

Strong IEP Documentation is Strong SHARS Documentation

February 15, 2023

Presented by
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TASB Student Solutions

This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.



Student Solutions

Meet today's presenter:



Denise Carter

Denise has over 30 years of experience in education serving in a variety of roles in school settings, including Elementary Principal and Director of Special Education. Additionally, she has been both a general and special education teacher and a behavior specialist. Denise understands the unique challenges that all levels of personnel in schools face when determining how to best meet the needs of students with disabilities. She is passionate about assisting in establishing processes, finding solutions that help staff spend more time focusing on students, and enjoys sharing her knowledge and experiences to assist districts across the state.



Learning Objectives

- Recognize common areas of concern
- Discuss ways to improve documentation
- Identify resources to share with your staff



Differentiated Monitoring & Support

Cyclical Review

- Scheduled on a 6-year cycle
- Focus on determining compliance

Both

- Continuous Improvement

Targeted Review

- Based on performance levels
- Focus on identified issues



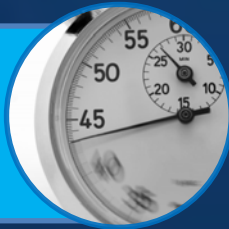
Ramifications of Non-compliance

- Action Plans
- TEA Involvement
- Work with attorneys
- Provide additional documentation

- Multiple staff involved
- Litigation is costly
- Pay back money
- Medicaid fraud

- Students
- Staff
- Parents

Time



Money

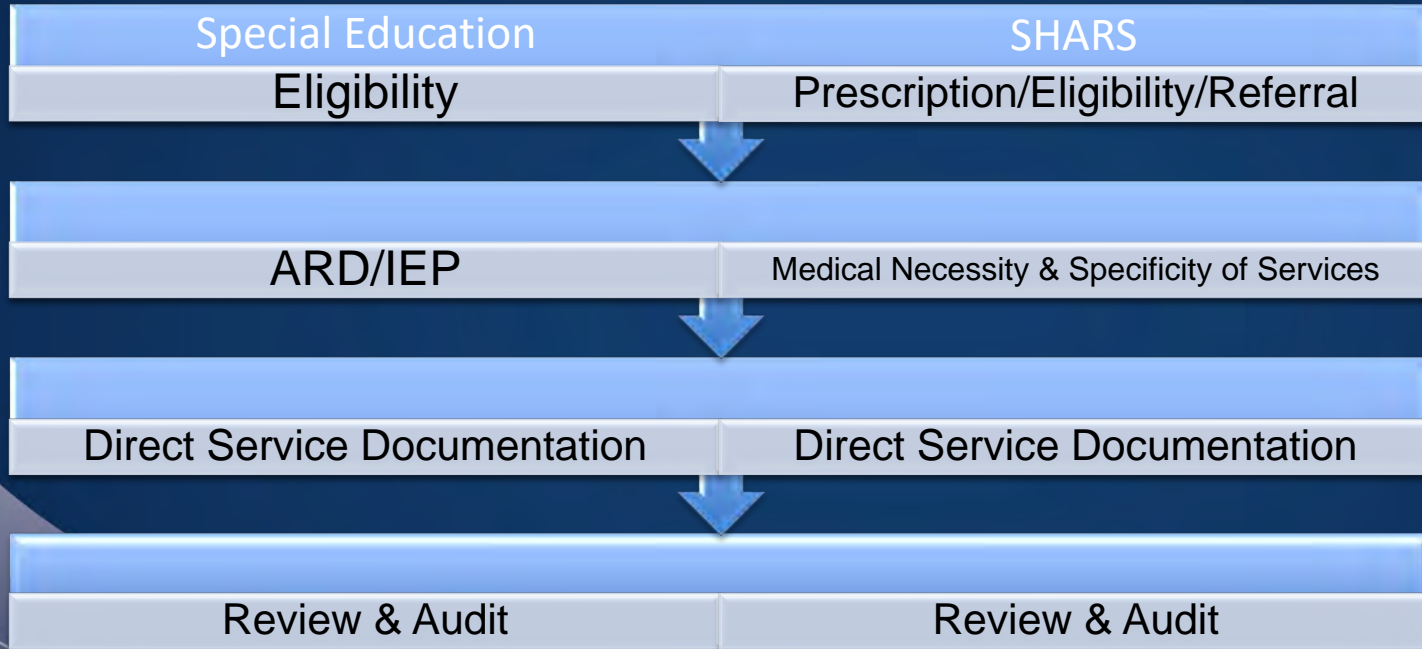


Frustration



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Alignment in the IEP



Good Special Education Documentation



Good SHARS Documentation



What does Legal Framework say?

