to Chapter I, Definitions & Characteristics of Dyslexia.

Best Practices in Progress Monitoring

It is essential that schools continue to monitor students for common risk factors for dyslexia in second grade and beyond. In accordance with TEC §38.003(a), school districts **MUST** evaluate for dyslexia at appropriate times. If regular progress monitoring reflects a difficulty with reading, decoding, and/or reading comprehension, it is appropriate to evaluate for dyslexia and/or other learning disabilities. Free tools approved by the commissioner of education as of the 2021-2022 school year can assist districts in measuring student's reading development at first and second grade. For more information on these tools, see the TEA Early Childhood Data Tool Selection Guidance. Schools should be aware that a student may have reached middle school or high school without ever being screened, evaluated, or identified; however, the student may have dyslexia or a related disorder. One goal of ongoing monitoring is to identify these students regardless of their grade level.

Therefore, it is important to remember that a referral for a dyslexia evaluation can be considered at any time kindergarten–high school.

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III. Procedures for the Evaluation and Identification of Students with Dyslexia

Science has moved forward at a rapid pace so that we now possess the data to reliably define dyslexia, to know its prevalence, its cognitive basis, its symptoms and remarkably, where it lives in the brain and evidence-based interventions which can turn a sad, struggling child into not only a good reader, but one who sees herself as a student with self-esteem and a fulfilling future.

—Shaywitz, S.E. Testimony Before the Committee on Science, Space, and Technology, U.S. House of Representatives, 2014

The evaluation and identification process for dyslexia can be multifaceted. The process involves both state and federal requirements that must be followed. The evaluation and identification process for students suspected of having dyslexia is guided by the Individuals with Disabilities Education Act (IDEA)

In Texas and throughout the country, there is a focus on a Response to Intervention (RTI) or a Multi-Tiered System of Supports (MTSS) process as a vehicle for meeting the academic and behavioral needs of all students. The components of the Student Success Initiative (SSI) and other state-level programs offer additional support. Current federal legislation under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), calls for the use of benchmark assessments for early identification of struggling students before they fail. In fact, state law requires the use of early reading assessments that are built on substantial evidence of best practices. Carefully chosen, these assessments can give crucial information about a student's learning and can provide a basis for the tiered intervention model. Through the tiered intervention process, schools can document students' learning difficulties, provide ongoing evaluation, and monitor reading achievement progress for students at risk for dyslexia or other reading difficulties.

Early intervention is further emphasized as the result of research using neuroimaging. Diehl, Frost, Mencl, and Pugh (2011) discuss the need to determine the role that deficits in phonological awareness and phonemic awareness play in reading acquisition, thus improving the methodology for early intervention. The authors note that future research will be enabled by longitudinal studies of phonology remediation using various treatments. "It will be especially important to take a multilevel analysis approach that incorporates genetics, neuroanatomy, neurochemistry, and neurocircuitry, and also to combine the strengths of the different neuroimaging techniques" (Diehl et al., 2011, p. 230). Evaluation followed by structured intervention that incorporates new scientific research must be embraced.

State and Federal Law Regarding Early Identification and Intervention Prior to Formal Evaluation

Both state and federal legislation emphasize early identification and intervention for students who may be at risk for reading disabilities such as dyslexia. Those professionals responsible for working with students with reading difficulties should be familiar with the legislation listed in Figure 3.1 below.

Figure 3.1. State and Federal Laws

TEC §28.006, Reading Diagnosis

This state statute requires schools to administer early reading instruments to all students in kindergarten and grades 1 and 2 to assess their reading development and comprehension. Additionally, the law requires a reading instrument from the commissioner’s approved list be administered at the beginning of grade 7 to any student who did not demonstrate proficiency on the sixth-grade reading assessment administered under TEC §39.023(a). If, on the basis of the reading instrument results, students are determined to be at risk for dyslexia or other reading difficulties, the school must notify the students’ parents/guardians. According to TEC §28.006(g), the school must also implement an accelerated (intensive) reading program that appropriately addresses the students’ reading difficulties and enables them to catch up with their typically performing peers.

TEC §38.003, Screening and Treatment for Dyslexia

Texas state law requires that public school students be screened and tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the SBOE. The program approved by the SBOE must include screening for each student at the end of the kindergarten year and then again during first grade.

Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act of 2015 (ESSA)

The services offered to students who are reported to be at risk for dyslexia or other reading difficulties should align to the requirements of ESSA, which requires schools to implement comprehensive literacy instruction featuring “age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension” (ESSA, 2015).

Equal Education Opportunity Act (EEOA)

This civil rights law ensures that all students are given equal access to educational services regardless of race, color, sex, religion, or national origin. Therefore, research-based interventions are to be provided to all students experiencing difficulties in reading, including ELs, regardless of their proficiency in English.

Individuals with Disabilities Education Act (IDEA)

The most recent reauthorization of this federal act is consistent with ESSA in emphasizing quality of instruction and documentation of student progress. A process based on the student’s response to scientific, research-based intervention is one of the criteria included in IDEA that individual states may use in determining whether a student has a specific learning disability, including dyslexia.

As referenced in the 2011 letter from the Office of Special Education Programs (OSEP) to the State Directors of Special Education, states have an obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of implementation of the RTI process (Musgrove, 2011). For more information, please visit www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep11-07rtimemo.pdf.

The Referral Process for Dyslexia and Related Disorders

The determination to refer a student for an evaluation must always be made on a case-by-case basis and must be driven by data-based decisions. The referral process itself can be distilled into a basic framework as

outlined below.

Data-Driven Meeting of Knowledgeable Persons

A team of persons with knowledge of the student, instructional practices, and instructional options meets to discuss data collected, including data obtained during kindergarten and/or first grade screening, and the implications of that data. These individuals include, but are not limited to, the classroom teacher, administrator, dyslexia specialist, and/or interventionist. This team may also include the parents and/or a diagnostician familiar with testing and interpreting evaluation results. This team may have different names in different districts and/or campuses. For example, the team may be called a student success team, student support team, student intervention team, or even something else. Unless the student is already served under IDEA or Section 504, this team of knowledgeable persons is not an Admission, Review, and Dismissal (ARD) committee or a Section 504 committee, although many of these individuals may be on a future committee if the student is referred for an evaluation.

When the Data Does Not Lead to Suspicion of a Disability, Including Dyslexia or a Related Disorder

If the team determines that the data does not give the members reason to suspect that a student has dyslexia, a related disorder, or other disability, the team may decide to provide the student with additional support in the classroom or through the RTI/MTSS process. The student should continue to receive grade level, evidence-based core reading instruction. (Tier 1) and any other appropriate tiered interventions. However, the student is not referred for an evaluation at this time.

When the Data Lead to a Suspicion of a Disability, Including Dyslexia or a Related Disorder

If the team suspects that the student has dyslexia, a related disorder, or another disability included within the IDEA, the team must refer the student for a full individual and initial evaluation (FIIE). In most cases, an FIIE under the IDEA must be completed within 45-school days from the time a district or charter school receives parental consent. The student should continue to receive grade level, evidence-based core reading instruction (Tier 1) and any other appropriate tiered interventions while the school conducts the FIIE.

Parents/guardians always have the right to request a referral for a dyslexia evaluation at any time. Once a parent request for dyslexia evaluation has been made, the school district is obligated to review the student's data history (both formal and informal data) to determine whether there is reason to suspect the student has a disability. If a disability is suspected, the student needs to be evaluated following the guidelines outlined in this chapter. Under the IDEA, if the school refuses the request to evaluate, it must give parents prior written notice of refusal to evaluate, including an explanation of why the school refuses to conduct an FIIE, the information that was used as the basis for the decision, and a copy of the *Notice of Procedural Safeguards*. Should the parent disagree with the school's refusal to conduct an evaluation, the parent has the right to initiate dispute resolution options including; mediation, state complaints, and due process hearings. Additionally, the parent may request an Independent Educational Evaluation (IEE) at public expense. Should the parent believe that their child is eligible for Section 504 aids, accommodations, and services the parent may request an evaluation under Section 504.

Procedures for Evaluation

As discussed in Chapter 2, Child Find is a provision in the federal Individuals with Disabilities Education Act (IDEA), a federal law that requires the state to have policies and procedures in place to ensure that every student in the state who needs special education and related services is located, identified, and evaluated. The purpose of the IDEA is to ensure that students with disabilities are offered a free and appropriate public education (20 U.S.C. §1400(d); 34 C.F.R. §300.1). Because a student suspected of having dyslexia may be a student with a disability under the IDEA, the Child Find mandate includes these students. Therefore, when referring and evaluating students suspected of having dyslexia, LEAs must follow procedures for conducting a full individual and initial evaluation (FIIE) under the IDEA. For detailed information regarding Child Find see <https://tea.texas.gov/sites/default/files/Technical%20Assistance%20-%20Child%20Find%20and%20Evaluation%20-%20June%202020%20Revised%28v5%29.pdf> _

As discussed in Chapter II, all public-school students are required to be screened for dyslexia while in kindergarten and grade 1. Additionally, students enrolling in public schools in Texas must be assessed for dyslexia and related disorders “at appropriate times” (TEC §38.003(a)). The appropriate time depends upon multiple factors including the student’s reading performance; reading difficulties; poor response to supplemental, scientifically-based reading instruction; teachers’ input; and input from parents/guardians. The appropriate time for assessing is early in a student’s school career (19 TAC §74.28). Texas Education Code §28.006, Reading Diagnosis, requires assessment of reading development and comprehension for students in kindergarten, first grade, second grade, and as applicable, seventh grade. While earlier is better, students should be recommended for evaluation for dyslexia even if the reading difficulties appear later in a student’s school career.

While schools must follow federal and state guidelines, they must also develop local procedures that address the needs of their student populations. Schools must recommend evaluation for dyslexia if the student demonstrates the following:

- Poor performance in one or more areas of reading and spelling that is unexpected for the student’s age/grade
- Characteristics and risk factors of dyslexia indicated in Chapter I: Definitions & Characteristics of Dyslexia

1. Data Gathering

Schools collect data on all students to ensure that instruction is appropriate and scientifically based. Essential components of comprehensive literacy instruction are defined in Section 2221(b) of ESSA as explicit, systematic, and intentional instruction in the following:

- Phonological awareness
- Phonic coding
- Vocabulary
- Language structure
- Reading fluency
- Reading comprehension

When evaluating a student for dyslexia, the collection of various data, as indicated in Figure 3.2 below, will provide information regarding factors that may be contributing to or primary to the student’s struggles with reading and spelling.

Cumulative Data

The academic history of each student will provide the school with the cumulative data needed to ensure that underachievement in a student suspected of having dyslexia is not due to lack of appropriate instruction in reading. This information should include data that demonstrate that the student was provided appropriate instruction and include data-based documentation of repeated evaluations of achievement at reasonable intervals (progress monitoring), reflecting formal evaluation of student progress during instruction. These cumulative data also include information from parents/guardians. Sources and examples of cumulative data are provided in Figure 3.2.

Figure 3.2. Sources and Examples of Cumulative Data	
<ul style="list-style-type: none"> • Vision screening • Hearing screening • Teacher reports of classroom concerns • Classroom reading assessments • Accommodations or interventions provided • Academic progress reports (report cards) • Gifted/talented assessments • Samples of schoolwork • Parent conference notes • Results of kindergarten-grade 1 universal screening as required in TEC §38.003 • K–2 reading instrument results as required in TEC §28.006 (English and native language, if possible) 	<ul style="list-style-type: none"> • 7th-grade reading instrument results as required in TEC §28.006 • State student assessment program results as described in TEC §39.022 • Observations of instruction provided to the student • Previous evaluations • Outside evaluations • Speech and language assessment • School attendance • Curriculum-based assessment measures • Instructional strategies provided and student’s response to the instruction • Screening data • Parent survey

Environmental and Socioeconomic Factors

Information regarding a child's early literacy experiences, environmental factors, and socioeconomic status must be part of the data collected throughout the data gathering process. These data support the determination that difficulties in learning are not due to cultural factors or environmental or economic disadvantage. Studies that have examined language development and the effects of home experiences on young children indicate that home experiences and socioeconomic status have dramatic effects on cumulative vocabulary development (Hart & Risley, 1995). Having data related to these factors may help in determining whether the student’s struggles with reading are due to a lack of opportunity or a reading disability, including dyslexia.

Language Proficiency

Much diversity exists among ELs. A student’s language proficiency may be impacted by any of the following: native language, English exposure, parent education, socioeconomic status of the family, amount of time in the United States, experience with formal schooling, immigration status, community demographics, and ethnic heritage (Bailey, Heritage, Butler, & Walqui, 2000). ELs may be students served in bilingual and English as a second language (ESL) programs as well as students designated Limited English Proficient (LEP) whose parents have denied services. In addition to the information discussed in the previous section of this chapter, the Language Proficiency Assessment Committee (LPAC) maintains documentation (TAC §89.1220(g)-(i)) that is necessary to consider when identifying ELs with dyslexia. The LPAC is required to meet annually to review student placement and progress and consider instructional accommodations and interventions to address the student’s linguistic needs. Since the identification and service delivery process for dyslexia must be aligned to the student’s linguistic environment and educational background, involvement of the LPAC is required. Additional data sources for ELs are provided below in Figure 3.3.

Figure 3.3. Additional Data Sources for English Learners

- Home Language Survey
- Assessment related to identification for limited English proficiency (oral language proficiency test and norm-referenced tests—all years available)
- Texas English Language Proficiency Assessment System (TELPAS) information for four language domains (listening, speaking, reading, and writing)
- Instructional interventions provided to address language needs
- Information regarding previous schooling inside and/or outside the United States
- Type of language program model provided and language of instruction

Formal Evaluation

A formal evaluation is not a screening; rather, it is an individualized evaluation used to gather specific data about the student. Formal evaluation includes both formal and informal data. All data will be used to determine whether the student demonstrates a pattern of evidence that indicates dyslexia. Information collected from the parents/guardians also provides valuable insight into the student's early years of language development. This history may help explain why students come to the evaluation with many different strengths and weaknesses; therefore, findings from the formal evaluation will be different for each child. Professionals conducting evaluations for the identification of dyslexia will need to look beyond scores on standardized assessments alone and examine the student's classroom reading performance, educational history, early language experiences, and, when warranted, academic potential to assist with determining reading, spelling, and writing abilities and difficulties. As part of the evaluation when dyslexia is suspected, in addition to the parent and team of qualified professionals required under IDEA, it is recommended that the multi-disciplinary evaluation team include members who have specific knowledge regarding-

- the reading process,
- dyslexia and related disorders, and
- dyslexia instruction.

Notification and Permission

When formal evaluation is recommended, the school must complete the evaluation process as outlined in the IDEA. Procedural safeguards under IDEA must be followed. For more information on procedural safeguards, see TEA's [Parent Guide to the Admission, Review, and Dismissal Process \(Parent's Guide\)](#) and the [Notice of Procedural Safeguards](#).

Tests and Other Evaluation Materials

Test instruments and other evaluation materials must meet the following criteria:

- Used for the purpose for which the evaluation or measures are valid or reliable
- Include material(s) tailored to assess specific areas of educational need and not merely material(s) that are designed to provide a single, general intelligence quotient
- Selected and administered to ensure that when a test is given to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude, achievement level, or whatever other factor the test purports to measure rather than reflecting the student's impaired sensory, manual, or speaking skills
- Selected and administered in a manner that is not racially or culturally discriminatory
- Include multiple measures of a student's reading abilities such as informal assessment information (e.g., anecdotal records, district universal screenings, progress monitoring data, criterion-referenced evaluations, results of informal reading inventories, classroom observations)
- Administered by trained personnel and in conformance with the instructions provided by the producer of the evaluation materials
- Provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information regarding what the child can do academically, developmentally, and functionally unless it is clearly not feasible to provide or administer

Additional Considerations for English Learners

A professional involved in the evaluation, interpretation of evaluation results, and identification of ELs with dyslexia must have the following training/knowledge:

- Knowledge of first and second language acquisition theory
- Knowledge of the written system of the first language: transparent (e.g., Spanish, Italian, German), syllabic (e.g., Japanese-kana), Semitic (e.g., Arabic, Hebrew), and morphosyllabic (e.g., Chinese-Kanji)
- Knowledge of the student’s literacy skills in native and second languages
- Knowledge of how to interpret results from a cross-linguistic perspective
- Knowledge of how to interpret TELPAS (Texas English Language Proficiency Assessment System) results
- Knowledge of how to interpret the results of the student’s oral language proficiency in two or more languages in relation to the results of the tests measuring academic achievement and cognitive processes as well as academic data gathered and economic and socioeconomic factors

Although data from previous formal testing of the student’s oral language proficiency may be available, as required by TEC §29.056, additional assessment of oral language proficiency should be completed for a dyslexia evaluation due to the importance of the information for—

- consideration in relation to academic challenges,
- planning the evaluation, and
- interpreting evaluation results.

If there is not a test in the native language of the student, informal measures of evaluation such as reading a list of words and listening comprehension in the native language may be used.

Domains to Assess Specific to Dyslexia

Academic Skills

The school administers measures that are related to the student’s educational needs. Difficulties in the areas of letter knowledge, word decoding, and fluency (rate, accuracy, and prosody) may be evident depending upon the student’s age and stage of reading development. In addition, many students with dyslexia may have difficulty with reading comprehension and written composition.

