

BRAZOS INDEPENDENT SCHOOL DISTRICT SPECIAL EDUCATION OPERATING PROCEDURES: VISUAL IMPAIRMENT

OPTIONAL PARAGRAPH FOR DISTRICTS THAT ARE PART OF A SPECIAL EDUCATION COOPERATIVE: The Brazos ISD has entered into an Interlocal Agreement to cooperatively operate its special education programs under the authority of Tex. Ed. Code § 11.157. The Brazos ISD Special Education Services Cooperative may provide for the efficient delivery of legally required special education and related services to the Brazos ISD's eligible students with disabilities as set forth in the Interlocal Agreement, including the implementation of these Special Education Operating Procedures.

Brazos ISD Board Policy along with these *Special Education Operating Procedures* constitute the Policies and Procedures of Brazos ISD, designed to be consistent with the State policies and procedures developed pursuant to the IDEA. Brazos ISD *Special Education Operating Procedures* are not to be for the purpose of creating a requirement that is not otherwise imposed by the Individuals with Disabilities Education Improvement Act ("IDEA"), together with its implementing federal regulations, state statutes and rules, as they shall from time to time be amended, and shall not be construed to create a higher standard than that established by IDEA. These *Special Education Operating Procedures* will be posted on Brazos ISD's website. These *Special Education Operating Procedures* should be interpreted consistent with the IDEA. Brazos ISD's *Special Education Operating Procedures* are reviewed and updated, as needed, on at least an annual basis. Brazos ISD will make timely changes to policies and procedures in response to IDEA amendments, regulatory or rule changes, changes to state policy, or new legal interpretation as are necessary to bring Brazos ISD into compliance with the requirements of IDEA. Brazos ISD maintains systems to ensure that all students with disabilities residing in the District, including students with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and provided a free appropriate public education. Brazos ISD maintains systems to ensure that students with disabilities and their parents are afforded the procedural safeguards required under the IDEA (and its implementing federal regulations, state statutes and rules) including with respect to the confidentiality of records and personally identifiable information.

VISUAL IMPAIRMENT

A student with a visual impairment may qualify for special education and related services if the student has an impairment in vision, even with correction (such as glasses or contact lenses), that adversely affects educational performance. The phrase *visual impairment* includes both partial sight and blindness.¹ Information from a variety of sources must be considered by the group of qualified professionals that collects or reviews evaluation data in connection with the determination of the student's eligibility based on visual impairment in order to determine the need for specially designed instruction.

A student with a visual impairment is one who—

- has been determined by a licensed ophthalmologist or optometrist to
 - have no vision or to have a serious visual loss after correction or

¹ 34 C.F.R. § 300.8(c)(13)

- have a progressive medical condition that will result in no vision or a serious visual loss after correction.²

The group of qualified professionals that collects or reviews evaluation data in connection with the determination of a student's eligibility based on a visual impairment includes a person who is appropriately certified as an orientation and mobility specialist.³ The District must ensure that an appropriately certified orientation and mobility specialist is included in any reevaluation of a student who has been determined to be eligible for the district's special education program on the basis of a visual impairment.⁴

The written report from the group of qualified professionals includes:

- a medical report by a licensed ophthalmologist or optometrist that indicates the student's visual loss stated in exact measures of visual field and corrected visual acuity, at a distance and at near range, in each eye. If exact measures cannot be obtained, the eye specialist must so state and provide best estimates. The report by the licensed ophthalmologist or optometrist should also include prognosis whenever possible and whether the student has no vision or visual loss after correction; or a progressive medical condition that will result in no vision or a visual loss after correction;⁵
- a functional vision evaluation by a certified teacher of students with visual impairments or a certified orientation and mobility specialist that includes the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation;⁶
- a learning media assessment by a certified teacher of students with visual impairments including recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area;⁷ and
- an orientation and mobility evaluation conducted by a person who is appropriately certified as an orientation and mobility specialist and must be conducted in a variety of lighting conditions and in a variety of settings, including in the student's home, school, and community and in settings unfamiliar to the student.⁸

The group of qualified professionals conducting an evaluation of a student suspected of having a visual impairment will conduct assessments and observations, and collect data, as necessary for the ARD Committee to make an eligibility determination.

² 19 TEX. ADMIN. CODE § 89.1040(c)(12)(A)

³ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(C)

⁴ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(B)

⁵ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(A)(i)

⁶ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(A)(ii)

⁷ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(A)(iii)

⁸ 19 TEX. ADMIN. CODE § 89.1040(c)(12)(A)(iv)

FOR MORE INFORMATION

In Texas, eligibility is determined by the student's Admission, Review and Dismissal (ARD) committee.⁹ The phrase *multidisciplinary team* refers to the group of District staff tasked with using a variety of assessment tools and strategies to gather relevant functional, academic and developmental information about the student, including information provided by the parent, as part of the special education evaluation process.¹⁰ For more information, please contact Katherine Allison.

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

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

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

¹⁰ 34 C.F.R. § 300.306