- Each LEA must
 - maintain an eligibility folder
 - for each child receiving special education services,
 - in addition to the child's cumulative record. (19 T.A.C. 89.1075(a))
- Nothing in the IDEA will be construed
 - to require additional information be included in the IEP
 - beyond explicit requirements of Admission, Review, and Dismissal Committee section of LF (34 C.F.R. 300.320(d))

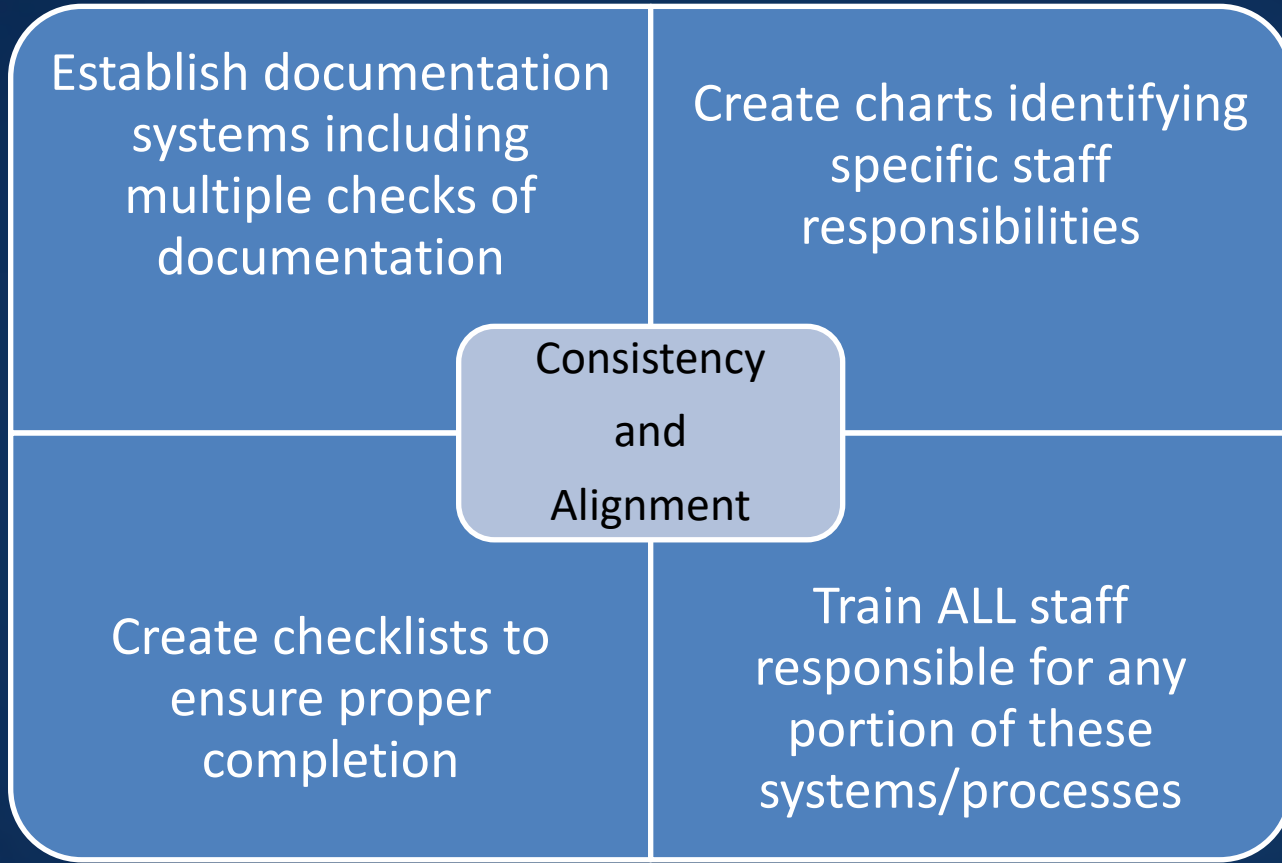


What does Legal Framework say?