Cognitive Processes

Difficulties in phonological and phonemic awareness are typically seen in students with dyslexia and impact a student’s ability to learn letters and the sounds associated with letters, learn the alphabetic principle, decode words, and spell accurately. Rapid naming skills may or may not be weak, but if deficient, they are often associated with difficulties in automatically naming letters, reading words fluently, and reading connected text at an appropriate rate. Memory for letter patterns, letter sequences, and the letters in whole words (orthographic processing) may be selectively impaired or may coexist with phonological processing weaknesses. Finally, various language processes, such as morpheme and syntax awareness, memory and retrieval of verbal labels, and the ability to formulate ideas into grammatical sentences, may also be factors affecting reading (Berninger & Wolf, 2009, pp. 134–135).

Based on the student’s academic difficulties, characteristics, and/or language acquisition, additional areas related to vocabulary, listening comprehension, oral language proficiency, written expression, and other cognitive abilities may need to be assessed. Areas for evaluation are provided below in Figure 3.4.

Figure 3.4. Areas for Evaluation		
<u>Academic Skills</u>	<u>Cognitive Processes</u>	<u>Possible Additional Areas</u>
<ul style="list-style-type: none"> • Letter knowledge (name and associated sound) • Reading words in isolation • Decoding unfamiliar words accurately • Reading fluency (rate, accuracy, and prosody are assessed) • Reading comprehension • Spelling 	<ul style="list-style-type: none"> • Phonological/phonemic awareness • Rapid naming of symbols or objects 	<ul style="list-style-type: none"> • Vocabulary • Listening comprehension • Verbal expression • Written expression • Handwriting • Memory for letter or symbol sequences (orthographic processing) • Mathematical calculation/reasoning • Phonological memory • Verbal working memory • Processing speed

Review and Interpretation of Data and Evaluations

To appropriately **understand** evaluation data, the ARD committee must **interpret** test results in light of the student’s educational history, linguistic background, environmental or socioeconomic factors, and any other pertinent factors that affect learning. When considering the condition of dyslexia, in addition to required ARD committee members, the committee should also include members who have specific knowledge regarding—

- the reading process,
- dyslexia and related disorders, and
- dyslexia instruction.

A determination must first be made regarding whether a student’s difficulties in the areas of reading and spelling reflect a pattern of evidence for the primary characteristics of dyslexia with unexpectedly low performance for the student’s age and educational level in **some or all** of the following areas:

- Reading words in isolation
- Decoding unfamiliar words accurately and automatically
- Reading fluency for connected text (rate and/or accuracy and/or prosody)
- Spelling (an isolated difficulty in spelling would not be sufficient to identify dyslexia)

Another factor to consider when interpreting test results is the student’s linguistic background. The nature of the writing system of a language impacts the reading process. Thus, the identification guideposts of dyslexia in languages other than English may differ. For example, decoding in a language with a transparent written language (e.g., Spanish, German) may not be as decisive an indicator of dyslexia as reading rate. A transparent written language has a close letter/sound correspondence (Joshi & Aaron, 2006). Students with

dyslexia who have or who are being taught to read and write a transparent language may be able to decode real and nonwords adequately but demonstrate serious difficulties in reading rate with concurrent deficiencies in phonological awareness and rapid automatized naming (RAN).

Figure 3.5. Dyslexia in Transparent and Opaque Orthographies	
Opaque	Transparent
Early and marked difficulty with word-level reading	Less difficulty with word-level reading
Fluency and comprehension often improve once decoding is mastered	More difficulty with fluency and comprehension

Figure 3.6. Characteristics of Dyslexia in English and Spanish	
English	Spanish
Phonological awareness	Phonological awareness—may be less pronounced
Rapid naming	Rapid naming
Regular/irregular decoding	Decoding—fewer “irregular words” in Spanish
Fluency	Fluency—often a key indicator
Spelling	Spelling—may show fewer errors than in English, but still more than students that do not have dyslexia
Reading comprehension may be a weakness in both English and Spanish.	

Findings support guidance in the interpretation of phonological awareness test scores.

There is evidence that blending skills develop sooner than analysis skills, and that students can have good blending skills and inadequate reading development. Only when both blending and analysis skills are mastered do we see benefits for reading development.

—Kilpatrick, D.A. *Essentials of Assessing, Preventing, and Overcoming Reading Difficulties*, 2015

With this in mind, when determining phonological awareness deficits, evaluation personnel should examine subtest scores, including discreet phonological awareness skills, instead of limiting interpretation to composite scores since a deficit in even one skill will limit reading progress.

Based on the above information and guidelines, should the ARD committee determine that the student exhibits weaknesses in reading and spelling, the committee will then examine the student’s data to determine whether these difficulties are **unexpected** in relation to the student’s other abilities, sociocultural factors, language difference, irregular attendance, or lack of appropriate and effective instruction. For example, the student may exhibit strengths in areas such as reading comprehension, listening comprehension, math reasoning, or verbal ability yet still have difficulty with reading and spelling.

Therefore, it is not one single indicator but a preponderance of data (both informal and formal) that provide the committee with evidence for whether these difficulties are unexpected.

Dyslexia Identification

If the student’s difficulties are unexpected in relation to other abilities, the ARD committee must then determine if the student has dyslexia. For ELs, an LPAC representative must be included on the ARD committee. The list of questions in Figure 3.7 below must be considered when making a determination regarding dyslexia.

Figure 3.7. Questions to Determine the Identification of Dyslexia
<ul style="list-style-type: none">• Do the data show the following characteristics of dyslexia?<ul style="list-style-type: none">○ Difficulty with accurate and/or fluent word reading○ Poor spelling skills○ Poor decoding ability• Do these difficulties (typically) result from a deficit in the phonological component of language? (Please be mindful that average phonological scores alone do not rule out dyslexia.)• Are these difficulties unexpected for the student’s age in relation to the student’s other abilities and provision of effective classroom instruction?

If, through the evaluation process, it is established that the student has the condition of dyslexia, as described in Chapter 1, then the student meets the first prong of eligibility under the IDEA (identification of condition). In other words, the identification of dyslexia, using the process outlined in this chapter, meets the criterion for the condition of a specific learning disability in basic reading and/or reading fluency. However, the presence of a disability condition alone, is not sufficient to determine if the student is a student with a disability under the IDEA. Eligibility under the IDEA consists of both identification of the condition and a corresponding need for specially designed instruction as a result of the disability.

In IDEA, dyslexia is considered one of a variety of etiological foundations for specific learning disability (SLD). Section 34 C.F.R. §300.8(c)(10) states the following:

Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

The term *SLD* does not apply to children who have learning difficulties that are primarily the result of visual, hearing, or motor disabilities; of intellectual disability; of emotional disturbance; or of environmental, cultural, or economic disadvantage.

The IDEA evaluation requirements for SLD eligibility in 34 C.F.R. §300.309(a)(1) specifically designate the following areas for a learning disability in reading: basic reading skills (dyslexia), reading fluency skills, and/or reading comprehension.

The October 23, 2015 letter from the Office of Special Education and Rehabilitative Services (OSERS) (Dear Colleague: Dyslexia Guidance) states that dyslexia, dyscalculia, and dysgraphia are conditions that could qualify a child as a child with a specific learning disability under the IDEA. The letter further states that there is nothing in the IDEA that would prohibit the use of the terms *dyslexia*, *dyscalculia*, and *dysgraphia* in the IDEA evaluation, eligibility determinations, or IEP documents. For more information, please visit <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>.

A 2018 Letter to the Administrator Addressed from the Texas Education Agency regarding the provision of services for students with dyslexia and related disorders states that any time it is suspected that a student requires special education or related services to provide appropriate reading supports and interventions, a referral for an FIIE should be initiated. The letter further states that all students who are identified with dyslexia or a related disorder *and* who require special education services because of dyslexia or a related disorder are eligible under the IDEA for special education and related services as students with a specific learning disability. For more information, please visit https://tea.texas.gov/About_TEA/News_and_Multimedia/Correspondence/TAA_Letters/Provision_of_Services_for_Students_with_Dyslexia_and_Related_Disorders_-_Revised_June_6,_2018/

Once the condition of dyslexia has been identified, a determination must be made regarding the most appropriate way to serve the student. If a student with dyslexia is found eligible for special education (i.e., student requires specially designed instruction), the student's IEP must include appropriate reading instruction. Appropriate reading instruction includes the components and delivery of dyslexia instruction discussed in Chapter IV: Critical, Evidence-Based Components of Dyslexia Instruction. If a student has previously met special education eligibility and is later identified with dyslexia, the ARD committee should include in the IEP goals that reflect the need for dyslexia instruction and determine the least restrictive environment for delivering the student's dyslexia instruction.

If—based on the data—the student is identified with dyslexia, but is not eligible for special education, the student may receive dyslexia instruction and accommodations under Section 504.

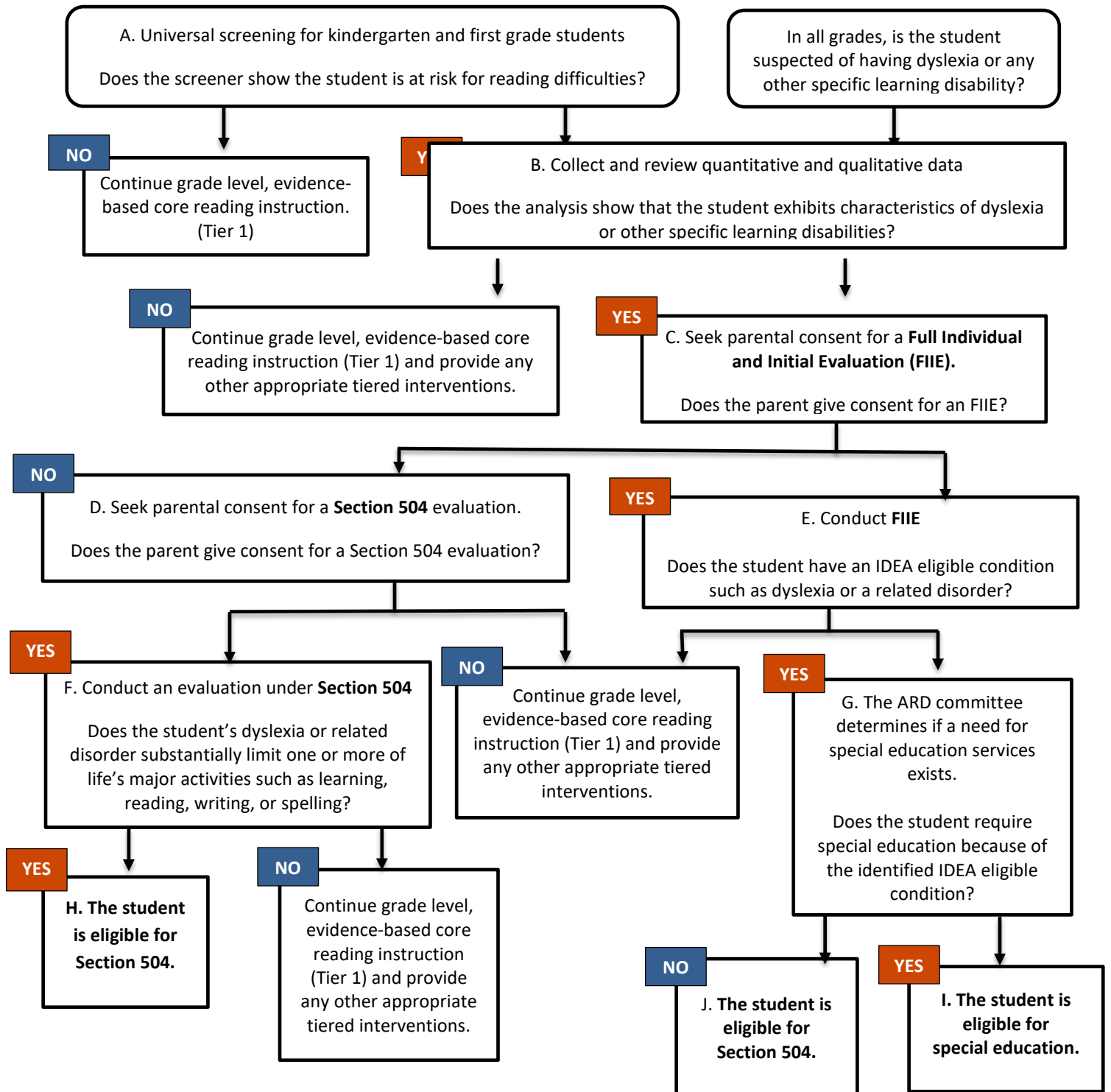
A student who is found not eligible under the IDEA, but who is identified with the condition of dyslexia through the FIIE process should not be referred for a second evaluation under Section 504. Instead, the Section 504 committee will use the FIIE and develop an appropriate plan for the student without delay.

For students eligible for Section 504, a Section 504 committee will develop the student's Section 504 Plan, which must include appropriate reading instruction to meet the individual needs of the student.

Appropriate reading instruction includes the components and delivery of standard protocol dyslexia instruction identified in Chapter IV: Critical, Evidence-Based Components of Dyslexia Instruction. Revision of the Section 504 Plan will occur as the student's response to instruction and to the use of accommodations, if any, is observed. Changes in instruction and/or accommodations must be supported by current data (e.g., classroom performance and dyslexia program monitoring).

Figure 3.8

Pathways for the Identification and Provision of Instruction for Students with Dyslexia



*See next page for additional detail.

Pathway to the Identification and Provision of Instruction for Students with Dyslexia

<p>A. Universal Screening for reading and dyslexia is administered to all students in kindergarten and first grade as required by TEC §28.006 and §38.003(a).</p>	
<p>B. If a student is at risk for reading difficulties or the student is suspected of having dyslexia or any other specific learning disability, collect and review quantitative and qualitative data on the student. See Figures 2.3 and 2.4 in Dyslexia Handbook for more information.</p>	
<p>C. If the analysis shows that the student exhibits characteristics of dyslexia or other specific learning disabilities, seek parental consent for a Full Individual and Initial Evaluation (FIIE), while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	
<p>D. For students suspected of having dyslexia, if the parent does not give consent for an FIIE, seek parental consent for a Section 504 evaluation, while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	<p>E. If the parent gives consent for an FIIE, conduct the FIIE within 45 school days (subject to limited exceptions) of the date of receipt of parent consent, while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions. The ARD committee (including the parent) must meet to review the results of the FIIE.</p>
<p>F. If the parent gives consent for a Section 504 evaluation, conduct an evaluation under Section 504 while continuing to provide grade level, evidence-based core reading instruction (Tier 1) and providing appropriate tiered interventions.</p>	<p>G. If a student has an IDEA eligible condition such as dyslexia or a related disorder, the ARD committee determines if a need for special education services exists.</p>
<p>H. If the student’s dyslexia or related disorder substantially limits one or more of life’s major activities such as learning, reading, writing, or spelling, the student is eligible for Section 504, the 504 committee (parent participation is recommended) develops a Section 504 plan for the student to provide services including standard protocol dyslexia instruction, accommodations, and/or related aids specific to the student’s disability.</p>	<p>I. If the student requires special education because of the identified IDEA eligible condition, the student is eligible for special education. The ARD committee develops the IEP for the student to receive specially designed instruction which can include any appropriate special education and related services, and general education programs and services, including standard protocol dyslexia instruction. While an IEP is individualized to the student, the IEP should address critical, evidence-based components of dyslexia instruction such as phonological awareness, sound-symbol association, syllabication, orthography, morphology, syntax, reading comprehension, and reading fluency. The determination of eligibility and the development of an IEP, if the student is eligible, must be done within 30 days (subject to limited exceptions) from the date that the written FIIE evaluation report is completed. Obtain parental consent for special education services.</p>
	<p>J. If the parent declines, the LEA must still provide all general education services including any protections available under Section 504.</p>

Reevaluation for Dyslexia Identification and Accommodations

Dyslexia is a lifelong condition. However, with proper help, many people with dyslexia can learn to read and write well. Early identification and treatment is the key to helping individuals with dyslexia achieve in school and in life.

—The International Dyslexia Association

<http://www.interdys.org/ewebeditpro5/upload/DyslexiaBasicsREVMay2012.pdf>

There are many initiatives, programs, evaluations, and data available for use in identification, placement, and program planning for students, including ELs, who struggle with dyslexia. Evaluation and ongoing progress monitoring are key components that must be considered by trained personnel.

A 2014 U.S. Department of Justice technical assistance document summarized regulations regarding testing accommodations for individuals with disabilities as follows.

The Americans with Disabilities Act (ADA) ensures that individuals with disabilities have the opportunity to fairly compete for and pursue such opportunities by requiring testing entities to offer exams in a manner accessible to persons with disabilities. When needed testing accommodations are provided, test-takers can demonstrate their true aptitude.

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IV. Critical, Evidence-Based Components of Dyslexia Instruction

Although dyslexia affects individuals over the life span . . . reading skills can be increased with the right early intervention and prevention programs . . . It is clear from the consensus of scientifically based reading research that the nature of the educational intervention for individuals with reading disabilities and dyslexia is critical. (pp. 21–22)

— Birsh, J. R. Connecting Research and Practice, 2018

Effective literacy instruction is essential for all students and is especially critical for students identified with dyslexia. High-quality core classroom reading instruction can give students identified with dyslexia a foundation upon which intervention instruction can have a more significant impact.

