

Section 4. - RELATED SERVICES
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Section 4. - RELATED SERVICES

I. DEFINITIONS

TEC §29.002. Definitions. In this subchapter, “special services” means:

- (1) special education instruction, which may be provided by professional and supported by paraprofessional personnel in the regular classroom or in an instructional arrangement described by Section 42.151; and
- (2) related services, which are developmental, corrective, supportive, or evaluative services, not instructional in nature, that may be required for the student to benefit from special education instruction and for implementation of a student’s individualized education program.

TAC §89.1060. Definitions of Certain Related Services.

In addition to the specific related services defined in 34 Code of Federal Regulations (CFR), §300.24, related services include interpreting services for students who are deaf. Interpreting services include interpreting/transliterating receptively and expressively for persons who are deaf or hard of hearing.

The Devine Independent School District will follow all evaluation criteria in the FIE and Disability sections for appropriate related service assessments and reports. Also, ARD/IEP criteria will be followed for related services.

II. REGULATIONS

§300.34 Related services.

- (a) **General.** **Related services** means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also includes school health services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the IEP of the child, social work services in schools, and parent counseling and training.
- (b) **Exception.** Related services do not include a medical device that is surgically implanted, the optimization of device functioning, maintenance of the device, or the replacement of that device.
- (c) **Individual related services terms defined.** The terms used in this definition are defined as follows:
 - (1) **Audiology** includes--
 - (i) Identification of children with hearing loss;
 - (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
 - (iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;

- (iv) **Creation and administration of programs for prevention of hearing loss;**
- (v) **Counseling and guidance of children, parents, and teachers regarding hearing loss; and**
- (vi) **Determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.**

- (2) **Counseling services means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.**

Counseling services are provided to assist a child with a disability to benefit from special education. Parent counseling and training includes assisting parents in understanding the special needs of their child; providing information about child development; and helping parents acquire the skills necessary to allow them to support the implementation of their child's IEP or IFSP.

- (3) **Early identification and assessment of disabilities in children means the implementation of a formal plan for identifying a disability as early as possible in a child's life.**

- (4) **Interpreting services, as used with respect to children who are deaf or hard of hearing, includes oral transliteration services, cued language transliteration services, and sign language interpreting services.**

TAC §89.1060. Definitions of Certain Related Services.

In addition to the specific related services defined in 34 Code of Federal Regulations (CFR), §300.24, related services include interpreting services for students who are deaf. Interpreting services include interpreting/transliterating receptively and expressively for persons who are deaf or hard of hearing.

- (5) **Medical services means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.**

- (6) **Occupational therapy means--**

(i) **Services provided by a qualified occupational therapist; and**

(ii) **Includes--**

- (A) **Improving, developing or restoring functions impaired or lost through illness, injury, or deprivation;**
- (B) **Improving ability to perform tasks for independent functioning if functions are impaired or lost; and**
- (C) **Preventing, through early intervention, initial or further impairment or loss of function.**

The occupational and physical therapy includes:

- a. *improving, developing or restoring functions impaired or lost through illness, injury, or deprivation,*
- b. *improving ability to perform tasks for independent functioning if functions are impaired or lost, and*
- c. *preventing, through early intervention, initial or further impairment or loss of function.*

The primary function is to directly assist the student to benefit from instruction. Occupational and physical therapy services will be provided when a disability adversely affects the educational performance. The therapist will aid the student to develop, increase, improve, and maintain skills that are prerequisites for the student to function within his educational environment.

Medical Requirement

In the case of physical and occupational therapy, services for students shall be prescribed by a physician for consideration by the ARD/IEP committee.

Occupational and Physical Therapy Service Levels

LEVEL I - Individual Service

The occupational therapist is the primary implementer of the related service stated in the IEP. Specific goals and objectives are written and integrated into the IEP for this service.

LEVEL II - Student Centered

The therapist assists the teacher in developing the IEP, which the classroom personnel implement. The frequency of consultation and the primary position responsible for implementing the program should be noted on the IEP. The IEP should reflect consultation that is provided by the therapist.

LEVEL III - Teacher Centered

This service will address an individual student's educational program needs (e.g., pre-vocational, vocational activities, feeding and positioning programs and motor labs). This may be a one-time consult with no specific assessments performed. No formal occupational therapy goals or objectives are written.

LEVEL IV - Classroom Centered

This service will address groups of students and their educational program needs. This often may be a one-time consult with no specific evaluations performed. No objectives or goals are written.

LEVEL V - Program Centered

This service may address staff and/or entire system needs (e.g., environmental adaptations, inservice). No occupational therapy goals or objectives are written.

Discontinuation Of Occupational and/or Physical Therapy Services Will Occur:

** upon ARD/IEP committee discussion of current evaluation and recommendation that OT/PT services are not required due to one of the following:*

- *The student has accomplished the goals targeted in the IEP (Individual Educational Program);*
- *The student has achieved the maximum benefit from occupational and/or physical therapy;*
- *The student's physical dysfunction does not negatively affect his/her educational program;*
- *The student maintains progress and no evidence of change is seen;*
- *There is not a current OT/PT MEDICAL REFERRAL FORM; or*
- *The intervention will not impact the educational success of the student.*

(7) Orientation and mobility services—

- (i) Means services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and**
- (ii) Includes travel training instruction, and teaching students the following, as appropriate:**
 - (A) Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);**

- (B) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for students with no available travel vision;
 - (C) To understand and use remaining vision and distance low vision aids; and
 - (D) Other concepts, techniques, and tools.
- (8) (i) **Parent counseling and training** means assisting parents in understanding the special needs of their child;
- (ii) Providing parents with information about child development; and
 - (iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.
- (9) **Physical therapy** means services provided by a qualified physical therapist. *(see also Occupational Therapy(6) for Level of Services.)*
- (10) **Psychological services** includes--
- (i) Administering psychological and educational tests, and other assessment procedures;
 - (ii) Interpreting assessment results;
 - (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
 - (iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
 - (v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and
 - (vi) Assisting in developing positive behavioral intervention strategies.