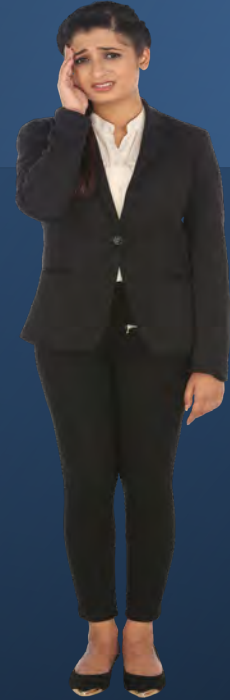
- Eligibility folder must include (but not limited to)
 - Copies of referral data;
 - Documentation of notices and consents;
 - Evaluation reports and supporting data;
 - Admission, review, and dismissal committee reports; and
 - Individualized education program (IEP).



Consider

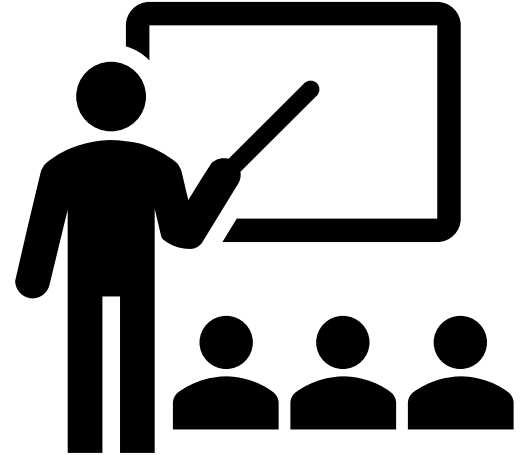


Common Errors



Individualized Education Program

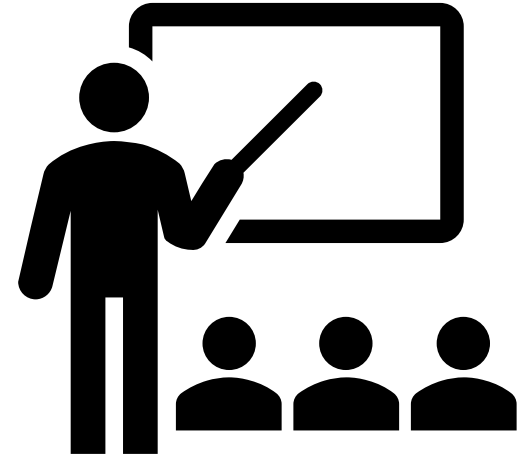
- ❑ Present Levels of Academic Achievement and Functional Performance (PLAAFP)
 - Academic AND functional
 - Strengths/Needs/Impact
 - Use student specific data
 - Not a place for feelings – be objective



Individualized Education Program

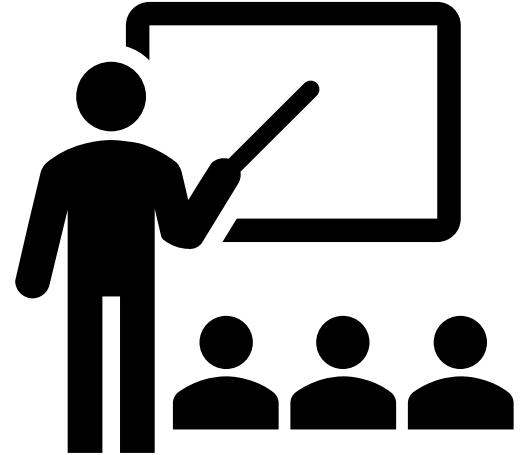
❑ Goals and Objectives

- Align with PLAAFP
- Align with disability areas
- Clearly written (stranger test)
- Include all required components
 - Timeframe
 - Condition
 - Behavior
 - Criterion
- Align objectives with goal
- Include objectives for students taking alternative assessments