Texas Education Code §38.003(b) states, “in accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.” SBOE rules in 19 TAC §74.28 require that each school must provide an identified student access at his/her campus to an instructional program that meets the requirements in SBOE rule and to the services of a teacher trained in dyslexia and related disorders. While the components of instruction for students with dyslexia include good teaching principles for all teachers, the explicitness and intensity of the instruction, fidelity to program descriptors, grouping formats, and training and skill of the teachers are wholly different from core classroom instruction and must be considered when making individual placement decisions.

Standard Protocol Dyslexia Instruction

For the student who has not benefited from the research-based core reading instruction, the components of instruction will include additional focused intervention as appropriate for the reading needs of the student with dyslexia. Standard protocol dyslexia instruction provides evidence-based, multisensory structured literacy instruction for students with dyslexia. A standard protocol dyslexia instructional program must be explicit, systematic, and intentional in its approach. This instruction is designed for all students with dyslexia and will often take place in a small group setting. Standard protocol dyslexia instruction must be—

- evidence-based and effective for students with dyslexia;
- taught by an appropriately trained instructor; and
- implemented with fidelity.

Instructional decisions for a student with dyslexia must be made by a committee (Section 504 or ARD) that is knowledgeable about the instructional components and approaches for students with dyslexia. It is important to remember that while dyslexia instruction is most successful when provided as early as possible, older children with reading disabilities will also benefit from focused and intensive remedial instruction.

In accordance with 19 TAC §74.28(e), districts must purchase or develop an evidence-based reading program for students with dyslexia and related disorders that incorporates **all** the components of instruction and instructional approaches described in the sections below. As is the case with any instructional program,

differentiation that does not compromise the fidelity of a program may be necessary to address different learning styles and ability levels and to promote progress among students receiving dyslexia instruction. While districts and charter schools must implement an evidence-based instructional program for students with dyslexia that meets each of the components described in this chapter, standard protocol dyslexia instruction provided to students may focus on components of the program that best meet the student's needs. For example, this may occur when a student with dyslexia who has participated in standard protocol dyslexia instruction in the past, but continues to need remediation in some, but not all of, the components (e.g. fluency, written expression).

Specially Designed Instruction

For students with dyslexia who have been determined eligible for and who are receiving special education services, specially designed instruction must also address the critical, evidence-based components described in this chapter. Specially designed instruction differs from standard protocol dyslexia instruction in that it offers a more individualized program specifically designed to meet a student's unique needs. Note that participation in standard protocol dyslexia instruction must be considered for all students, including those receiving dyslexia instruction under the IDEA. Standard protocol dyslexia instruction could be part of the specially designed instruction and services provided to meet the student's needs.

Critical, Evidence-Based Components of Dyslexia Instruction

- **Phonological awareness**—“Phonological awareness is the understanding of the internal sound structure of words. A phoneme is the smallest unit of sound in a given language that can be recognized as being distinct from other sounds. An important aspect of phonological awareness is the ability to segment spoken words into their component phonemes [phonemic awareness].” (Birsh, 2018, p. 26).
- **Sound-symbol association**—Sound-symbol association is the knowledge of the various speech sounds in any language to the corresponding letter or letter combinations that represent those speech sounds. The mastery of sound-symbol association (alphabetic principle) is the foundation for the ability to read (decode) and spell (encode) (Birsh, 2018, p. 26). “Explicit phonics refers to an organized program in which these sound symbol correspondences are taught systematically” (Berninger & Wolf, 2009, p. 53).
- **Syllabication**—“A syllable is a unit of oral or written language with one vowel sound. Instruction must include the six basic types of syllables in the English language; closed, open, vowel-consonant-e, r-controlled, vowel pair (or vowel team), and final stable syllable. Syllable division rules must be directly taught in relation to the word structure” (Birsh, 2018, p. 26).
- **Orthography**—Orthography is the written spelling patterns and rules in a given language. Students must be taught the regularity and irregularity of the orthographic patterns of a language in an explicit and systematic manner. The instruction should be integrated with phonology and sound-symbol knowledge.
- **Morphology**—“Morphology is the study of how morphemes are combined to form words. A morpheme is the smallest unit of meaning in the language” (Birsh, 2018, p. 26).
- **Syntax**—“Syntax is the set of principles that dictate sequence and function of words in a sentence in

order to convey meaning. This includes grammar, sentence variation, and the mechanics of language” (Birsh, 2018, p. 26).

- **Reading comprehension**—Reading comprehension is the process of extracting and constructing meaning through the interaction of the reader with the text to be comprehended and the specific purpose for reading. The reader’s skill in reading comprehension depends upon the development of accurate and fluent word recognition, oral language development (especially vocabulary and listening comprehension), background knowledge, use of appropriate strategies to enhance comprehension and repair it if it breaks down, and the reader’s interest in what he or she is reading and motivation to comprehend its meaning (Birsh, 2018, p.14; Snow, 2002).
- **Reading fluency**—“Reading fluency is the ability to read text with sufficient speed and accuracy to support comprehension”(Moats & Dakin, 2008, p. 52). Fluency also includes prosody. Teachers can help promote fluency with several interventions that have proven successful in helping students with fluency (e.g., repeated readings, word lists, and choral reading of passages) (Henry, 2010, p. 104).

In addition, other areas of language processing skills, such as written expression, which require integration of skills, are often a struggle for students with dyslexia. Moats and Dakin (2008) posit the following:

The ability to compose and transcribe conventional English with accuracy, fluency, and clarity of expression is known as basic writing skills. Writing is dependent on many language skills and processes and is often even more problematic for children than reading. Writing is a language discipline with many component skills that must be directly taught. Because writing demands using different skills at the same time, such as generating language, spelling, handwriting, and using capitalization and punctuation, it puts a significant demand on working memory and attention. Thus, a student may demonstrate mastery of these individual skills, but when asked to integrate them all at once, mastery of an individual skill, such as handwriting, often deteriorates. To write on demand, a student has to have mastered, to the point of being automatic, each skill involved (p. 55).

Both the teacher of dyslexia and the regular classroom teacher should provide multiple opportunities to support intervention and to strengthen these skills; therefore, responsibility for teaching reading and writing must be shared by classroom teachers, reading specialists, interventionists, and teachers of dyslexia programs.

Delivery of Dyslexia Instruction

While it is necessary that students are provided instruction in the above content, it is also critical that the way in which the content is delivered be consistent with research-based practices. Principles of effective intervention for students with dyslexia include **all** of the following:

- **Simultaneous, multisensory (VAKT)**—“Teaching is done using all learning pathways in the brain (visual, auditory, kinesthetic, tactile) simultaneously in order to enhance memory and learning” (Birsh, 2018, p. 26). “Children are actively engaged in learning language concepts and other information, often by using their hands, arms, mouths, eyes, and whole bodies while learning” (Moats & Dakin, 2008, p. 58).

- **Systematic and cumulative**—“Multisensory language instruction requires that the organization of material follow order of the language. The sequence must begin with the easiest concepts and most basic elements and progress methodically to more difficult material. Each step must also be based on [elements] already learned. Concepts taught must be systematically reviewed to strengthen memory” (Birsh, 2018, p. 26).
- **Explicit instruction**—“Explicit instruction is explained and demonstrated by the teacher one language and print concept at a time, rather than left to discovery through incidental encounters with information. Poor readers do not learn that print represents speech simply from exposure to books or print” (Moats & Dakin, 2008, p. 58). Explicit Instruction is “an approach that involves direct instruction: The teacher demonstrates the task and provides guided practice with immediate corrective feedback before the student attempts the task independently” (Mather & Wendling, 2012, p. 326).
- **Diagnostic teaching to automaticity**—“The teacher must be adept at prescriptive or individualized teaching. The teaching plan is based on careful and [continual] assessment of the individual’s needs. The content presented must be mastered to the degree of automaticity” (Birsh, 2018, p. 27). “This teacher knowledge is essential for guiding the content and emphasis of instruction for the individual student” (Moats & Dakin, 2008, p. 58). “When a reading skill becomes automatic (direct access without conscious awareness), it is performed quickly in an efficient manner” (Berninger & Wolf, 2009, p. 70).
- **Synthetic instruction**—“Synthetic instruction presents the parts of the language and then teaches how the parts work together to form a whole” (Birsh, 2018, p. 27).
- **Analytic instruction**—“Analytic instruction presents the whole and teaches how this can be broken into its component parts” (Birsh, 2018, p. 27).

As appropriate intervention is provided, students with dyslexia make significant gains in reading. Effective instruction is highly-structured, systematic, and explicit, and it lasts for sufficient duration. With regard to explicit instruction, Torgesen (2004) states, “Explicit instruction is instruction that does not leave anything to chance and does not make assumptions about skills and knowledge that children will acquire on their own” (p. 353).

In addition, because effective intervention requires highly structured and systematic delivery, it is critical that those who provide intervention for students with dyslexia be trained in the program used and that the program is implemented with fidelity.

Sources for Critical, Evidence-Based Components and Delivery of Dyslexia Instruction

Berninger, V. W., & Wolf, B. (2009). *Teaching students with dyslexia and dysgraphia: Lessons from teaching and science*. Baltimore, MD: Paul H. Brookes Publishing.

Birsh, J. R. (2018). Connecting research and practice. In J. R. Birsh, *Multisensory teaching of basic language skills* (4th ed., pp21–34). Baltimore, MD: Paul H. Brookes Publishing.

Henry, M. K. (2010). *Unlocking literacy: Effective decoding and spelling instruction* (2nd ed.). Baltimore, MD: Paul H. Brookes Publishing.

The International Multisensory Structured Language Council. (2013). *Multisensory structured language programs: Content and principles of instruction*. Retrieved from <https://www.imslec.org/directory.asp?action=instruction>.

Mather, N., & Wendling, B. J. (2012). *Essentials of dyslexia assessment and intervention*. Hoboken, NJ: John Wiley & Sons.

Moats, L. C., & Dakin, K. E. (2008). *Basic facts about dyslexia and other reading problems*. Baltimore, MD: The International Dyslexia Association.

Providers of Dyslexia Instruction

In order to provide effective intervention, school districts are encouraged to employ highly trained individuals to deliver dyslexia instruction. Teachers, such as reading specialists, master reading teachers, general education classroom teachers, or special education teachers, who provide dyslexia intervention for students are not required to hold a specific license or certification. However, these educators must at a minimum have additional documented dyslexia training aligned to 19 TAC §74.28(c) and must deliver the instruction with fidelity. This includes training in critical, evidence-based components of dyslexia instruction such as phonological awareness, sound-symbol association, syllabication, orthography, morphology, syntax, reading comprehension, and reading fluency. In addition, they must deliver multisensory instruction that simultaneously uses all learning pathways to the brain, is systematic and cumulative, is explicitly taught, uses diagnostic teaching to automaticity, and includes both analytic and synthetic approaches. See pages 39 – 41 for a description of these components of instruction and delivery. A provider of dyslexia instruction does not have to be certified as a special educator when serving a student who also receives special education and related services if that provider is the most appropriate person to offer dyslexia instruction.

Although Texas does not have a certification requirement specific to teachers providing intervention to students with dyslexia, opportunities for those who provide dyslexia instruction to pursue a certification and/or license are available through several professional organizations as well as through the Texas Department of Licensing and Regulation. Certification and licensing options are outlined in Figure 4.1 below. More information concerning licensure in the State of Texas, may also be found in Texas Occupations Code, Chapter 403. (See Appendix C, State Laws and Rules Related to Dyslexia).

The effort to train professionals who work with students with dyslexia is also supported by The International Dyslexia Association (IDA) Position Statement: Dyslexia Treatment Programs (March, 2009), which states the following:

Professional practitioners, including teachers or therapists, should have had specific preparation in the prevention and remediation of language-based reading and writing difficulties. Teachers and therapists should be able to state and provide documentation of their credentials in the prevention and remediation of language-based reading and writing difficulties, including program-specific training recommended for the use of specific programs (pp. 1–2).

Providers of dyslexia instruction must be prepared to use the techniques, tools, and strategies outlined in the previous sections of this chapter. They may also serve as trainers and consultants in dyslexia and related disorders for regular, remedial, and special education teachers.

Figure 4.1. Training Requirements for Educators Providing Dyslexia Services

Dyslexia Certification/License	Licensing Body	Degree Required	Training Program	Course Contact Hours	Practicum Hours	Direct Observations	Certification Exam	Continuing Education Requirement
Educator certification* as appropriate	State Board for Educator Certification (SBEC)	Bachelors	Training which meets components of instruction and delivery	Varies with program	Varies with program	Varies with program	None	None
*Teachers, such as reading specialists, master reading teachers, general education classroom teachers, or special education teachers are not required to hold a specific license or certification to provide dyslexia intervention for students; however, they must at a minimum have additional documented dyslexia training aligned to 19 TAC §74.28(c) and must deliver the instruction with fidelity.								
Licensed Dyslexia Therapist (LDT)	Texas Department of Licensing and Regulation (TDLR)	Masters	IMSLEC Accredited or other MSLE Program	200	700	10	yes	20 hrs/2 yrs
Licensed Dyslexia Practitioner (LDP)	Texas Department of Licensing and Regulation (TDLR)	Bachelors	IMSLEC Accredited or other MSLE	45	60	5	yes	20 hrs/2 yrs
Certified Academic Language Therapist (CALT)	Academic Language Therapy Association (ALTA)	Bachelors	IMSLEC Accredited or other MSLE	200	700	10	yes	10 hrs/1 yr
Certified Academic Language Practitioner (CALP)	Academic Language Therapy Association (ALTA)	Bachelors	IMSLEC Accredited or other MSLE Program	45	60	5	yes	10 hrs/1 yr
Certified Structured Literacy/Dyslexia Specialist	Center for Effective Reading Instruction (CERI)	Bachelors	IDA Accredited	135	30	3	yes	10 hrs/1 yr
Certified Structured Literacy/Dyslexia Interventionist	Center for Effective Reading Instruction (CERI)	Bachelors	IDA Accredited	90	30	3	yes	10 hrs/1 yr
Wilson Level II Certification/Therapist	Wilson Language Training	Bachelors	IDA Accredited	200	215	11+	yes	50 hrs/5 yrs
Wilson Level I Certification/Practitioner	Wilson Language Training	Bachelors	IDA Accredited	105	65	5+	yes	50 hrs/5 yrs
AOGPE Fellow Level	Academy of Orton-Gillingham Practitioners and Educators (AOGPE)	Masters	AOGPE	250	600	13	no	none
AOGPE Certified Level	Academy of Orton-Gillingham Practitioners and Educators (AOGPE)	Bachelors	AOGPE	160	300	10	no	none
AOGPE Associate Level	Academy of Orton-Gillingham Practitioners and Educators (AOGPE)	Bachelors	AOGPE	Option A - 60 Option B - 70	Option A - 100 1 to 1 hours Option B - 50 1 to 1 hours; & 50 group hours	10	no	none

Please note that certification and licensing requirements may change with time. For more complete and up-to-date information, contact the specific licensing body.

[Professional Development Relative to Dyslexia for All Teachers](#)

Research consistently confirms the impact that a knowledgeable teacher can have on the success or failure of even the best reading programs (Shaywitz, 2003). To ensure that teachers are knowledgeable about dyslexia, [TEC §21.054\(b\)](#) and [19 TAC §232.11\(e\)](#) require educators who teach students with dyslexia to be

trained in new research and practices related to dyslexia as a part of their continuing professional education (CPE) hours.

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm>

<http://ritter.tea.state.tx.us/sbecrules/tac/chapter232/ch232a.html#232.11>

Educator Preparation Programs

According to TEC §21.044(b), all candidates completing an educator preparation program must receive instruction in detection and education of students with dyslexia. This legislation ensures that newly certified teachers will have knowledge of dyslexia prior to entering the classroom.

<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.21.htm#21.044>

Instructional Intervention Consideration for English Learners with Dyslexia

English Learners (ELs) receiving dyslexia services will have unique needs. Provision of dyslexia instruction should be in accordance with the program model the student is currently receiving (e.g., dual language, transitional bilingual, ESL). Interventionists working with ELs should have additional training on the specialized needs of ELs.

Learning to read, write, and spell in two languages can be facilitated by building on a student's native language knowledge and helping to transfer that knowledge to a second language. While direct, systematic instruction is still required for all aspects of reading, additional explicit instruction will be needed to address the similarities and differences in sounds, syllable structure, morphology, orthography, and syntax between the first and second languages.

For example, instructional considerations may include capitalizing on familiar sound-symbol correspondences. Direct and systematic instruction of the cross-linguistic correlations is beneficial for ELs. Instruction can subsequently include those sound-symbol correlations that partially overlap or present a slight variation from the native language to the second language. Unfamiliar phonemes and graphemes then can be presented to ELs. A systematic approach will enhance instruction and assist the bilingual student in transferring native language and literacy knowledge to second language and literacy acquisition.

For ELs learning to read in English and not in their native language, progress in reading may be hindered due to limited vocabulary in English. Therefore, in addition to all the components of effective instruction previously discussed, intervention for ELs also must emphasize oral language development (Cardenas-Hagan, 2018). Because the English language is derived from Anglo-Saxon, Latin, Greek, French, and other languages, ELs can expand their oral language and vocabulary knowledge by understanding the cognates (baseball/béisbol or leader/lider) that exist in their native language and English. The similarities of words in the native language and English must be explicitly taught.