Prior to requesting a psychological evaluation, school personnel should be able to document previous educational efforts and strategies and the results of those efforts including participation in or consideration for other programs within DISD. Further, an intellectual and academic evaluation must be completed.

Psychological services may be requested through the DTAT meetings or an ARD/IEP evaluation planning committee. If a psychological is requested in an ARD/IEP meeting, the diagnostician will report the request if the psychological staff is not present at the ARD meeting. (See Section 1. - Referral)

- (11) **Recreation** includes--
- (i) Assessment of leisure function;
 - (ii) Therapeutic recreation services;
 - (iii) Recreation programs in schools and community agencies; and
 - (iv) Leisure education.
- (12) **Rehabilitation counseling services** means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with a disability by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701 et seq.

(13) School nurse services means services provided by a qualified school nurse, designed to enable a child with a disability to receive FAPE as described in the child's IEP.

School health services, as a related service, are those provided by a qualified school nurse or other qualified person. Services are provided to eligible students with disabilities based on ARD/IEP Committee decision. These services are in addition to those routinely available to all students and may include the following:

- a. screening and referral for health needs;*
- b. monitoring medication needed by students during school hours;*
- c. consultation with physicians, parents, and staff regarding effects of medication, and emergency care training for staff and parents;*
- d. counseling students with disabilities and their families concerning health care practices and services; and*
- e. assistance with catheter, tube feeding and other school health service procedures.*

(14) Social work services in schools includes--

- (i) Preparing a social or developmental history on a child with a disability;**
- (ii) Group and individual counseling with the child and family;**
- (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;**
- (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and**
- (v) Assisting in developing positive behavioral intervention strategies.**

(15) Speech therapy is not a related service in Texas. It is considered instruction.

(16) Transportation includes--

- (i) Travel to and from school and between schools;**
 - (ii) Travel in and around school buildings; and**
 - (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.**
- (Authority: 20 U.S.C. 1401(26))**

Local Transportation Rules

DISD's rules and regulations govern special education bus students unless designated otherwise by an ARD/IEP Committee. Violation of school bus rules and regulations may result in restrictions. The student will follow local guidelines unless the ARD/IEP committee recommendations are different.

Special education transportation procedures include the following:

- a. It is the responsibility of the parent to have the student ready for the bus each day.*
- b. It is the responsibility of the parent to notify the Transportation Department of any change of address.*
- c. If the student is to be transported to or from a place other than home, parent submits to the Transportation Department the student's name and address, and the person's name and address who will assume responsibility for the child.*
- d. Card files are maintained on all students; therefore, if home or work numbers change, parents **notify** the local campus, the Special Education Department, and the Transportation Department.*
- e. If the student will not be riding the bus for more than a day, parent contacts the Transportation Department in advance so that the driver can be notified.*

TAC §89.1090. Transportation of Students Placed in a Residential Setting, Including the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf.

For each student placed in a residential setting by the student's admission, review, and dismissal (ARD) committee, including those students placed in the Texas School for the Blind and Visually Impaired TSBVI and the Texas School for the Deaf TSD, the resident school district shall be responsible for transportation at the beginning and end of the term and for regularly scheduled school holidays when students are expected to leave the residential campus. The resident school district is not responsible for transportation costs for students placed in residential settings by their parents. Transportation costs shall not exceed state approved per diem and mileage rates unless excess costs can be justified and documented. Transportation shall be arranged using the most cost efficient means. When it is necessary for the safety of the student, as determined by the ARD committee, for an adult designated by the ARD committee to accompany the student, round-trip transportation for that adult shall also be provided. The resident school district and the residential facility shall coordinate to ensure that students are transported safely, including the periods of departure and arrival.

§300.139 Location of services and transportation. (see also Section 5. Instructional Arrangements)

- (a) **Services on private school premises.** Services to parentally-placed private school children with disabilities may be provided on the premises of private, including religious, schools, to the extent consistent with law.
- (b) **Transportation.**
 - (1) **General.**
 - (i) If necessary for the child to benefit from or participate in the services provided under this part, a parentally-placed private school child with a disability must be provided transportation--
 - (A) From the child's school or the child's home to a site other than the private school; and
 - (B) From the service site to the private school, or to the child's home, depending on the timing of the services.
 - (ii) LEAs are not required to provide transportation from the child's home to the private school.
 - (2) **Cost of transportation.** The cost of the transportation described in paragraph (b)(1)(i) of this section may be included in calculating whether the LEA has met the requirement of §300.133.
(Authority: 20 U.S.C. 1412(a)(10)(A))

TAC §89.1096. Provision of Services for Students Placed by their Parents in Private Schools or Facilities.

- (d) DISD shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. *(See §300.139 above)*

III. REQUEST FOR RELATED SERVICES

Any request for a related service must be made through the DTAT upon initial referral or through the planning meeting to Review Existing Evaluation Data as described in Section 2 – FIE. If the related service provider is not in attendance at the planning meeting where the Review Existing Evaluation Data is completed, every effort is made by the evaluation representative to collaborate with the related service provider. Also, the evaluation representative is responsible for notifying the appropriate related service provider that an assessment has been requested.