Individualized Education Program

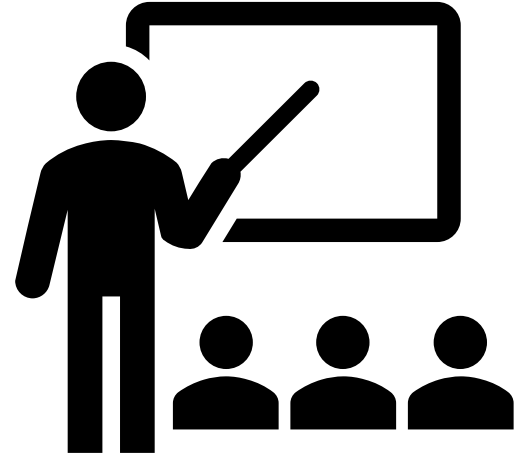
- ❑ Schedule of Services
 - Match instructional minutes of campus
 - Define inclusion, in-class support
 - Avoid use of 'as needed'
 - Clarify frequency and duration when not a daily service
 - Include location
 - General Education
 - Special Education



Individualized Education Program

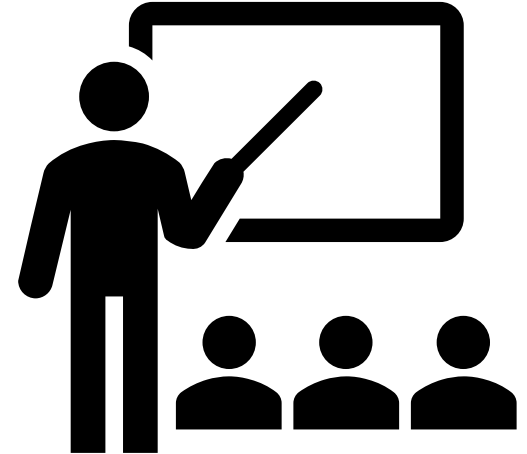
☐ Transition

- Review age requirements
 - Texas differs from Federal
 - Recommend beginning entire process at age 13
- Document student involvement in planning and ARD committee meeting
- Include postsecondary goals
- Document transfer of rights conversations



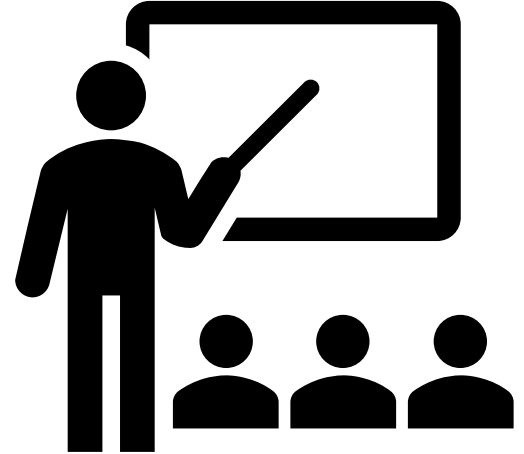
Individualized Education Program

- ❑ Behavior
 - Align throughout the process
 - FIE
 - PLAAFP
 - FBA
 - BIP
 - Goals
 - Objectives
 - Accommodations
 - Modifications



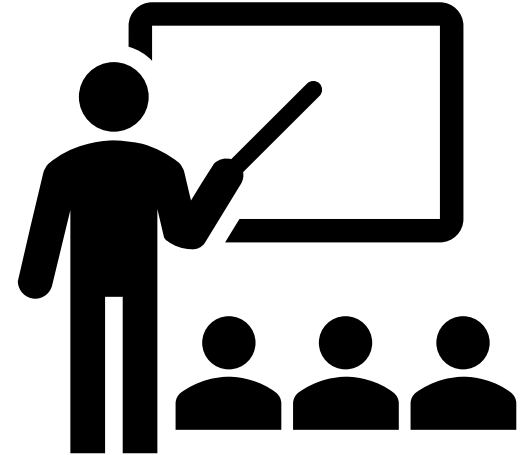
General Recommendations

- Remember to include required supplements
 - Fill out completely
 - Include with IEP
- Accommodations
 - Align classroom and STAAR
 - Review frequently to ensure necessity
- Assistive Technology
 - Clarify what is/is not
 - Determine where to document
 - Include in PEIMS
- Avoid clerical errors
 - Check and double check student name
 - Verify deliberations match information within the remainder of the document