It is also necessary to incorporate ESL strategies during the intervention process and in all content areas. In Texas, school districts are required to implement the English Language Proficiency Standards (ELPS) as an

integral part of each subject area in the required curriculum ([TAC §74.4\(a\)](#)). Dyslexia instruction for ELs must incorporate the ELPS. A few strategies to consider include the following:

- Establish routines so that ELs understand what is expected of them
- Provide native language support when giving directions or when students do not understand the task
- Provide opportunities for repetition and rehearsal so that the new information can be learned to mastery
- Adjust the rate of speech and the complexity of the language used according to the second language proficiency level of each student
- Provide extra time for the EL to process the English language. This is especially necessary during the early stages of second language development
- Provide extra time for the EL to formulate oral and written responses
- Emphasize text that includes familiar content and explain the structure of the text

Source for Instructional Intervention Consideration for English Learners (ELs) with Dyslexia

19 Texas Administrative Code §74.4, English Language Proficiency Standards. (2007).

Cardenas-Hagan, E. (2018). Language and literacy development among English language learners. In J. R. Birsh, *Multisensory teaching of basic language skills* (4th ed.) (pp. 720–754). Baltimore, MD: Paul H. Brookes Publishing.

Research-Based Best Practices

It is important to note that in Texas, the approach to teaching students with dyslexia is founded on research-based best practices. The ideas upon which the state’s approach is based are summarized here.

- Gains in reading can be significant if students with reading problems are provided systematic, explicit, and intensive reading instruction of sufficient duration in phonemic awareness, phonics, fluency, vocabulary (e.g., the relationships among words and the relationships among word structure, origin, and meaning), reading comprehension strategies, and writing.
- A failure to learn to read impacts a person’s life significantly. The key to preventing this failure for students with dyslexia is early identification and early intervention.
- Instruction by a highly skilled and knowledgeable educator who has specific preparation in the remediation of dyslexia is necessary.

It is vital to start evidence-based interventions as soon as possible. Effective treatments for dyslexia should consist of explicit academic teaching of reading and spelling skills.

The following research reflects the essential components of dyslexia instruction discussed above and may serve as additional sources of information for those working with students identified with dyslexia. The similarities between the state’s approach and the research are noted in bold. Unless otherwise indicated, the following pages contain excerpts from the resources cited.

1. August and Shanahan (2006, pp. 3–5) state the following:
 - **Instruction that provides substantial coverage in the key components of reading—identified by the National Reading Panel (NICHHD, 2000) as phonemic awareness, phonics, fluency, vocabulary, and text comprehension**—has clear benefits for language-minority students.
 - **Instruction in the key components of reading** is necessary—but not sufficient—for teaching language-minority students to read and write proficiently in English. Oral proficiency in English is critical as well, but student performance suggests that it is often overlooked in instruction.
 - Oral proficiency and literacy in the first language can be used to facilitate literacy development in English.

August, D., & Shanahan, T. (Eds.). (2006). *Executive summary: Developing literacy in second-language learners: Report of the National Literacy Panel on language-minority children and youth*. Mahwah, NJ: Lawrence Erlbaum.

2. Berninger and Wolf (2009, p. 49–50) state the following:

Until children are reading without effort, each reading lesson should consist of **teacher-directed, explicit, systematic instruction** in 1) phonological awareness; 2) applying phonics (alphabetic principle) and morphology to decoding; 3) applying background knowledge already learned to unfamiliar words or concepts in material to be read (activating prior knowledge); 4) both oral reading and silent reading, with appropriate instructional materials; 5) activities to develop oral reading fluency; and 6) reading comprehension.

Berninger, V. W., & Wolf, B. J. (2009). *Teaching students with dyslexia and dysgraphia: Lessons from teaching and science*. Baltimore, MD: Paul H. Brookes Publishing.

3. Birsh (2018, p. 3) states the following:

Teachers need to undergo extensive **preparation in the disciplines inherent in literacy**, which include the following:

- Language development
- **Phonology and phonemic awareness**
- Alphabetic knowledge
- Handwriting
- **Decoding (reading)**
- **Spelling (encoding)**
- **Fluency**
- **Vocabulary**
- **Comprehension**
- Composition

- Testing and assessment
- Lesson planning
- Behavior management
- Study skills
- History of the English language
- Technology
- Needs of older struggling students

Birsh, J. R. (2018). Connecting research and practice. In J. R. Birsh, *Multisensory teaching of basic language skills* (4th ed., pp. 2–34). Baltimore, MD: Paul H. Brookes Publishing.

4. Clark and Uhry (2004, pp. 89–92) state the following:

- Children with dyslexia need the following:
 - **Direct, intensive, and systematic** input from and interaction with the teacher
 - Immediate feedback from the teacher
 - Careful pacing of instruction
 - **Systematic** structured progression from the simple to the complex
- Other components of instruction include the following:
 - Learning to mastery
 - Multisensory instruction

Clark, D., & Uhry, J. (Eds.). (2004). *Dyslexia: Theory and practice of instruction* (3rd ed.). Austin, TX: Pro-Ed.

5. Henry (2010, p. 21) states the following:

By teaching the concepts inherent in the word origin and word structure model across a decoding-spelling continuum from the early grades through at least eighth grade, and by using technology when it serves to reinforce these concepts, teachers ensure that students have strategies to decode and spell most words in the English language. This framework and continuum readily organize a large body of information for teachers and their students. Not only do students gain a better understanding of English word structure, but they also become better readers and spellers.

Henry, M. K. (2010). *Unlocking literacy: Effective decoding and spelling instruction* (2nd ed.). Baltimore, MD: Paul H. Brookes Publishing.

6. Mather and Wendling (2012, p. 171) state the following:

Individuals with dyslexia need to

- understand how phonemes (sounds) are represented with graphemes (letters);
- learn how to blend and segment phonemes to pronounce and spell words;
- learn how to break words into smaller units, such as syllables, to make them easier to pronounce;
- learn to recognize and spell common orthographic graphic patterns (e.g., -tion);
- learn how to read and spell words with irregular elements (e.g., ocean); and
- spend time engaged in meaningful reading and writing activities.

Mather, N. M., & Wendling, B. J. (2012). *Essentials of dyslexia assessment and intervention*. Hoboken, NJ: John Wiley & Sons.

7. Moats (1999, pp. 7–8) states that

Well designed, controlled comparisons of instructional approaches have consistently supported these components and practices in reading instruction:

- **direct teaching** of decoding, comprehension, and literature appreciation;
- **phoneme awareness** instruction;
- **systematic and explicit instruction** in the code system of written English;
- daily exposure to a variety of texts, as well as incentives for children to read independently and with others;
- **vocabulary** instruction that includes a variety of complementary methods designed to explore the relationships among words and the relationships among word structure, origin, and meaning;
- **comprehension** strategies that include prediction of outcomes, summarizing, clarification, questioning, and visualization; and
- frequent **writing** of prose to enable a deeper understanding of what is read.

Moats, L. C. (1999). *Teaching reading is rocket science: What expert teachers of reading should know and be able to do* (Item No. 39-0372). Washington, DC: American Federation of Teachers.

8. Moats (1999, pp. 7– 20) states the following:

The **knowledge and skills needed to teach reading** include the following:

- The psychology of reading and reading development
 - Basic facts about reading
 - Characteristics of poor and novice readers
 - Environmental and physiological factors in reading development
 - How reading and spelling develop

- Knowledge of the language structure
 - **Phonology**
 - **Phonetics**
 - **Morphology**
 - **Orthography**
 - **Semantics**
 - **Syntax and text structure**
- Practical skills of instruction—use of validated instructional practices
- Assessment of classroom reading and writing skills

Moats, L. C. (1999). *Teaching reading is rocket science: What expert teachers of reading should know and be able to do* (Item No. 39-0372). Washington, DC: American Federation of Teachers.

9. The National Reading Panel's (2000) *Report of the National Reading Panel* highlights the following:

Emphasis is placed on the importance of **identifying early** which children are at risk for reading failure and **intervening quickly** to help them.

How reading is taught matters—reading instruction is most effective when it is taught **comprehensively, systematically, and explicitly**.

National Reading Panel. (2000). *Report of the National Reading Panel: Teaching children to read: An evidence-based assessment of the scientific research literature on reading and its implications for reading instruction*. Washington, DC: National Institute of Child Health and Human Development.

10. Shaywitz (2005, pp. 257–262) outlines the following essentials for a successful reading intervention and effective early intervention program:

Essentials of a successful reading intervention include the following:

- **Early intervention**—The best intervention begins in kindergarten with remediation beginning in first grade.
- **Intense instruction**—Reading instruction must be delivered with great intensity. Optimally, a child who is struggling to read should be given instruction in a group of three and no larger than four students, and the child should receive this focused reading instruction at least four, and preferably five, days a week.
- **High-quality instruction**—High-quality instruction is provided by a highly qualified teacher. Recent studies highlight the difference that a teacher can make in the overall success or failure of a reading program.
- **Sufficient duration**—One of the most common errors in teaching a student with dyslexia to read is to withdraw prematurely the instruction that seems to be working. A child who is reading accurately but not fluently at grade level still requires intensive reading instruction.

Essentials of an effective **early intervention** program include the following:

- Systematic and direct instruction in the following:
 - **Phonemic awareness**—noticing, identifying, and manipulating the sounds of spoken language
 - **Phonics**—how letters and letter groups represent the sounds [of] spoken language
 - Sounding out words (decoding)
 - Spelling
 - Reading sight words
 - **Vocabulary** and concepts
 - **Reading comprehension** strategies
- Practice in applying the above skills in reading and in writing
- **Fluency** training
- Enriched language experiences: listening to, talking about, and telling stories

Shaywitz, S. (2003). *Overcoming dyslexia: A new and complete science-based program for reading problems at any level*. New York, NY: Alfred A. Knopf.

11. Torgesen (2004, p. 376) states the following:

The first implication for practice and educational policy is that schools must work to provide **preventive interventions** to eliminate the enormous reading practice deficits that result from prolonged reading failure. The second implication is that schools must find a way to provide interventions for older children with reading disabilities that are appropriately focused and sufficiently intensive.

Torgesen, J. K. (2004). Lessons learned from research on interventions for students who have difficulty learning to read. In P. McCardle, & V. Chhabra (Eds.), *The voice of evidence in reading research* (pp. 355–382). Baltimore, MD: Paul H. Brookes Publishing.

12. Vaughn and Linan-Thompson (2003, pp. 299–320) state the following:

- Mounting evidence suggests that most students with reading problems can make significant gains in reading if provided **systematic, explicit, and intensive** reading instruction based on critical elements associated with improved reading such as **phonemic awareness, phonics, fluency in word recognition and text reading, and comprehension**.
- There were no statistically significant differences between students receiving intervention instruction in a teacher-to-student ratio of 1:1 or 1:3 though both groups outperformed students in a 1:10 teacher to student ratio.
- Student progress determined the length of intervention.

Vaughn, S., & Linan-Thompson, S. (2003). Group size and time allotted to intervention. In B. Foorman (Ed.), *Preventing and remediating reading difficulties* (pp. 275–320). Parkton, MD: York Press.

13. The International Dyslexia Association (2009, pp. 1–2) states the following:

Professional practitioners, including **teachers or therapists, should have had specific preparation in the prevention and remediation of language-based reading and writing difficulties**. Teachers and therapists should be able to state and provide documentation of their credentials in the prevention and remediation of language-based reading and writing difficulties, including program-specific training recommended for the use of specific programs.

The International Dyslexia Association. (2009, March). *Position statement: Dyslexia treatment programs*.

14. The International Dyslexia Association's *Knowledge and Practice Standards for Teachers of Reading* provides **standards for teachers** of students with dyslexia.

The International Dyslexia Association. (2010). *Knowledge and practice standards for teachers of reading*.

15. The International Multisensory Structured Language Education Council (IMSLEC) provides accreditation in quality training courses for the professional preparation of multisensory **structured language education specialists**.

International Multisensory Structured Language Education Council (IMSLEC): <http://www.imslec.org>

Ineffective Treatment for Dyslexia

Interventions that claim to treat dyslexia in the absence of print are generally ineffective. Claims of ineffective treatments for dyslexia may use terms or techniques described as “brain training,” “crossing the midline,” “balance therapy,” and others. While some treatments may ameliorate conditions other than dyslexia, their use for students with dyslexia has not been proven effective. Figure 4.2 addresses some commonly advertised interventions that may be purported to treat dyslexia, but scientific, peer-reviewed research has demonstrated ineffective results for students with dyslexia.

Figure 4.2. Treatments Ineffective for Dyslexia

Examples	What Research Has Found	Citation
Colored Overlays and Colored Lenses	“Consistent with previous reviews and advice from several professional bodies, we conclude that the use of coloured overlays to ameliorate reading difficulties cannot be endorsed and that any benefits reported in clinical settings are likely to be the result of placebo, practice, or Hawthorne effects.”	Griffiths, P.G., Taylor, R.H., Henderson, L.M., & Barrett, B.T. (2016). The effect of coloured overlays and lenses on reading: a systematic review of the literature. <i>Ophthalmic & Physiological Optics</i> , 36, 519–544. https://doi.org/10.1111/opo.12316
Specialized fonts designed for people with dyslexia	“Dyslexie font did not lead to improved reading compared to normal ‘Arial’ font, nor was it preferred by most students.”	Kuster, S. M., van Weerdenburg, M., Gompel, M., & Bosman, A. M. (2018). Dyslexie font does not benefit reading in children with or without dyslexia. <i>Annals of Dyslexia</i> , 68, 25-42. https://doi.org/10.1007/s11881-017-0154-6
Vision Therapy	“Scientific evidence does not support the claims that visual training, muscle exercises, ocular pursuit-and-tracking exercises, behavioral/perceptual vision therapy, ‘training’ glasses, prisms, and colored lenses and filters are effective direct or indirect treatments for learning disabilities. There is no valid evidence that children who participate in vision therapy are more responsive to educational instruction than children who do not participate.”	Handler, S.M., Fierson, W.M., et al. (2011). Joint technical report - learning disabilities, dyslexia, and vision. <i>Pediatrics</i> , 127, e818-56. https://doi.org/10.1542/peds.2010-3670
Specific Working Memory Training Programs	“The authors conclude that working memory training programs appear to produce short-term, specific training effects that do not generalize to measures of ‘real-world’ cognitive skills. These results seriously question the practical and theoretical importance of current computerized working memory programs as methods of training working memory skills.”	Melby-Lervåg, M., Redick, T. & Hulme, C. (2016). Working memory training does not improve performance on measures of intelligence or other measures of “far transfer”: Evidence from a meta-analytic review. <i>Perspectives on Psychological Science</i> , 11, 512-534. https://DOI:10.1177/1745691616635612

Instructional Accommodations for Students with Disabilities

Students with dyslexia who receive dyslexia instruction that contains the components described in this chapter will be better equipped to meet the demands of grade-level or course instruction. In addition to dyslexia instruction, accommodations provide the student with dyslexia effective and equitable access to grade-level or course instruction in the general education classroom. **Accommodations are not one size fits all; rather, the impact of dyslexia on each individual student determines the necessary accommodation.** Listed below are **examples** of reasonable classroom accommodations:

- Copies of notes (e.g., teacher- or peer-provided)
- Note-taking assistance
- Additional time on class assignments and tests
- Reduced/shortened assignments (e.g., chunking assignments into manageable units, fewer items given on a classroom test or homework assignment without eliminating concepts, or student planner to assist with assignments)
- Alternative test location that provides a quiet environment and reduces distractions
- Priority seating assignment
- Oral reading of directions or written material
- Word banks
- Audiobooks
- Text to speech
- Speech to text
- Electronic spellers
- Electronic dictionaries
- Formula charts
- Adaptive learning tools and features in software programs

Accommodations are changes to materials, actions, or techniques, including the use of technology, that enable students with disabilities to participate meaningfully in grade-level or course instruction. The use of accommodations occurs primarily during classroom instruction as educators use various instructional strategies to meet the needs of each student. A student may need an accommodation only temporarily while learning a new skill, or a student might require the accommodation throughout the school year and over several years including beyond graduation.

Decisions about which accommodations to use are very individualized and should be made for each student by that student's ARD or Section 504 committee, as appropriate. Students can, and should, play a significant role in choosing and using accommodations. Students need to know what accommodations are possible, and then, based on knowledge of their personal strengths and limitations, they select and try accommodations that might be useful for them. The more input students have in their own accommodation choices, the more likely it is that they will use and benefit from the accommodations.

When making decisions about accommodations, instruction is always the foremost priority. Not all accommodations used in the classroom are allowed during a state assessment. However, an educator's ability to meet the individual needs of a student with dyslexia or provide support for the use of an accommodation should not be limited by whether an accommodation is allowable on a state assessment.

In order to make accommodation decisions for students, educators should have knowledge of the Texas Essential Knowledge and Skills (TEKS) and how a student performs in relation to them. Educators should also collect and analyze data pertaining to the use and effectiveness of accommodations (e.g., assignment/test scores with and without the accommodation, observational reports from parents and teachers) so that informed educational decisions can be made for each student. By analyzing data, an educator can determine if the accommodation becomes inappropriate or unnecessary over time due to the student's changing needs. Likewise, data can confirm for the educator that the student still struggles in certain areas and should continue to use the accommodation.

