# 19 TAC Chapter 89. Adaptations for Special Populations

#### State Board of Education Rules

# Subchapter A. Gifted/Talented Education

- §89.1. Student Assessment.
- §89.2. Professional Development.
- §89.3. Student Services.
- §89.5. Program Accountability.

#### Subchapter C. Texas Certificate of High School Equivalency

- §89.41. Policy.
- §89.42. Official Testing Centers.
- §89.43. Eligibility for a Texas Certificate of High School Equivalency.
- §89.44. Identification.
- §89.45. Retesting.
- §89.46. Accommodations.
- §89.47. Issuance of the Certificate.

# Subchapter D. Special Education Services and Settings

§89.62. Support of Students Enrolled in the Texas School for the Blind and Visually Impaired and Texas School for the Deaf.

#### Commissioner of Education Rules

#### Subchapter AA. Commissioner's Rules Concerning Special Education Services

#### Division 1. General Provisions

- §89.1001. Scope and Applicability.
- §89.1005. Instructional Arrangements and Settings.

#### Division 2. Clarification of Provisions in Federal Regulations and State Law

- §89.1011. Full and Individual Initial Evaluation.
- §89.1035. Age Ranges for Student Eligibility.
- §89.1040. Eligibility Criteria.
- §89.1047. Procedures for Special Education Decision-Making for Students in Foster Care.
- §89.1049. Parental Rights Regarding Adult Students.
- §89.1050. The Admission, Review, and Dismissal Committee.
- §89.1052. Discretionary Placements in Juvenile Justice Alternative Education Programs.
- §89.1053. Procedures for Use of Restraint and Time-Out.

August 2023 Update Page 1 of 4

- §89.1055. Content of the Individualized Education Program.
- §89.1056. Transfer of Assistive Technology Devices.
- §89.1065. Extended School Year Services.
- §89.1070. Graduation Requirements.
- §89.1075. General Program Requirements and Local District Procedures.
- §89.1076. Interventions and Sanctions.
- §89.1080. Regional Day School Program for the Deaf.
- §89.1085. Referral for the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf Services.
- §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.
- §89.1092. Contracting for Residential Educational Placements for Students with Disabilities.
- §89.1094. Students Receiving Special Education and Related Services in an Off-Campus Program.
- §89.1096. Provision of Services for Students Placed by their Parents in Private Schools or Facilities.

# Division 3. Memoranda of Understanding Affecting Special Education Students

- §89.1100. Memorandum of Understanding on Coordination of Services to Disabled Persons.
- §89.1115. Memorandum of Understanding Concerning Interagency Coordination of Special Education Services to Students with Disabilities in Residential Facilities.

# Division 4. Special Education Funding

- §89.1121. Distribution of State Funds.
- §89.1125. Allowable Expenditures of State Special Education Funds.

#### Division 5. Special Education and Related Service Personnel

§89.1131. Qualifications of Special Education, Related Service, and Paraprofessional Personnel.

#### Division 6. Regional Education Service Center Special Education Programs

§89.1141. Education Service Center Regional Special Education Leadership.

#### Division 7. Dispute Resolution

- §89.1150. General Provisions.
- §89.1151. Special Education Due Process Hearings.
- §89.1165. Request for Special Education Due Process Hearing.
- §89.1170. Impartial Hearing Officer.
- §89.1175. Representation in Special Education Due Process Hearings.
- §89.1180. Prehearing Procedures.
- §89.1183. Resolution Process.
- §89.1185. Hearing Procedures.
- §89.1186. Extensions of Time.
- §89.1191. Special Rule for Expedited Due Process Hearings.

August 2023 Update Page 2 of 4

- §89.1192. Attorneys' Fees.
- §89.1193. Special Education Mediation.
- §89.1195. Special Education Complaint Resolution.
- §89.1196. Individualized Education Program Facilitation.
- §89.1197. State Individualized Education Program Facilitation.

# Subchapter BB. Commissioner's Rules Concerning State Plan for Educating Emergent Bilingual Students

- §89.1201. Policy.
- §89.1203. Definitions.
- §89.1205. Required Bilingual Education and English as a Second Language Programs.
- §89.1207. Bilingual Education Exceptions and English as a Second Language Waivers.
- §89.1210. Program Content and Design.
- §89.1215. Home Language Survey.
- §89.1220. Language Proficiency Assessment Committee.
- §89.1226. Testing and Classification of Students.
- §89.1227. Minimum Requirements for Dual Language Immersion Program Model.
- §89.1228. Two-Way Dual Language Immersion Program Model Implementation.
- §89.1229. General Standards for Recognition of Dual Language Immersion Program Models.
- §89.1230. Eligible Students with Disabilities.
- §89.1233. Participation of Non-Emergent Bilingual Students.
- §89.1235. Facilities.
- §89.1240. Parental Authority and Responsibility.
- §89.1245. Staffing and Staff Development.
- §89.1250. Required Summer School Programs.
- §89.1265. Program Evaluation.

# Subchapter DD. Commissioner's Rules Concerning High School Equivalency Programs

- §89.1401. Purpose.
- §89.1403. Student Eligibility.
- §89.1405. Application to Operate a High School Equivalency Program.
- §89.1407. Public Hearing.
- §89.1409. Assessment.
- §89.1411. Attendance.
- §89.1413. Funding Under the Texas Education Code, Chapters 41, 42, and 46.
- §89.1415. Extracurricular Participation.
- §89.1417. Conditions of Program Operation.
- §89.1419. Revocation of Authorization to Operate a High School Equivalency Program.

August 2023 Update Page 3 of 4

# Subchapter EE. Commissioner's Rules Concerning the Communities In Schools Program

- §89.1501. Definitions.
- §89.1503. Funding.
- §89.1504. Demonstration of Community Participation.
- §89.1505. Eligibility and Grant Application.
- §89.1507. Case-Managed Students.
- §89.1511. Performance Standards and Revocation of Grant Award.

# Subchapter FF. Commissioner's Rules Concerning Transition Assistance for Highly Mobile Students Who Are Homeless or in Substitute Care

- §89.1601. Definitions.
- §89.1603. Transfer of Student Records and Transcripts.
- §89.1605. Development of Systems to Ease Transitions and Establish Procedures to Lessen the Adverse Impact of Movement of a Student.
- §89.1607. Evaluation of Student Records for Students Who Are Homeless or in Substitute Care.
- §89.1609. Placement in Educational Programs and Courses.
- §89.1611. Promotion of Access to Educational and Extracurricular Programs, Summer Programs, Credit Transfer Services, Electronic Courses, and After-School Tutoring Programs for Students Who Are Homeless or in Substitute Care.
- §89.1613. Promotion of Postsecondary Information.
- §89.1615. Provision of Special Education Services.
- §89.1617. Notice to Student's Educational Decision-Maker and Caseworker.

# Subchapter GG. Commissioner's Rules Concerning Dropout Prevention Strategies §89.1701. Dropout Prevention Strategy Plan.

Subchapter HH. Commissioner's Rules Concerning Education in a Juvenile Residential Facility §89.1801. Instructional Requirements for Education Services Provided in a Juvenile Residential Facility.

August 2023 Update Page 4 of 4