Parental Consent

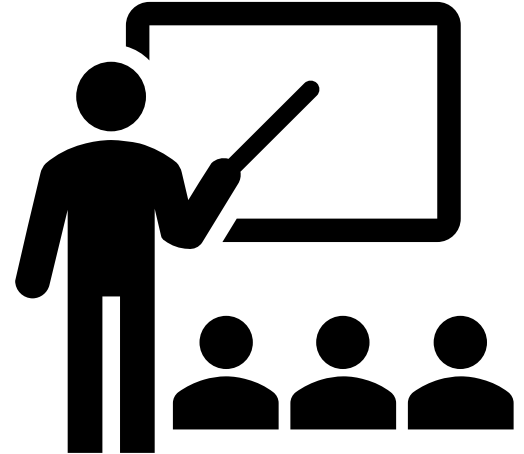
- ❑ Must obtain **one-time** signed and dated parental **consent**
 - prior to releasing personally identifiable information for billing purposes to a public benefits or insurance program
- ❑ Required to notify parents
 - Third-Party Liability information (TPL)
 - Participation in SHARS is optional
 - Right to withdraw at any time
- ❑ Written parental **notification** required annually thereafter.
 - District will decide how this notification will occur
 - Annual ARD Committee meeting
 - Beginning of each school year