For more information about accommodations, see [Accommodations for students with Disabilities](#) available at <https://dyslexiaida.org/accommodations-for-students-with-dyslexia/>.

Access to Instructional Materials for Students with Disabilities

Accessible instructional materials (AIM) are textbooks and related core instructional materials that have been converted into specialized formats (e.g., Braille, audio, digital text, or large print) for students who are blind or have low vision, have a physical disability, or have a reading disability such as dyslexia. Digital books or text-to-speech functions on computers and mobile devices provide access to general education curriculum for students with dyslexia. **Bookshare** and **Learning Ally** provide electronic access to digitally recorded materials for students with print disabilities. TEA provides links to these resources as well as other accessible instructional materials for students with disabilities at <http://www.tea.state.tx.us/index2.aspx?id=2147487109>.

Texas State Student Assessment Program Accommodations for Students with Disabilities

Educators, parents, and students must understand that accommodations provided during classroom instruction and testing might differ from accommodations allowed for use on state assessments. The state assessment is a standardized tool for measuring every student's learning in a reliable, valid, and secure manner. An accommodation used in the classroom for learning may invalidate or compromise the security and integrity of the state assessment; therefore, not all accommodations suitable for instruction are allowed during the state assessments. It is important to keep in mind that the policies for accommodation use on state assessments **should not** limit an educator's ability to develop individualized materials and techniques to facilitate student learning. **Instruction comes first** and can be customized to meet the needs of each student.

For the purposes of the statewide assessments, students needing accommodations due to a disability include the following:

- Students with an identified disability who receive special education services and meet established eligibility criteria for certain accommodations
- Students with an identified disability who receive Section 504 services and meet established eligibility criteria for certain accommodations
- Students with a disabling condition who do not receive special education or Section 504 services but meet established eligibility criteria for certain accommodations

For students who receive special education or Section 504 services, the decision for student use of accommodations during the statewide assessments is made by the ARD or Section 504 committee. In those

rare instances where a student does not receive services but meets the eligibility criteria due to a disabling condition, the decision about using accommodations on the statewide assessments is made by the appropriate team of people at the campus level, such as the RTI team or student assistance team. For more information about accommodations on statewide assessments, visit <https://tea.texas.gov/accommodations/>.

Enrollment in Gifted/Talented and Advanced Academic Programs

A student who has been identified with dyslexia can also be a gifted learner, or a twice-exceptional learner. A twice-exceptional learner is a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who exhibits high-performance capability in an intellectual, creative, or artistic area; possesses an unusual capacity for leadership; or excels in a specific academic field and who also gives evidence of one or more disabilities as defined by federal or state eligibility criteria. Disability criteria may include the following:

- Learning disabilities
- Speech and language disorders
- Emotional/behavioral disorders
- Physical disabilities
- Traumatic brain injury
- Autism spectrum disorder
- Sensory disabilities (hearing impaired, visually impaired, blind-deaf)
- Other health impairments that limit strength, vitality, or alertness (such as ADHD)

Twice-exceptional students make up a highly diverse group of learners. While they do not form a simple, homogenous group, there are indicators that tend to be typical of many children who are both gifted and who also have a disability. Cognitive and affective indicators may include strengths such as extreme curiosity and questioning, high levels of problem-solving and reasoning skills, and advanced ideas/opinions which they are uninhibited about expressing. Cognitive and affective challenges twice-exceptional learners may exhibit include discrepant verbal and performance abilities, deficient or extremely uneven academic skills, and auditory and/or visual processing problems which may cause them to respond or work slowly or appear to think slowly. For more information regarding general characteristics of twice-exceptional learners, please see www.gtequity.org/twice/docs/generalcharacteristics.pdf on TEA's Equity in G/T Education website.

Due to the diversity of twice-exceptional students, the identification of twice-exceptional learners can be challenging. Evaluation and identification require those vested in the education of these learners to be knowledgeable of the unique characteristics and behaviors demonstrated by twice-exceptional learners. Often the disability masks the giftedness, emphasizing barriers to learning instead of the potential that the learner has as a result of the gifted attributes. Conversely, the giftedness may mask the disability, which may result in the student experiencing gaps in learning compounded by the disability, thus affecting how the learner perceives his or her abilities.

Twice-exceptional students must be provided access to all service and course options available to other students. Section 504 and Title II of the Americans with Disabilities Act (ADA), require that qualified students with disabilities be given the same opportunities to compete for and benefit from accelerated programs and classes as are given to students without disabilities [34 C.F.R. §104.4(b)(1)(ii) and 28 C.F.R. §35.130(b)(1)(ii)].

A student with a disability such as dyslexia or a related disorder may not be denied admission to an accelerated or advanced class or program solely because of the student’s need for special education or related aids or services or because the student has an IEP or Section 504 Plan.

Additionally, a student with a disability may not be prohibited from using special education or related aids as a condition of participating in an accelerated or advanced class or program. Participation by a student with a disability in an accelerated or advanced class or program generally would be considered part of the regular education referenced in IDEA and Section 504 regulations. Thus, if a qualified student with a disability requires related aids and services to participate in a regular education class or program, the school cannot deny that student the needed related aids and services in an accelerated or advanced class or program. It is important to note that a district or school does not have to provide a student with an accommodation or modification “that fundamentally alters the nature of” an accelerated or advanced course or program. Rather, a district or school “must consider a student’s ability to participate in the program with reasonable accommodations.” (*G.B.L. v. Bellevue School District #405*).

In determining the appropriate courses and programs, the following questions should be considered by a twice-exceptional learner’s ARD or Section 504 committee:

- Does the student meet the basic eligibility or admission requirements applied to ALL students?
- Does the student need special education or related aids and services to receive FAPE?
- Do the academic accommodations or related aids and services constitute a fundamental alteration of the program?

The U.S. Department of Education’s Office for Civil Rights offers information for addressing students with disabilities seeking enrollment in advanced academic programs such as Advanced Placement and International Baccalaureate courses. For more information, see the Dear Colleague Letter regarding Access by Students with Disabilities to Accelerated Programs at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-20071226.html>.

Additional support, information, and resources are available through the Equity in Gifted/Talented (G/T) Education website at www.gtequity.org/index.php. The *Texas State Plan for the Education of Gifted/Talented Students*, available at www.tea.state.tx.us/index2.aspx?id=6420, mandates that once any student is identified as gifted, he/she must be provided gifted/talented services that are commensurate with his/her abilities (1.4C, 1.6C, 2.1C, and 3.3C). Additionally, due to the disability, twice-exceptional learners should have an IEP through special education services or a Section 504 Plan through general education. Additional support for districts serving twice-exceptional students is available at www.gtequity.org/twice.php.

Sources for Enrollment in Gifted/Talented and Advanced Academic Programs

G.B.L. v. Bellevue Sch. Dist. #405. IDELR 186. No. 2:2012cv00427. (U.S. District Court, W.D. Washington, 2013).

Texas Education Agency. (2008–2015). Equity in G/T Education: Twice-Exceptional Students and G/T Services. Retrieved from <http://www.gtequity.org>.

Texas State Board of Education. (2009). *Texas State Plan for the Education of Gifted/Talented Students*. Retrieved from https://tea.texas.gov/Academics/Special_Student_Populations/Gifted_and_Talented_Education/Gifted_Talented_Education/.

U.S. Department of Education, Office for Civil Rights. Dear Colleague Letter regarding Access by Students with Disabilities to Accelerated Programs. (December 26, 2007). Retrieved from <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-20071226.html>.

V. Dysgraphia

Texas state law requires districts and charter schools to identify students who have dyslexia and related disorders. Texas Education Code §38.003 identifies the following examples of related disorders: developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability. Recent research in the field of dysgraphia has prompted the addition of the following guidance regarding the evaluation, identification, and provision of services for students with dysgraphia.

Definition and Characteristics of Dysgraphia

Difficulty with handwriting frequently occurs in children with dyslexia. When Texas passed dyslexia legislation, the co-existence of poor handwriting with dyslexia was one reason why dysgraphia was called a related disorder. Subsequently, dyslexia and dysgraphia have been found to have diverse co-morbidities, including phonological awareness (Döhla and Heim, 2016). However, dyslexia and dysgraphia are now recognized to be distinct disorders that can exist concurrently or separately. They have different brain mechanisms and identifiable characteristics.

Dysgraphia is related to dyslexia as both are language-based disorders. In dyslexia, the impairment is with word-level skills (decoding, word identification, spelling). Dysgraphia is a written language disorder in serial production of strokes to form a handwritten letter. This involves not only motor skills but also language skills—finding, retrieving and producing letters, which is a subword-level language skill. The impaired handwriting may interfere with spelling and/or composing, but individuals with only dysgraphia do not have difficulty with reading (Berninger, Richards, & Abbott, 2015).

A review of recent evidence indicates that dysgraphia is best defined as a neurodevelopmental disorder manifested by illegible and/or inefficient handwriting due to difficulty with letter formation. This difficulty is the result of deficits in graphomotor function (hand movements used for writing) and/or storing and retrieving orthographic codes (letter forms) (Berninger, 2015). Secondary consequences may include problems with spelling and written expression. The difficulty is not solely due to lack of instruction and is not associated with other developmental or neurological conditions that involve motor impairment.

The characteristics of dysgraphia include the following:

- Variably shaped and poorly formed letters
- Excessive erasures and cross-outs
- Poor spacing between letters and words
- Letter and number reversals beyond early stages of writing
- Awkward, inconsistent pencil grip
- Heavy pressure and hand fatigue
- Slow writing and copying with legible or illegible handwriting (Andrews & Lombardino, 2014)

Additional consequences of dysgraphia may also include:

- Difficulty with unedited written spelling
- Low volume of written output as well as problems with other aspects of written expression

Dysgraphia is not:

- Evidence of a damaged motor nervous system
- Part of a developmental disability that has fine motor deficits (e.g., intellectual disability, autism, cerebral palsy)
- Secondary to a medical condition (e.g., meningitis, significant head trauma, brain trauma)
- Association with generalized developmental motor or coordination difficulties (Developmental Coordination Disorder)
- Impaired spelling or written expression with typical handwriting (legibility and rate) (Berninger, 2004)

Dysgraphia can be due to:

- Impaired feedback the brain is receiving from the fingers
- Weaknesses using visual processing to coordinate hand movement and organize the use of space
- Problems with motor planning and sequencing
- Difficulty with storage and retrieval of letter forms (Levine, 1999)

Despite the widespread beliefs that handwriting is purely a motor skill or that only multisensory methods are needed to teach handwriting, multiple language processes are also involved in handwriting. Handwriting draws on language by hand (letter production), language by ear (listening to letter names when writing dictated letters), language by mouth (saying letter names), and language by eye (viewing the letters to be copied or reviewing for accuracy the letters that are produced from memory) (Berninger & Wolf, 2016).

Sources for Definition and Characteristics of Dysgraphia

Andrews, J. and Lombardino, L. (2014). Strategies for teaching handwriting to children with writing disabilities. *ASHA SIG1 Perspectives on Language Learning Education*. 21:114-126.

Berninger, V.W. (2004). Understanding the graphia in dysgraphia. In *Developmental Motor Disorders: A Neuropsychological Perspective*. D. Dewry and D. Tupper (Eds.), New York, NY, US: Guilford Press.

Berninger, V.W. (2015). *Interdisciplinary frameworks for schools: Best practices for serving the needs of all student*. Washington, D.C.: American Psychological Association.

Berninger, V.W., Richards, T.L. and Abbott, R. D. (2015) *Differential Diagnosis of Dysgraphia, Dyslexia, and OWL LD: Behavioral and Neuroimaging Evidence*. *Read Writ*. 2015 Oct;28(8):1119-1153.

Berninger, V., & Wolf, B. (2016). *Dyslexia, Dysgraphia, OWL LD, and Dyscalculia: Lessons from Science and Teaching* (Second ed.). Baltimore, Maryland: Paul H Brookes Publishing.

Döhla, D. and Heim, S. (2016). *Developmental dyslexia and dysgraphia: What can we learn from the one about the other?* *Frontiers in Psychology*. 6:2045.

Levine, M.D. (1999). *Developmental Variation and Learning Disorders*. Cambridge, MA: Educators Publishing Service, Inc.

Procedures for Identification

The process of identifying dysgraphia will follow Child Find procedures for conducting a full individual and initial evaluation (FIE) under the IDEA. These procedural processes require coordination among the teacher, campus administrators, diagnosticians, and other professionals as appropriate when factors such as a student's English language acquisition, previously identified disability, or other special needs are present.

The first step in the evaluation process, data gathering, should be an integral part of the district's or charter school's process for any student exhibiting learning difficulties. Documentation of the following characteristics of dysgraphia could be collected during the data gathering phase:

- Slow or labored written work
- Poor formation of letters
- Improper letter slant
- Poor pencil grip
- Inadequate pressure during handwriting (too hard or too soft)
- Excessive erasures
- Poor spacing between words
- Poor spacing inside words
- Inability to recall accurate orthographic patterns for words
- "b" and "d" reversals beyond developmentally appropriate time
- Inability to copy words accurately
- Inability of student to read what was previously written
- Overuse of short familiar words such as "big"
- Avoidance of written tasks
- Difficulty with visual-motor integrated sports or activities

While schools must follow federal and state guidelines, they must also develop procedures that address the needs of their student populations. Schools shall recommend evaluation for dysgraphia if the student demonstrates the following:

- Impaired or illegible handwriting that is unexpected for the student's age/grade
- Impaired handwriting that interferes with spelling, written expression, or both that is unexpected for the student's age/grade

1. Data Gathering

Schools collect data on all students to ensure that instruction is appropriate and scientifically based. Essential components of comprehensive literacy instruction, including writing, are defined in Section 2221(b) of ESSA as explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff.

Any time from kindergarten through grade 12 a student continues to struggle with one or more components of writing, schools must collect additional information about the student. Schools should use previously

collected as well as current information to evaluate the student’s academic progress and determine what actions are needed to ensure the student’s improved academic performance. The collection of various data, as indicated in Figure 5.1 below, will provide information regarding factors that may be contributing to or primary to the student’s struggles with handwriting, spelling, and written expression.

Cumulative Data

The academic history of each student will provide the school with the cumulative data needed to ensure that underachievement in a student suspected of having dysgraphia is not due to lack of appropriate instruction in handwriting, spelling, and written expression. This information should include data that demonstrate that the student was provided appropriate instruction and include data-based documentation of repeated evaluations of achievement at reasonable intervals (progress monitoring), reflecting formal evaluation of student progress during instruction. This cumulative data also include information from parents/guardians. Sources and examples of cumulative data are provided in Figure 5.1.

Figure 5.1. Sources and Examples of Cumulative Data	
<ul style="list-style-type: none"> • Vision screening • Teacher reports of classroom concerns • Parent reports of concerns about handwriting, spelling, or written expression • Classroom handwriting assessments • Classroom spelling assessments • Samples of written work (e.g., journal, story responses, writing samples, etc.) • Accommodations or interventions provided • Academic progress reports (report cards) • Gifted/talented assessments • Samples of written schoolwork (both timed and untimed) 	<ul style="list-style-type: none"> • State student assessment program results as described in TEC §39.022 • Observations of instruction provided to the student • Full Individual and Initial Evaluation • Outside evaluations • Speech and language assessment • School attendance • Curriculum-based assessment measures • Instructional strategies provided and student’s response to the instruction • Universal screening • Parent survey

2. Formal Evaluation

After data gathering, the next step in the process is formal evaluation. This is not a screening; rather, it is an individualized evaluation used to gather evaluation data. Formal evaluation includes both formal and informal data. All data will be used to determine whether the student demonstrates a pattern of evidence for dysgraphia. Information collected from the parents/guardians also provides valuable insight into the student’s early years of written language development. This history may help to explain why students come to the evaluation with many different strengths and weaknesses; therefore, findings from the formal evaluation will be different for each child. Professionals conducting evaluations for the identification of dysgraphia will need to look beyond scores on standardized assessments alone and examine the student’s classroom writing performance, educational history, and early language experiences to assist with determining handwriting, spelling, and written expression abilities and difficulties.

Notification and Permission

When formal evaluation is recommended, the school completes the evaluation process as outlined in IDEA. Procedural safeguards under the IDEA must be followed. For more information on procedural safeguards,

see Appendix D, IDEA/Section 504 Side-by-Side Comparison, and TEA's [Parent Guide to the Admission, Review, and Dismissal Process \(Parent's Guide\)](#) and [Notice of Procedural Safeguards](#)

Tests and Other Evaluation Materials

Test instruments and other evaluation materials must meet the following criteria:

- Be used for the purpose for which the evaluation or measures are valid or reliable
- Include material tailored to assess specific areas of educational need and not merely materials that are designed to provide a single general intelligence quotient
- Be selected and administered to ensure that, when a test is given to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude, achievement level, or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills
- Be selected and administered in a manner that is not racially or culturally discriminatory
- Include multiple measures of a student's writing abilities such as informal assessment information (e.g., anecdotal records, district universal screenings, progress monitoring data, criterion-referenced evaluations, samples of written work, classroom observations)
- Be administered by trained personnel and in conformance with the instructions provided by the producer of the evaluation materials
- Be provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information regarding what the child can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer

Domains to Assess

Academic Skills

The school administers measures that are related to the student's educational needs. Difficulties in the areas of letter formation, orthographic awareness, and general handwriting skills may be evident dependent on the student's age and writing development. Additionally, many students with dysgraphia may have difficulty with spelling and written expression.

Cognitive Processes

The process of handwriting requires the student to rely on memory for letters or symbol sequences, also known as orthographic processing. Memory for letter patterns, letter sequences, and the letters in whole words may be selectively impaired or may coexist with phonological processing weaknesses. When spelling, a student must not only process both phonological and orthographic information, but also apply their knowledge of morphology and syntax (Berninger & Wolf, 2009).

Figure 5.2. Areas for Evaluation of Dysgraphia		
<u>Academic Skills</u>	<u>Cognitive Processes</u>	<u>Possible Additional Areas</u>
<ul style="list-style-type: none">• Letter formation• Handwriting• Word/sentence dictation (timed and untimed)• Copying of text• Written expression• Spelling• Writing fluency (both accuracy and fluency)	<ul style="list-style-type: none">• Memory for letter or symbol sequences (orthographic processing)	<ul style="list-style-type: none">• Phonological awareness• Phonological memory• Working memory• Letter retrieval• Letter matching

Berninger, V. W., & Wolf, B. (2009). *Teaching students with dyslexia and dysgraphia lessons from teaching and science*. Baltimore, MD: Paul H. Brookes Publishing.

To make an informed determination the ARD, committee must include members who are knowledgeable about the following:

- Student being assessed
- Evaluation instruments being used
- Interpretation of the data being collected

Additionally, the committee members should have knowledge regarding

- the handwriting process;
- dysgraphia and related disorders;
- dysgraphia instruction, and;
- district or charter school, state, and federal guidelines for evaluation.

Review and Interpretation of Data and Evaluation

To appropriately understand evaluation data, the ARD committee must interpret tests results in light of the student's educational history, linguistic background, environmental or socioeconomic factors, and any other pertinent factors that affect learning.

A determination must first be made regarding whether a student's difficulties in the areas of writing and spelling reflect a pattern of evidence for the primary characteristics of dysgraphia with unexpectedly low performance for the student's age and educational level in some or all of the following areas:

- Handwriting
- Writing fluency (accuracy and rate)
- Written Expression
- Spelling

Based on the above information and guidelines, should the ARD committee determine that the student exhibits weakness in writing and spelling, the committee will then examine the student's data to determine whether these difficulties are unexpected in relation to the student's other abilities, sociocultural factors, language differences, irregular attendance, or lack of appropriate and effective instruction. For example, the student may exhibit strengths in areas such as reading comprehension, listening comprehension, oral verbal ability, or math reasoning yet still have difficulty with writing and spelling.

Therefore, it is not one single indicator, but a preponderance of informal and formal data that provide the committee with evidence for whether these difficulties are unexpected.

Dysgraphia Identification

If the student's difficulties are unexpected in relation to other abilities, the ARD committee must then determine if the student has dysgraphia. The list of questions in Figure 5.3 below must be considered when making a determination regarding dysgraphia.

Figure 5.3. Questions to Determine the Identification of Dysgraphia
<ul style="list-style-type: none">• Do the data show the following characteristics and consequences of dysgraphia?<ul style="list-style-type: none">• Illegible and/or inefficient handwriting with variably shaped and poorly formed letters• Difficulty with unedited written spelling• Low volume of written output as well as problems with other aspects of written expression• Do these difficulties (typically) result from a deficit in graphomotor function (hand movements used for writing) and/or storing and retrieving orthographic codes (letter forms)?• Are these difficulties unexpected for the student's age in relation to the student's other abilities and the provision of effective classroom instruction?

Once dysgraphia has been identified, a determination must be made regarding the most appropriate way to serve the student.

The ARD committee will determine whether the student who has dysgraphia is eligible under IDEA as a student with a specific learning disability. The student is eligible for services under IDEA if he/she has dysgraphia and, because of the dysgraphia needs special education services. The October 23, 2015 letter from the Office of Special Education and Rehabilitative Services (OSERS) (Dear Colleague: Dyslexia Guidance) states that dyslexia, dyscalculia, and dysgraphia are conditions that could qualify a child as a

child with a specific learning disability under IDEA. The letter further states that there is nothing in the IDEA that would prohibit the use of the terms dyslexia, dyscalculia, and dysgraphia in IDEA evaluation, eligibility determinations, or IEP documents. For more information, please visit <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf>.

If the student with dysgraphia is found eligible for special education, the student's IEP must include appropriate writing instruction, which might include instruction from a related services provider.

If the student is identified with dysgraphia but is not considered a student with a disability under the IDEA (because the student does not need specially designed instruction), then the student may receive appropriate accommodations and services under Section 504. Students are protected under Section 504 if the physical or mental impairment (dysgraphia) substantially limits one or more major life activities, such as the specific activity of writing. Additionally, the Section 504 committee, in determining whether a student has a disability that substantially limits the student in a major life activity (writing), must not consider the ameliorating effects of any mitigating measures that student is using.

Revision of the Section 504 Plan will occur as the student's response to instruction and to the use of accommodations, if any, is observed. Changes in instruction and/or accommodations must be supported by current data (e.g., classroom performance and dyslexia program monitoring).

Instruction for Students with Dysgraphia

“... Done right, early handwriting instruction improves students' writing. Not just its legibility, but its *quantity and quality*.” (p. 49)

—S. Graham, *Want to Improve Children's Writing? Don't Neglect Their Handwriting*, *American Educator*, 2010

Graham and his colleagues describe two reasons for teaching handwriting effectively. The first reason is what they call the Presentation Effect. Research demonstrates that, in general, a reader's evaluation of a composition's quality is influenced by how neatly it is written (Graham, Harris, & Hebert, 2011). The second reason that educational scientists give for teaching handwriting effectively is called the Writer Effect. Research demonstrates that handwriting difficulties interfere with other writing processes such as expression of ideas and organization. In fact, a 2016 meta-analysis showed that handwriting instruction improved students' writing fluency, quantity, and quality. The findings of this research report were dramatic, showing moderate effects on writing fluency and very large effects on the number of words students wrote and the quality of their compositions (Santangelo & Graham, 2016).

Handwriting interferes with other writing processes or consumes an inordinate amount of cognitive resources, at least until handwriting becomes automatic and fluent ...

Handwriting-instructed students made greater gains than peers who did not receive handwriting instruction in the quality of their writing, how much they wrote, and writing fluency. (p. 226)

—Santangelo & Graham, *A Comprehensive Meta-Analysis of Handwriting Instruction*, 2016

Supporting Students Struggling with Handwriting

Between 10% and 30% of students struggle with handwriting. Early difficulties in this area are significantly correlated with poorer performance on composition tasks. The following are research-based elements of

effective handwriting instruction. These elements, which apply to both manuscript and cursive handwriting, may not necessarily apply to an entire class but instead may be used to support instructional methods delivered in small groups with students whose penmanship is illegible or dysfluent.

1. Show students how to hold a pencil.
2. Model efficient and legible letter formation.
3. Provide multiple opportunities for students to practice effective letter formation.
4. Use scaffolds, such as letters with numbered arrows showing the order and direction of strokes.
5. Have students practice writing letters from memory.
6. Provide handwriting fluency practice to build students' automaticity.
7. Practice handwriting in short sessions.

—Adapted from Berninger et al., 1997; Berninger et al., 2006; Denton, Cope, & Moser, 2006; Graham et al., 2012; Graham, Harris, & Fink, 2000; Graham & Weintrub, 1996.

Some students who struggle with handwriting may actually have dysgraphia. Dysgraphia may occur alone, or with dyslexia. An assessment for dysgraphia, as it relates to dyslexia, is important in order to determine whether children need additional explicit, systematic instruction in handwriting only; handwriting and spelling; or handwriting, spelling, and written expression along with word reading and decoding (IDA, 2012).

Texas Education Code §38.003(b) states, “In accordance with the program approved by the State Board of Education, the board of trustees of each school district shall provide for the treatment of any student determined to have dyslexia or a related disorder.”

While it is important for students with dysgraphia to receive the research-based elements of handwriting, spelling, and written language instruction as part of the core curriculum, for those students who require additional supports and services for dysgraphia, instructional decisions must be made by a committee (either Section 504 or ARD) that is knowledgeable about the instructional elements and delivery of instruction that is consistent with research-based practice.

Handwriting

The research-based elements for effective instruction of handwriting as stated above for all students are the same for students with dysgraphia. However, the intensity, frequency, and delivery of instruction may need to be adjusted to meet specific student need as determined by the Section 504 or ARD committee. Figure 5.4 below provides a hierarchy of instruction for handwriting as a reference to best practice:

Figure 5.4. Handwriting Hierarchy of Instruction	
Posture	Also known as “Watch Our Writing” (W.O.W) <ul style="list-style-type: none">• Feet are flat on the floor• Back is straight• Paper slanted so that the edge of the paper is parallel to the writing arm• Paper anchored with non-writing hand• Pencil grip and position correct
Grip	Normal tripod grip with pencil resting on first joint of middle finger with the thumb and index fingers holding the pencil in place at a 45° angle.
Letter Formation	Emphasis placed in the following order: <ul style="list-style-type: none">• Shape• Proportion• Size• Rhythm/fluency• Slant
Sequence	<ul style="list-style-type: none">• Lower case letters first; Capitals as needed beginning with first letters of student name• Manuscript – group by stroke formation• Cursive – group by beginning approach stroke• Letters• Syllables• Words• Phrases• Sentences• Paragraphs

Spelling

Handwriting supports spelling, a complex process of translating a phoneme (spoken sound) to the corresponding grapheme (orthographic representation) in order to generate written text to express an idea. Orthography is the written spelling patterns and rules in a given language. Students must be taught the regularity and irregularity of the orthographic patterns of a language in an explicit and systematic manner. The instruction should be integrated with phonology and sound-symbol knowledge. Because spelling is meaning driven and draws upon the phonological, orthographic, and morphological aspects of words, students will benefit from systematic, explicit instruction based on the following guiding principles:

- Phoneme-grapheme correspondence
- Letter order and sequence patterns, or orthographic conventions:
 - syllable types
 - orthographic rules
 - irregular words
- Position of a phoneme or grapheme in a word
- Meaning (morphology) and part of speech
- Language of origin (Moats, 2005)

Writing

A potential secondary consequence of dysgraphia is difficulty with students expressing themselves in written text. This difficulty may be attributed to deficits in handwriting, spelling, language processing, or the integration of each of those skills. In Chapter IV of this handbook, Moats and Dakin (2008) are quoted as stating:

The ability to compose and transcribe conventional English with accuracy, fluency, and clarity of expression is known as basic writing skills. Writing is dependent on many language skills and processes and is often even more problematic for children than reading. Writing is a language discipline with many component skills that must be directly taught. Because writing demands using different skills at the same time, such as generating language, spelling, handwriting, and using capitalization and punctuation, it puts a significant demand on working memory and attention. Thus, a student may demonstrate mastery of these individual skills, but when asked to integrate them all at once, mastery of an individual skill, such as handwriting, often deteriorates. To write on demand, a student has to have mastered, to the point of being automatic, each skill involved (p. 55).

Students with written expression difficulties because of dysgraphia would benefit from being taught explicit strategies for composing including planning, generating, reviewing/evaluating, and revising different genre including narrative, informational, compare and contrast, and persuasive compositions (IDA, 2012).

Delivery of Intervention

The way the content is delivered should be consistent with the principles of effective intervention for students with dysgraphia including the following:

- **Simultaneous, multisensory (VAKT)** — “Teaching is done using all learning pathways in the brain (visual, auditory, kinesthetic-tactile) simultaneously in order to enhance memory and learning” (Birsh, 2018, p. 19). “Children are actively engaged in learning language concepts and other information, often by using their hands, arms, mouths, eyes, and whole bodies while learning” (Moats & Dakin, 2008, p. 58).
- **Systematic and cumulative** — “Multisensory language instruction requires that the organization of material follow order of the language. The sequence must begin with the easiest concepts and most basic elements and progress methodically to more difficult material. Each step must also be based on [elements] already learned. Concepts taught must be systematically reviewed to strengthen memory” (Birsh, 2018, p. 19).

- **Explicit instruction** — “Explicit instruction is explained and demonstrated by the teacher one language and print concept at a time, rather than left to discovery through incidental encounters with information. Poor readers do not learn that print represents speech simply from exposure to books or print” (Moats & Dakin, 2008, p. 58). Explicit Instruction is “an approach that involves direct instruction: The teacher demonstrates the task and provides guided practice with immediate corrective feedback before the student attempts the task independently” (Mather & Wendling, 2012, p. 326).
- **Diagnostic teaching to automaticity** — “The teacher must be adept at prescriptive or individualized teaching. The teaching plan is based on careful and [continual] assessment of the individual's needs. The content presented must be mastered to the degree of automaticity” (Birsh, 2018, p. 27). “This teacher knowledge is essential for guiding the content and emphasis of instruction for the individual student” (Moats & Dakin, 2008, p. 58). “When a reading skill becomes automatic (direct access without conscious awareness), it is performed quickly in an efficient manner” (Berninger & Wolf, 2009, p. 70).

Sources for Critical, Evidence-Based Components and Delivery of Dysgraphia Instruction

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Moats, L. C., & Dakin, K. E. (2008). *Basic facts about dyslexia and other reading problems*. Baltimore, MD: The International Dyslexia Association.

Santangelo, T., & Graham, S. (June 2016). A comprehensive meta-analysis of handwriting instruction. *Educational Psychology Review*, 28(2), 225-265.

Instructional Accommodations for the Student with Dysgraphia

By receiving instruction based on the elements described in this chapter, a student with dysgraphia is better equipped to meet the demands of grade-level or course instruction. In addition to targeted instruction, accommodations provide the student with dysgraphia effective and equitable access to grade-level or course instruction in the general education classroom. **Accommodations are not a one size fits all; rather, the impact of dysgraphia on each individual student determines the accommodation.** When considering accommodations for the student with dysgraphia, consider the following:

- The rate of producing written work
- The volume of the work to be produced
- The complexity of the writing task
- The tools used to produce the written product
- The format of the product (Texas Scottish Rite Hospital for Children, 2018, p. 5).

Listed below are **examples** of reasonable classroom accommodations for a student with dysgraphia based on the above considerations:

- Allow more time for written tasks including note taking, copying, and tests
- Reduce the length requirements of written assignments
- Provide copies of notes or assign a note taking buddy to assist with filling in missing information
- Allow the student to audio record important assignments and/or take oral tests
- Assist student with developing logical steps to complete a writing assignment instead of all at once
- Allow the use of technology (e.g., speech to text software, etc.)
- Allow the student to use cursive or manuscript, whichever is most legible and efficient
- Allow the student to use graph paper for math, or to turn lined paper sideways, to help with lining up columns of numbers
- Offer an alternative to a written project such as an oral report, dramatic presentation, or visual media project

Accommodations are changes to materials, actions, or techniques, including the use of technology, that enable students with disabilities to participate meaningfully in grade-level or course instruction. The use of accommodations occurs primarily during classroom instruction as educators use various instructional strategies to meet the needs of each student. A student may need an accommodation only temporarily

while learning a new skill, or a student might require the accommodation throughout the school year or over several years including beyond graduation.

Decisions about which accommodations to use are very individualized and should be made for each student by that student's ARD or Section 504 committee, as appropriate. Students can, and should, play a significant role in choosing and using accommodations. Students need to know what accommodations are possible, and then, based on knowledge of their personal strengths and limitations, they select and try accommodations that might be useful for them. The more input students have in their own accommodation choices, the more likely it is that they will use and benefit from the accommodations.

When making decisions about accommodations, instruction is always the foremost priority. Not all accommodations used in the classroom are allowed during a state assessment. However, an educator's ability to meet the individual needs of a student with dysgraphia or provide support for the use of an accommodation should not be limited by whether an accommodation is allowable on a state assessment.

In order to make accommodation decisions for students, educators should have knowledge of the Texas Essential Knowledge and Skills (TEKS) and how a student performs in relation to them. Educators should also collect and analyze data pertaining to the use and effectiveness of accommodations (e.g., assignment/test scores with and without the accommodation, observational reports from parents and teachers) so that informed educational decisions can be made for each student. By analyzing data, an educator can determine if the accommodation becomes inappropriate or unnecessary over time due to the student's changing needs. Likewise, data can confirm for the educator that the student still struggles in certain areas and should continue to use the accommodation.

For more information about accommodations, see [At a Glance: Classroom Accommodations for Dysgraphia](https://www.understood.org/en/school-learning/partnering-with-childs-school/instructional-strategies/at-a-glance-classroom-accommodations-for-dysgraphia), available at <https://www.understood.org/en/school-learning/partnering-with-childs-school/instructional-strategies/at-a-glance-classroom-accommodations-for-dysgraphia>

Technology Tools

There are many technology resources to assist a student with dysgraphia. The *Technology Integration for Students with Dyslexia* online tool (TEC §38.0031) is a resource developed to support school districts and charter schools in making instructional decisions regarding technology that benefit students with dyslexia and related disorders. For more information and to view this source, visit <https://www.region10.org/programs/dyslexia/techplan/>.

Priority for Service (PFS) Action Plan for Migrant Students

As part of the Every Student Succeeds Act (ESSA), the Priority for Service (PFS) Action Plan is a required program activity for the Migrant Education Program. In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who are failing, or most at risk of failing, to meet the challenging State academic standards; or have dropped out of school. [§1304 [20 U.S.C. 6394](d)].