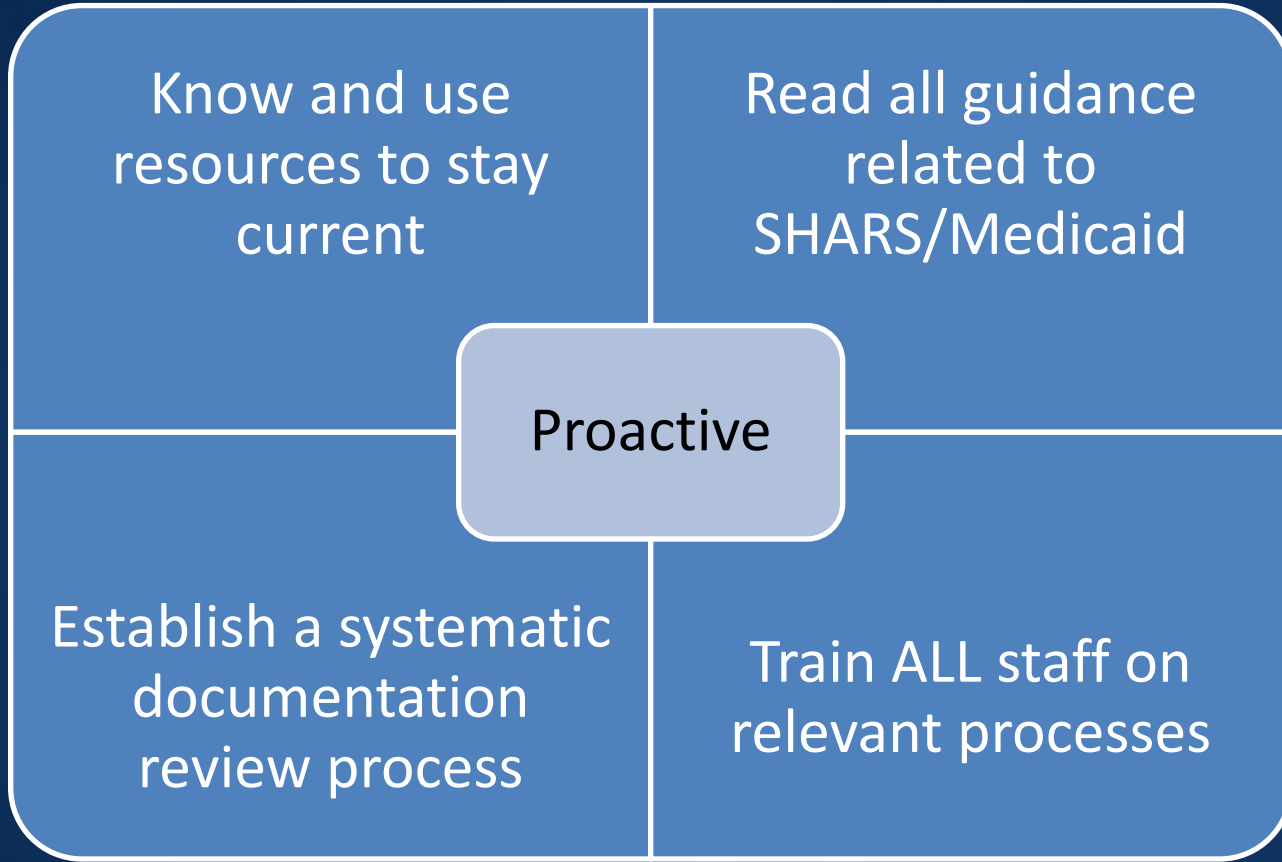
Service Logs

❑ Required SHARS elements

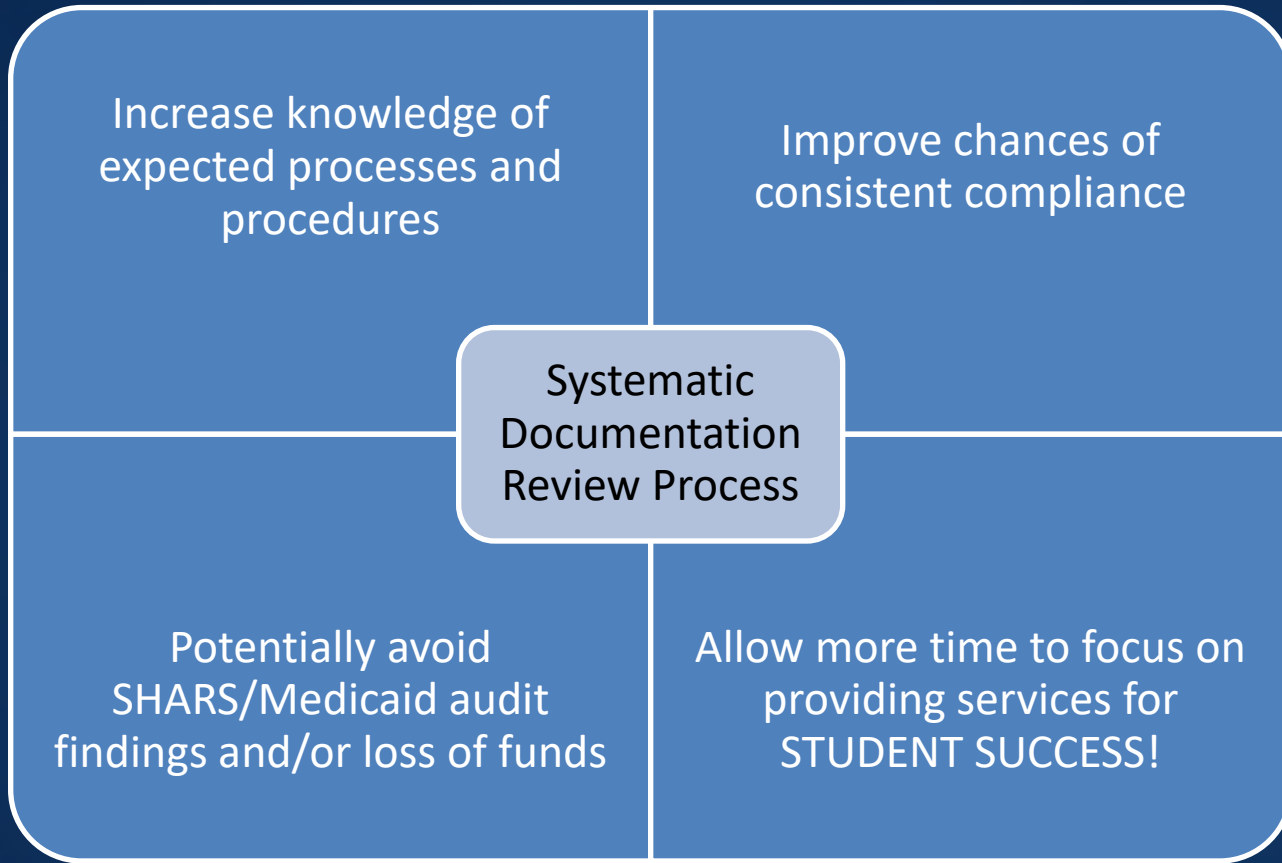
- Date of Service
- First/Last Name of Student
- Student's Date of Birth
- Start/End Time
- Activity Performed
- Procedure Codes
- IEP Objective (related services session notes)
- Individual or Group (related services session notes)
- Student Observation (related services include goal progress)
- Student Medicaid Number
- Total Billable Minutes
- Legible Signature/Initials for each event
- Student in attendance on dates of service
- Service matches ARD/IEP