The Priority for Service Report on NGS must be used to determine who to serve first and foremost with MEP funds. Students are identified as PFS if they meet the following criteria:

Priority for Service Criteria	
Grades 3-12, Ungraded (UG) or Out of School (OS)	<ul style="list-style-type: none"> • Who have made a qualifying move within the previous 1-year period; <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> • Have a received grade level of "approaches or not meet" on the state assessments (STAAR), were Absent, Not Tested* or were not enrolled in a Texas school during the state assessment testing period for their grade level.
Grades K-3	<ul style="list-style-type: none"> • Who have made a qualifying move within the previous 1-year period; <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> • Have been designated LEP in the Student Designation section of the New Generation System (NGS) Supplemental Program Component; <u>or</u> • For students in grades K-2, who have been retained, or are overage for their current grade level.

The following document is provided by TEA for districts to help document efforts that are being conducted on behalf of Priority for Service students. It contains all of the required components as described in Part 4 of the ESSA Application in the Provisions and Assurances, but also allows room for districts to add additional activities. Each district's plan must clearly articulate criteria for defining student success, including timeliness for achieving stated goals and objectives.

NOTE: This document can be obtained electronically in MS Word format from the regional ESC MEP Coordinator.

School District: Ft Hancock ISD
Region: 19

Priority for Service (PFS) Action Plan

School Year: 2023-2024

Filled Out By: Yvonne Samaniego
Date: August 1, 2023

Note: Title I, Part C Coordinator or MEP staff will include the PFS Action Plan in the district improvement plan as a separate section appropriately labeled or identified (e.g., “Migrant PFS Action Plan Section”), rather than integrating the action plan elements with other DIP sections that focus on other student population groups (e.g., Bilingual, ESL, economically disadvantage).

<p>Goal(s):</p> <ol style="list-style-type: none"> 1. MEP will collaborate and coordinate services to Priority for Service (PFS) students and provide high quality instructional and social emotional supplemental support services. 2. MEP Funded resources will be focused on the academic needs of PFS students by providing support to close learning gaps. 	<p>Objective(s):</p> <ol style="list-style-type: none"> 1. 100% of PFS students will have access to instructional supplemental services from MEP instructional staff. 2. MEP staff will work in conjunction with stakeholders to monitor and evaluate student success. 3. Implement the state’s Service Delivery Plan with fidelity.
--	--

Required Strategies			
Monitor the progress of MEP students who are on PFS.	Timeline	Person(s) Responsible	Documentation
<ul style="list-style-type: none"> ▪ Monthly, run NGS Priority for Service (PFS) reports to identify migrant children and youth who require priority access to MEP services. 	First working day of each month	NGS Specialist	PFS Monthly Reports

<ul style="list-style-type: none"> Before the first day of school, develop a PFS Action Plan for serving PFS students. The plan must clearly articulate criteria for defining student success, including timelines for achieving stated goals and objectives. 	August 2023	NGS Specialist MEP Specialist MEP Instructional staff	Current PFS Action Plan
Additional Activities			
<ul style="list-style-type: none"> Provide supplemental social-emotional information in coordination with community partners. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	Agenda, minutes, sign in sheets, communication logs
Required Strategies			
Timeline			
Person(s) Responsible			
Documentation			
Communicate the progress and determine needs of PFS migrant students.			
<ul style="list-style-type: none"> During the academic calendar, the Title I, Part C Migrant Education Program Director or MEP staff will provide campus principals and appropriate campus staff information on the Priority for Service criteria and updated NGS Priority for Service reports. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	PFS Monthly Reports, communication logs, e-mails
<ul style="list-style-type: none"> During the academic calendar, the Title I, Part C Migrant Education Program Director or MEP staff will provide parents of PFS students information on the Priority for Service criteria. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	PAC agenda, minutes, sign in sheets, communication logs and/or Class Dojo
<ul style="list-style-type: none"> During the academic calendar, the district's Title I, Part C Migrant Education Program Director or MEP staff will make individualized home and/or community visits to update parents on the academic progress of their children. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	Communication logs, Parent conference sign in sheets
Additional Activities			
<ul style="list-style-type: none"> Migrant Education Program Director or MEP staff will meet with elementary & secondary counselors at the end of every six-week period to make sure PFS students are on track for promotion to the next grade. Migrant Education Program Director or MEP staff will meet with High School Counselor at the end of every six-week period to make sure PFS students are on track for graduation. 	Sept, Nov, Jan, February, April, May	NGS Specialist MEP Specialist MEP Instructional staff	Communication logs, e-mails, failure reports, report cards
Provide services to PFS migrant students.			
<ul style="list-style-type: none"> The district's Title I, Part C Migrant Education Program Director or MEP staff will use the PFS reports to give priority placement to these students in migrant education program activities. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	PFS progress review forms, communication logs

<ul style="list-style-type: none"> The district's Title I, Part C Migrant Education Program Director or MEP staff will ensure that PFS students receive priority access to instructional services as well as social workers and community social services/agencies. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	PFS progress review forms, communication logs			
<ul style="list-style-type: none"> The district's Title I, Part C Migrant Education Program Director or MEP staff will determine what federal, state, or local programs serve PFS students. 	August 2023- May 2024	NGS Specialist MEP Specialist MEP Instructional staff	PFS progress review forms, communication logs			
Additional Activities <ul style="list-style-type: none"> Parent Workshops Tutoring Student Conferences University Tour School Supplies Summer school interventions & activities School Uniforms Hot Spots 				August 2023- June 2024	NGS Specialist MEP Specialist MEP Instructional staff	PAC agenda, minutes, sign in sheets, tutoring logs, communication logs, sign in sheets, supply receipt form

Sharon Salinas
LEA Signature

08-01-2023
Date Completed

ESC Signature

Date Received



**Fort Hancock ISD- Migrant Program
Identification & Recruitment Plan of Action
2023-2024**



<u>MONTH</u>	<u>ACTIVITY</u>
AUGUST	Include Migrant Questionnaire with parent registration online packets
	Campus registrars and or PEIMS coordinator turn into migrant recruiters forms for processing
SEPTEMBER 1 to NOVEMBER 1	Face-to-face residency verifications
	Face-to-face interviews of new potential families
	ID & R Annual Certification Course
ON-GOING	Meet with program staff to plan & implement recruitment strategies
	Work with campus secretaries & update student information
	Verify residency of children turning 3 years old
	Conduct community recruitment & canvassing
	Conduct PAC meetings
	Review inactive migrant files/terminated files and contact parents for a re-interview for possible leads
	Place flyers/pamphlets of MEP in public places
	Make contact with current & new employers
April and into SUMMER	Coordinate with SMART teachers to recruit new families

STUDENT RIGHTS AND RESPONSIBILITIES
PREGNANT STUDENTS

FNE
(LEGAL)

Title IX

The District shall not discriminate against any student or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the District's program or activity. [See FB]

Medical Certification

The District may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

Separate Program

A district that operates a separate, voluntary program or activity for pregnant students shall ensure that the separate portion is comparable to that offered to nonpregnant students.

Leave of Absence

If the District does not maintain a leave policy for its students, or if a student does not otherwise qualify for leave under such a policy, the District shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom as a justification for a leave of absence for as long as the student's physician deems medically necessary.

At the end of the leave, the District shall reinstate the student to the status she held when the leave began.

20 U.S.C. 1681; 34 CFR 106.40(b)

EMPLOYMENT PRACTICES

DC
(LOCAL)

Personnel Duties	The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
Posting Vacancies	The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.
Applications	<p>All applicants shall complete the application form supplied by the District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.</p> <p>[For information related to the evaluation of criminal history records, see DBAA.]</p>
Employment of Contractual Personnel	<p>The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel.</p> <p>The Board retains final authority for employment of contractual personnel. [See DCA, DCB, DCC, and DCE as appropriate]</p>
Employment of Noncontractual Personnel	The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCD]
Employment Assistance Prohibited	No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See CJ for prohibitions relating to contractors and agents and DH(EXHIBIT) for the Educators' Code of Ethics.]

**Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment**

The District's program to address child sexual abuse, trafficking, and other maltreatment of children, as included in the District improvement plan and the student handbook, shall include:

1. Methods for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;
2. Age-appropriate, research-based antivictimization programs for students;
3. Actions that a child who is a victim should take to obtain assistance and intervention; and
4. Available counseling options for affected students.

Training

The District shall provide training to employees as required by law and District policy. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children with significant cognitive disabilities. [See DMA]

[See BBD for Board member training requirements and BJCB for Superintendent continuing education requirements.]

**Reporting Child
Abuse and Neglect**

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

The following individuals have an additional legal obligation to submit a written or oral report within 48 hours of learning of the facts giving rise to the suspicion of abuse or neglect:

1. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
2. A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Restrictions on Reporting

In accordance with law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

1. Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
2. Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Making a Report

Reports may be made to any of the following:

1. A state or local law enforcement agency;
2. The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS) at (800) 252-5400 or the [Texas Abuse Hotline Website](#)¹;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility. As defined by law, a person responsible for the care, custody, or welfare of a child includes school personnel and volunteers and day-care workers.

[See FFG(LEGAL)]

An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus princi-

pal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.

Confidentiality

In accordance with state law, the identity of a person making a report of suspected child abuse or neglect shall be kept confidential and disclosed only in accordance with the rules of the investigating agency.

Immunity

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

Failing to Report Suspected Child Abuse or Neglect

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Responsibilities Regarding Investigations

In accordance with law, District officials shall be prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;
2. Requiring that a parent or school employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

¹ Texas Abuse Hotline Website: <http://www.txabusehotline.org>

Threat Assessment

Definitions

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

“Team” means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

Education Code 37.115(a)

Threat Assessment Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs; and
3. Require each team established under this section to report the required information regarding the team’s activities to TEA [see Reporting to TEA, below].

Membership

The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration,

school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight
Committee

The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties

Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:
 - a. Referring a student for mental health assessment; and
 - b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;
2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and
3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Consent for Mental
Health-Care Service

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Education Code 37.115(c)–(g)

Determination of
Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a

student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

Education Code 37.115(h)–(j)

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
 - a. Any disciplinary action taken, including a change in school placement;
 - b. Any action taken by law enforcement; or
 - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
 - a. Citations issued for Class C misdemeanor offenses;
 - b. Arrests;
 - c. Incidents of uses of restraint;

- d. Changes in school placement, including placement in a JJAEP or DAEP;
 - e. Referrals to or changes in counseling, mental health, special education, or other services;
 - f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
 - g. Unexcused absences of 15 or more days during the school year; and
 - h. Referrals to juvenile court for truancy; and
5. The number and percentage of school personnel trained in:
- a. A best-practices program or research-based practice under Education Code 38.351 [see FFEB], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;
 - b. Mental health or psychological first aid for schools;
 - c. Training relating to the safe and supportive school program; or
 - d. Any other program relating to safety identified by the commissioner.

Education Code 37.115(k)

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Note: The following legal provisions address dating violence and sexual harassment. For legal provisions addressing discrimination on the basis of disability, sex, and other protected characteristics, see FB.

Dating Violence
Policy
Requirements

A district shall adopt and implement a dating violence policy to be included in the district improvement plan.

A dating violence policy must include:

1. A definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship, as defined by Family Code 71.0021;
2. A clear statement that dating violence is not tolerated at school; and
3. Reporting procedures and guidelines for students who are victims of dating violence, including a procedure for immediately notifying the parent or guardian of a student about a report received by the district identifying the student as an alleged victim or perpetrator of dating violence.

A dating violence policy must also address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators at each district campus that instructs students in grade 6 or higher, counseling for affected students, and awareness education for students and parents.

Education Code 37.083, .0831 [See BQ]

Student Resources

To the extent possible, a district shall make available to students age-appropriate educational materials that include information on the dangers of dating violence and resources to students seeking help. *Education Code 37.0831(c)*

Note: References to Title IX, part, or subpart in the following legal provisions refer to Title IX and its corresponding regulations.

The U.S. Department of Education's Office for Civil Rights has issued a formal interpretation that discrimination on the basis of sex under Title IX includes discrimination on the basis of sexual orientation and gender identity.

Sexual Harassment

A district may develop and implement a sexual harassment policy to be included in the district improvement plan. *Education Code 37.083* [See BQ]

Sexual abuse of a student by an employee, when there is a connection between the physical sexual activity and the employee's duties and obligations as a district employee, violates a student's constitutional right to bodily integrity. Sexual abuse may include fondling, sexual assault, or sexual intercourse. *U.S. Const. Amend. 14; Doe v. Taylor Indep. Sch. Dist., 15 F.3d 443 (5th Cir. 1994)*

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. *20 U.S.C. 1681 (Title IX)*

A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX. *34 C.F.R. 106.45; 20 U.S.C. 1681* [See also FB regarding Title IX]

Designation of
Title IX Coordinator

A district must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, which employee must be referred to as the "Title IX Coordinator."

Parties Entitled to
Notice

The district must notify applicants for admission and employment, students, parents or legal guardians, employees, and all professional organizations holding professional agreements with the district ("Parties Entitled to Notice") of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.

34 C.F.R. 106.8(a)

Reporting

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during nonbusiness hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Notification of Policy

A district must notify the Parties Entitled to Notice, above, that the district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner. The notification must state

that the requirement not to discriminate in the education program or activity extends to employment, and that inquiries about the application of Title IX to such district may be referred to the district's Title IX Coordinator, to the assistant secretary for civil rights of the Department of Education, or both.

34 C.F.R. 106.2(d), .8(b)(1)

Publication
Requirements

A district must prominently display the contact information required to be listed for the Title IX Coordinator and the nondiscrimination policy described at Notification of Policy, above, on its website, if any, and in each handbook that it makes available to the Parties Entitled to Notice, above.

A district must not use or distribute a publication stating that the district treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by Title IX.

34 C.F.R. 106.8(b)(2)

Note: To distinguish the process described below from the district's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of Title IX sexual harassment in an education program or activity and against a person in the United States as the district's "Title IX formal complaint process."

Adopting and
Publishing
Complaint
Procedures

A district must adopt and publish procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and a Title IX formal complaint process that complies with 34 C.F.R. 106.45 for formal complaints as defined below.

A district must provide notice to the Parties Entitled to Notice, above, of the district's procedures and Title IX formal complaint process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the district will respond.

The requirements of this provision apply only to sex discrimination occurring against a person in the United States.

34 C.F.R. 106.8(c)–(d)

Response to Sexual
Harassment

Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to a district’s Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the district with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the district. “Notice” as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Consent” is not defined by the Title IX regulations, nor do the regulations require districts to adopt a particular definition of consent with respect to sexual assault.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the district. As used in this paragraph, the phrase “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party to a Title IX formal complaint, and must comply with the requirements of the Title IX formal complaint process, including the informal resolution process.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Supportive measures" means nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or district-provided housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

34 C.F.R. 106.2, .30(a)

*Deliberate
Indifference*

A district with actual knowledge of sexual harassment in an education program or activity of the district against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

*Education
Program or
Activity*

For the purposes of 34 C.F.R. 106.30 [see Definitions, above] and 106.45 [see Process for Title IX Formal Complaint, below], "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over

both the respondent and the context in which the sexual harassment occurs.

34 C.F.R. 106.44(a)

**Title IX Coordinator
Response**

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator must respond in this manner with or without a formal complaint. *34 C.F.R. 106.44(b)(1)*

*Supportive
Measures
Required*

A district's response must treat complainants and respondents equitably by offering supportive measures and by following a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below] before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. [For Emergency Removal procedures, see below.]

*Constitutional
Restrictions*

The Department of Education may not deem a district to have satisfied the district's duty to not be deliberately indifferent under Title IX based on the district's restriction of rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

34 C.F.R. 106.44(a)

*Response to a
Formal Complaint*

In response to a formal complaint, a district must follow a process that complies with 34 C.F.R. 106.45 [see Process for Title IX Formal Complaint, below]. *34 C.F.R. 106.44(b)(1)*

*Emergency
Removal*

The Title IX regulations do not preclude a district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district:

1. Undertakes an individualized safety and risk analysis;
2. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
3. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

34 C.F.R. 106.44(c)

*Administrative
Leave*

The Title IX regulations do not preclude a district from placing a nonstudent employee respondent on administrative leave during the pendency of a Title IX formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. *34 C.F.R. 106.44(d)*

Process for Title IX
Formal Complaint

For the purpose of addressing formal complaints of sexual harassment, a district's process must comply with the following requirements. Any provisions, rules, or practices other than those required by this provision that a district adopts as part of its process for handling formal complaints of sexual harassment must apply equally to both parties. *34 C.F.R. 106.45(b)*

A district's Title IX formal complaint process must:

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a process that complies with the Title IX regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies must be designed to restore or preserve equal access to the district's education program or activity. Such remedies may include the same individualized services described as supportive measures; however, remedies need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent;
2. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness;
3. Require that any individual designated by a district as a Title IX Coordinator, investigator, decision-maker, or any person designated by a district to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A district must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training

on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and Title IX formal complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A district must ensure that decision-makers receive training on any technology to be used at a live hearing, if any, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. [See Hearings, below] A district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. [See Investigation of a Formal Complaint, below] Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment;

4. Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process;
5. Include reasonably prompt time frames for conclusion of the Title IX formal complaint process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes, and a process that allows for the temporary delay of the Title IX formal complaint process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;
6. Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the district may implement following any determination of responsibility;
7. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints

against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment;

8. Include the procedures and permissible bases for the complainant and respondent to appeal;
9. Describe the range of supportive measures available to complainants and respondents; and
10. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

34 C.F.R. 106.45(b)(1)

*Notice of
Allegations*

Upon receipt of a formal complaint, a district must provide the following written notice to the parties who are known:

1. Notice of the district's Title IX formal complaint process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - a. The identities of the parties involved in the incident, if known;
 - b. The conduct allegedly constituting sexual harassment; and
 - c. The date and location of the alleged incident, if known.

The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX formal complaint process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and may inspect and review evidence [see Investigation of a Formal Complaint, below]. The written notice must inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the Title IX formal complaint process.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not

included in the Notice of Allegations, above, the district must provide notice of the additional allegations to the parties whose identities are known.

34 C.F.R. 106.45(b)(2)

*Dismissal of a
Formal Complaint*

The district must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the district must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not preclude action under another provision of the district's code of conduct.

The district may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the district; or specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted pursuant to 34 C.F.R. 106.45(b)(3), the district must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

*Consolidation of
Formal
Complaints*

A district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a Title IX formal complaint process involves more than one complainant or more than one respondent, references in this provision to the singular "party," "complainant," or "respondent" include the plural, as applicable.

34 C.F.R. 106.45(b)(3)–(4)

*Investigation of a
Formal Complaint*

When investigating a formal complaint and throughout the Title IX formal complaint process, a district must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or

paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a Title IX formal complaint (if a party is not an "eligible student," as defined in 34 C.F.R. 99.3 then the district must obtain the voluntary, written consent of a "parent," as defined in 34 C.F.R. 99.3) [see FL(LEGAL) at Education Records];

2. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
3. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
4. Provide the parties with the same opportunities to have others present during any Title IX formal complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or Title IX formal complaint proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten days to submit a written response, which the investigator will consider prior to completion of the investigative report. The

district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and

7. Create an investigative report that fairly summarizes relevant evidence and, at least ten days prior to a hearing (if a hearing is required or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

34 C.F.R. 106.45(b)(5)

Hearings

The district's Title IX formal complaint process may, but need not, provide for a hearing. With or without a hearing, after the district has sent the investigative report to the parties pursuant to 34 C.F.R. 106.45(b)(5)(vii) [see Investigation of a Formal Complaint, above] and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. With or without a hearing, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant. *34 C.F.R. 106.45(b)(6)(ii)*

*Determination
Regarding
Responsibility*

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the district must apply the standard of evidence described at Process for Title IX Formal Complaint, above.

The written determination must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any

notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

34 C.F.R. 106.45(b)(7)(i)–(ii)

*Implementation
of Remedies*

The Title IX Coordinator is responsible for effective implementation of any remedies. *34 C.F.R. 106.45(b)(7)(iv)*

Appeals

A district must offer both parties an appeal from a determination regarding responsibility, and from a district's dismissal of a formal complaint or any allegations therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

A district may offer an appeal equally to both parties on additional bases.

As to all appeals, the district must:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards in the Title IX regulations regarding conflict of interest and bias [see Process for Formal Title IX Complaint, item 3, above];
4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
5. Issue a written decision describing the result of the appeal and the rationale for the result; and
6. Provide the written decision simultaneously to both parties.

34 C.F.R. 106.45(b)(8)

*Informal
Resolution*

A district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with Title IX. Similarly, a district may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

1. Provides to the parties a written notice disclosing:
 - a. The allegations;
 - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

2. Obtains the parties' voluntary, written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

34 C.F.R. 106.45(b)(9)

Recordkeeping

A district must maintain for a period of seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A district must make these training materials publicly available on its website or if the district does not maintain a website the district must make these materials available upon request for inspection by members of the public.

For each response required under Title IX Coordinator Response, above, a district must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity.

If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

34 C.F.R. 106.45(b)(10)

Retaliation
Prohibited

No district or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated

or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Complaints alleging retaliation may be filed according to the Process for Title IX Formal Complaint above.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by Title IX.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX formal complaint proceeding does not constitute retaliation prohibited by Title IX, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

34 C.F.R. 106.71(a)–(b)

Confidentiality

The district must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) statute, 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. *34 C.F.R. 106.71(a)*

Purpose

As a condition of accreditation, a district shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

A district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

A primary purpose of the public school curriculum is to prepare thoughtful, informed citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the fundamental democratic principles of our state and national heritage.

A district shall require the teaching of informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. In providing instruction required by the State Board of Education under Education Code 28.002(h-1), regarding the founding documents of the United States, a district shall use those documents as part of the instructional materials for the instruction.

Education Code 28.002(h), (h-6)

Required Curriculum

Foundation
Curriculum

A district that offers kindergarten through grade 12 shall offer a foundation curriculum that includes:

1. English language arts and reading;
2. Mathematics;
3. Science; and
4. Social studies, consisting of Texas, United States, and world history; government; geography; and economics with emphasis on the free enterprise system and its benefits.

Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)

Enrichment
Curriculum

A district that offers kindergarten through grade 12 shall offer an enrichment curriculum that includes:

1. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the district may offer an elective course in the language;
2. Health, with emphasis on:
 - a. Physical health, including the importance of proper nutrition and exercise;
 - b. Mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
 - c. Suicide prevention, including recognizing suicide-related risk factors and warning signs;
3. Physical education;
4. Fine arts;
5. Career and technical education;
6. Technology applications;
7. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
8. Personal financial literacy.

Education Code 28.002(a)(2), (e); 19 TAC 74.1(a)(2)

Digital Citizenship

The State Board of Education by rule shall require each district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying.

"Cyberbullying" has the meaning assigned by Education Code 37.0832. [See FFI]

"Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

Education Code 28.002(z)

Positive Character
Traits

Districts are required to provide instruction in the essential knowledge and skills for positive character traits and personal skills at least once in the following grade bands: kindergarten–grade 2, grades 3–5, grades 6–8, and grades 9–12.

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Districts may provide the required instruction in a variety of arrangements, including through a stand-alone course or by integrating the positive character traits standards in the essential knowledge and skills for one or more courses or subject areas at the appropriate grade levels.

19 TAC 120.3(a), .5(a), .7(a), .9(a)

Local Credit

A district may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. *Education Code 28.002(f); 19 TAC 74.1(b)*

Local Instructional Plan

A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A district is encouraged to exceed minimum requirements of law and State Board rule.

Major Curriculum Initiatives

Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that:

1. Includes teacher input;
2. Provides district employees with the opportunity to express opinions regarding the initiative; and
3. Includes a meeting of the board at which information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and members of the public and district employees are given the opportunity to comment regarding the initiative.

Education Code 28.002(g)

Common Core State Standards

A district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels. A district may not be required to offer any aspect of a common core state standards curriculum. "Common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative. *Education Code 28.002(b-1), (b-3), (b-4)*

Scope and Sequence

In adopting a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level, a district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level [see DG]. *Education Code 28.0027(a)*

Coordinated Health Programs

The Texas Education Agency (TEA) shall make available to each district one or more coordinated health programs in elementary, middle, and junior high school. Each program must provide for coordinating education and services related to:

1. Physical health education, including programs designed to prevent obesity, cardiovascular disease, oral diseases, and Type 2 diabetes and programs designed to promote the role of proper nutrition;
2. Mental health education, including education about mental health conditions, mental health well-being, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making;
3. Substance abuse education, including education about alcohol abuse, prescription drug abuse, and abuse of other controlled substances;
4. Physical education and physical activity; and
5. Parental involvement.

Education Code 38.013; 19 TAC 102.1031(a)

A district shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the district. *Education Code 38.014*

Coordinated school health programs that are developed by districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

Physical Education

Each district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and

3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

Student/Teacher
Ratio

The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to:

1. Carry out the purposes of and requirements for the physical education curriculum; and
2. Ensure the safety of students participating in physical education.

If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained.

Education Code 25.114, 28.002(d); 19 TAC 74.37

Classification for
Physical Education

A district shall classify students for physical education on the basis of health into one of the following categories:

1. Unrestricted — not limited in activities.
2. Restricted — excludes the more vigorous activities. Restricted classification is of two types:
 - a. Permanent — A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student.
 - b. Temporary — Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration.
3. Adapted and remedial — specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas.

19 TAC 74.31

**School Health
Advisory Council**

A board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See BDF regarding composition of the SHAC and FFA regarding federal wellness requirements.]

Duties

The SHAC's duties include recommending:

1. The number of hours of instruction to be provided in:
 - a. Health education in kindergarten through grade 8; and
 - b. If the district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12.
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:
 - a. Health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;
 - b. Physical education and physical activity;
 - c. Nutrition services;
 - d. Parental involvement;
 - e. Instruction on substance abuse prevention;
 - f. School health services, including mental health services;
 - g. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - h. A safe and healthy school environment; and
 - i. School employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:

- a. School health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;
 - b. A comprehensive school counseling program under Education Code 33.005 [see FFEA];
 - c. A safe and healthy school environment; and
 - d. School employee wellness;
5. If feasible, joint use agreements or strategies for collaboration between the district and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the district and community organization;
 6. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.
 7. Appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods for administering an opioid antagonist; and
 8. Appropriate grade levels and curriculum for instruction regarding child abuse, family violence, dating violence, and sex trafficking, including likely warning signs that a child may be at risk for sex trafficking, provided that the local SHAC's recommendations under this provision do not conflict with the essential knowledge and skills developed by the State Board of Education.

Education Code 28.004(c), (n)

Policy
Recommendations

The SHAC shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The SHAC must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to the district concerning the importance of daily recess for elementary school students.

Education Code 28.004(l)

The SHAC shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Education Code 28.004(o)*

Complaints

A parent may use the grievance procedure at FNG concerning a complaint of a violation of Education Code 28.004. *Education Code 28.004(i-1)*

**Human Sexuality
Instruction**

Definitions

“Human sexuality instruction,” “instruction in human sexuality,” and “instruction relating to human sexuality” include instruction in reproductive health.

“Curriculum materials” includes the curriculum, teacher training materials, and any other materials used in providing instruction.

Education Code 28.004(p)

Board Selection

The board shall determine the specific content of a district’s instruction in human sexuality. *Education Code 28.004(h)*

The board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the SHAC. The instruction must:

1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;
2. Devote more attention to abstinence than to any other behavior;
3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.

Education Code 28.004(e)

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board’s deci-

sion regarding whether the district will provide human sexuality instruction to district students. If instruction will be provided, the notice must include:

1. A statement informing the parent of the human sexuality instruction requirements under state law;
2. A detailed description of the content of the district's human sexuality instruction and a general schedule on which the instruction will be provided;
3. A statement of the parent's right to:
 - a. At the parent's discretion, review or purchase a copy of curriculum materials as provided by Education Code 28.004(j) [see EFA];
 - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and
 - c. Use the grievance procedure at FNG or the appeals process under Education Code 7.057 concerning a complaint of a violation of Education Code 28.004;
4. A statement that any curriculum materials in the public domain used for the district's human sexuality instruction must be posted on the district's internet website, if the district has an internet website, and the internet website address at which the curriculum materials are located; and
5. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

Education Code 28.004(i)

Parent Consent
Before Instruction

Before a student may be provided with human sexuality instruction, a district must obtain the written consent of the student's parent. A request for written consent may not be included with any other notification or request for written consent provided to the parent, other than the notice provided under Education Code 28.004(i), described above, and must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins. The requirements in this paragraph expire August 1, 2024. *Education Code 28.004(i-2)–(i-3)*

Condoms

A district may not distribute condoms in connection with instruction relating to human sexuality. *Education Code 28.004(f)*

- Separate Classes If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. *Education Code 28.004(g)* [See FB regarding single-sex classes under Title IX.]
- Adoption of Instructional Materials The board shall adopt a policy establishing a process for the adoption of curriculum materials for the district's human sexuality instruction. The policy must require:
1. The board to adopt a resolution convening the local SHAC for the purpose of making recommendations regarding the curriculum materials;
 2. The local SHAC to:
 - a. After the board's adoption of the resolution, hold at least two public meetings [see BDF] on the curriculum materials before adopting recommendations; and
 - b. Provide the adopted recommendations to the board at a public meeting of the board; and
 3. The board, after receipt of the local SHAC's recommendations under item 2, above, to take action on the adoption of the recommendations by a record vote at a public meeting.

Before adopting curriculum materials for the district's human sexuality instruction, the board shall ensure that the curriculum materials are:

1. Based on the advice of the local SHAC;
2. Suitable for the subject and grade level for which the curriculum materials are intended; and
3. Reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

Education Code 28.004(e)–(e-1), (e-3)

Abuse Prevention Instruction

Adoption of Instructional Materials

Any course materials relating to the prevention of child abuse, family violence, dating violence, and sex trafficking shall be selected by the board with the advice of the local SHAC.

The board shall adopt a policy establishing a process for the adoption of curriculum materials for the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking. The policy must require:

1. The board to adopt a resolution convening the SHAC for the purpose of making recommendations regarding the curriculum materials;

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2. The SHAC to:
 - a. After the board's adoption of the resolution, hold at least two public meetings [see BDF] on the curriculum materials before adopting recommendations; and
 - b. Provide the adopted recommendations to the board at a public meeting of the board; and
3. The board, after receipt of the SHAC's recommendations, to take action on the adoption of the recommendations by a record vote at a public meeting.

Board Selection

Before adopting curriculum materials for the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, the board shall ensure that the curriculum materials are:

1. Based on the advice of the local SHAC;
2. Suitable for the subject and grade level for which the curriculum materials are intended; and
3. Reviewed by academic experts in the subject and grade level for which the curriculum materials are intended.

The board shall determine the specific content of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, including the essential knowledge and skills addressing these topics developed by the State Board of Education.

Education Code 28.004(q)-(q-1), (q-3)-(q-4)

Notice to Parents

Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board's decision regarding whether the district will provide instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking to district students. If instruction will be provided. The notice must include:

1. A statement informing the parent of the requirements under state law regarding instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
2. A detailed description of the content of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking;
3. A statement of the parent's right to:

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- a. At the parent's discretion, review or purchase a copy of curriculum materials [see below at Availability of Instructional Materials];
 - b. Remove the student from any part of the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and
 - c. Use the grievance procedure at FNG or the appeals process under Education Code 7.057 concerning a complaint of a violation of Education Code 28.004;
4. A statement that any curriculum materials in the public domain used for the district's instruction regarding the prevention of child abuse, family violence, dating violence, and sex trafficking must be posted on the district's internet website address at which the curriculum materials are located; and
 5. Information describing the opportunities for parental involvement in the development of the curriculum to be used in instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, including information regarding the local SHAC.

Parent Consent
Before Instruction

Before a student may be provided with instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, a district must obtain the written consent of the student's parent. A request for written consent:

1. May not be included with any other notification or request for written consent provided to the parent, other than the notice described above; and
2. Must be provided to the parent not later than the 14th day before the date on which the instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking begins.

Education Code 28.004(q-5)–(q-6)

**Availability of
Materials for Human
Sexuality Instruction
and Abuse Prevention
Instruction**

Curriculum materials proposed to be adopted for the district's human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking must be made available as provided below, except copyrighted materials must be provided as described by items (2)(a) or (2)(c), as applicable.

A district shall make all curriculum materials used in human sexuality instruction or instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking available by:

1. For curriculum materials in the public domain:
 - a. Providing a copy of the curriculum materials by mail or email to a parent of a student enrolled in the district on the parent's request; and
 - b. Posting the curriculum materials on the district's internet website, if the district has an internet website; and
2. For copyrighted curriculum materials, allowing a parent of a student enrolled in the district to:
 - a. Review the curriculum materials at the student's campus at any time during regular business hours;
 - b. Purchase a copy of the curriculum materials from the publisher as provided by the district's purchase agreement for the curriculum materials; or
 - c. Review the curriculum materials online through a secure electronic account in a manner that prevents the curriculum materials from being copied and that otherwise complies with copyright law.

For purchase agreements entered into, amended, or renewed on or after September 1, 2021, if a district purchases from a publisher copyrighted curriculum materials for use in the district's human sexuality instruction, the district shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the district may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by the district for the curriculum materials.

If a district purchases from a publisher copyrighted curriculum materials for use in the district's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking, the district shall ensure that the purchase agreement provides for a means by which a parent of a student enrolled in the district may purchase a copy of the curriculum materials from the publisher at a price that does not exceed the price per unit paid by the district for the curriculum materials.

Education Code 28.004(e-2), (j)-(j-2), (q-2)

Character Education A district must adopt a character education program that includes the following positive character education traits and personal skills:

1. Courage;
2. Trustworthiness, including honesty, reliability, punctuality, and loyalty;
3. Integrity;
4. Respect and courtesy;
5. Responsibility, including accountability, diligence, perseverance, self-management skills, and self-control;
6. Fairness, including justice and freedom from prejudice;
7. Caring, including kindness, empathy, compassion, consideration, patience, generosity, charity, and interpersonal skills;
8. Good citizenship, including patriotism, concern for the common good and the community, responsible decision-making skills, and respect for authority and the law;
9. School pride; and
10. Gratitude.

In developing or selecting a character education program under Education Code 29.906, a district shall consult with a committee selected by the district that consists of parents of district students, educators, and other members of the community, including community leaders.

The provisions above do not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

Education Code 29.906