Consider



Consider



Resources



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Resources



THE TEXAS LEGAL FRAMEWORK

for the Child-Centered Special Education Process

<https://fw.escapps.net/>



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Resources

- TEA Student Attendance Accounting Handbook
<https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook>
- Navigate Life Texas ARD Process Overview
<https://www.navigatelifetexas.org/en/education-schools/ard-process>



Resources

- HHSC SHARS
<https://rad.hhs.texas.gov/acute-care/school-health-and-related-services-shars>
- TEA SHARS
<https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/school-health-and-related-services>
- Texas Administrative Code Rules (for SHARS)
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=1&pt=15&ch=355&sch=A&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=1&pt=15&ch=355&sch=A&rl=Y)



Resources

- TASB Special Education Solutions

<https://www.tasb.org/services/special-education-solutions.aspx>

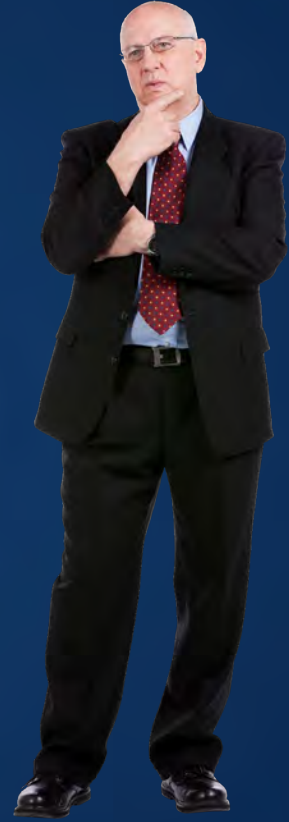
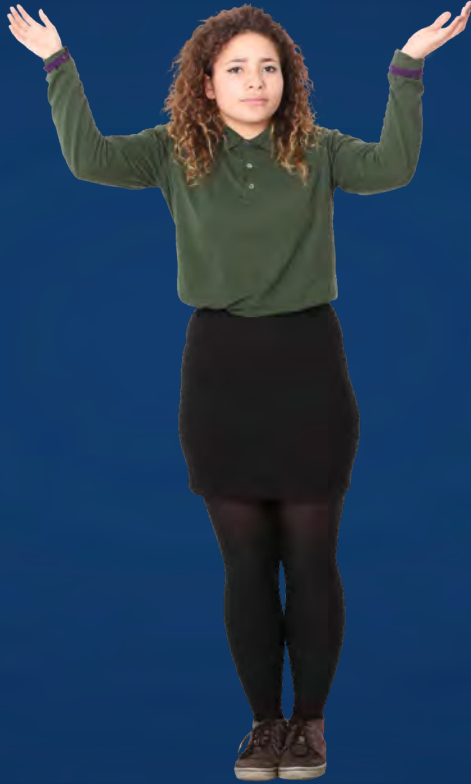
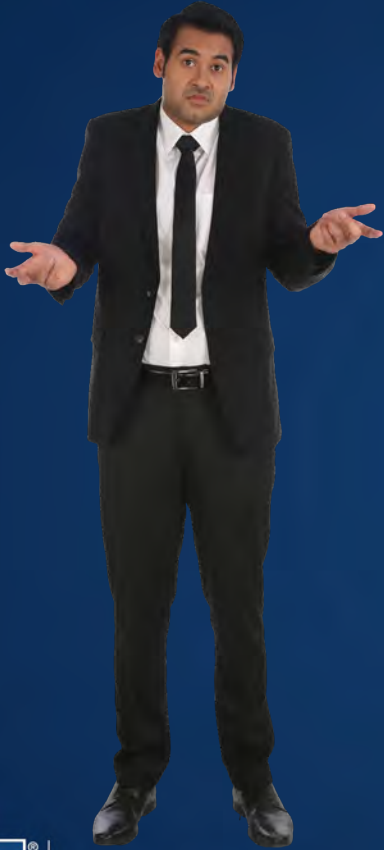


Resources

- [SHARS 2023 Conference](#)
- [TASA, TASB, and TASBO comments](#) (pdf) on the [pending changes](#) (pdf) to the Texas Health and Human Services Commission's new SHARS policy (2021)
- [COVID-19 SHARS and MAC frequently asked questions](#)
- [Quarterly SHARS Matters e-newsletter](#)
- [Free monthly school Medicaid webinar schedule](#)



Questions



Student Solutions

We are ready to work with you to identify your most pressing needs and tailor solutions to address them!

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