



Texas School for the Blind and Visually Impaired

A School District Guide to Accessing Services at TSBVI

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1. Texas School for the Blind and Visually Impaired.

The Texas School for the Blind and Visually Impaired (TSBVI) in Austin was established by the Texas Legislature in 1856. Since 1856, TSBVI has served students with visual impairments throughout Texas.

2. Three-Part Legislative Mission.

In 1995, the legislature passed a comprehensive set of statutes establishing the School as a state agency with a governing board appointment by the Governor and confirmed by the Senate. This legislation defined TSBVI's three major educational roles within the state of Texas:

1. Serving students with visual impairments in an on-campus residential program¹;
2. Conducting supplemental programs²; and
3. Providing statewide services to parents, districts, educational service centers and other agencies³.

More information about the school is available at: www.tsbvi.edu

¹ Tx. Educ. Code 30.021(a)

² Tx. Educ. Code 30.021(c)

³ Tx. Educ. Code 30.021(d)

3. Program Descriptions and Access of Services.

TSBVI has established three educational departments to implement its three-part legislative mission:

Outreach Programs
Special Programs
Comprehensive Programs

3.1 Outreach Programs

The Outreach Programs of TSBVI serve as a statewide resource for families and professionals on blindness and deafblindness.

Information about requesting Outreach support is available by phone 512-206-9268 or 512-206-9242 or on the TSBVI website at <http://www.tsbvi.edu/outreach>

The TSBVI Outreach Staff performs a variety of functions:

- **Consultation on Student Programming.** The staff consults with local districts on student programming, implementation of evidence-based practices, and transition planning, in coordination with regional education service centers.

A request for individual Student Consultation or local teacher training must come from the school district staff. Information about requesting a Student Consultation is available at <http://www.tsbvi.edu/outreach/3257-student-and-program-consultation>

- **Family Support.** TSBVI Outreach supports families of children with visual impairment and/or deafblindness to gain access to resources, connection to other families, and needed training. Families can request information, home consultation, assistance to attend training, and/or helpful connection to other families.
- **Statewide Training.** The staff provides local and regional workshops, sponsors on-campus workshops and statewide conferences, videoconferences (TETN) and webinars.

To see the complete listing of training events check the Statewide Staff Development Calendar at <http://www.tsbvi.edu/outreach/1013-statewide-staff-development-calendar-for-professionals-in-visual-impairment->

To request training, go to www.tsbvi.edu/outreach.

- **Publications and Materials.** The Outreach Program produces original materials, including a quarterly newsletter - *TX SenseAbilities* (in print and on the website), instructional modules, blogs and a variety of distance learning materials.

To request a subscription to the TSBVI/DARS-DBS quarterly newsletter for families and professionals, *TX SenseAbilities*, please go to: <http://www.tsbvi.edu/tx-senseabilities>

- **Technology Loan Program.** The staff administers a technology loan program, through which local programs may borrow specialized technology for use by individual students for up to one school year. A technology loan program is available through an application process.
- **VI Registration Coordination.** The staff coordinates statewide registration of students with visual impairments and the deafblind census.
- **APH Materials Distribution.** Specialized materials from the American Printing House for the Blind may be ordered from the TSBVI Outreach Program using federal quota funds to provide VI specific materials to eligible students.
- **Coordination of Professional Mentors and Support for Professional Preparation Programs.** The staff coordinates the provision of professional mentors for new teachers of the visually impaired and certified orientation and mobility specialists, and works with universities and regional service centers on recruiting and training new professionals for the field.

To learn more about Outreach Programs, you may download a 2011-12 Outreach Catalog of Services and Supports at http://www.tsbvi.edu/attachments/146_Final11-12-OTRCatalog.pdf

3.2 Special Programs

TSBVI Special Programs include Summer Programs and Short-Term programs. These programs serve students who are residents of Texas.

- **Short-Term Programs.** Short-Term Programs are conducted September through May. These 3-5 day classes offer intensive training in the Expanded Core Curriculum to students who are functioning on or close to grade level. The 5-day classes focus primarily on some aspect of technology or math. The 3-day classes tend to focus on some aspect of independent living, such as social skills, mobility, visual efficiency, self-determination, recreation.

Eligible students must be referred by their school district; typically the student's Teacher of the Visually Impaired (TVI) is the person making the referral.

The complete procedure for accessing and participating in Short-Term Program classes is described at <http://www.tsbvi.edu/short-term-programs>

The referral form is at https://s22318.tsbvi.edu/special/InterestForm_J.asp

Questions about Short-Term Programs may be directed to Lauren Newton, Principal, 512-206-9117, newtonl@tsbvi.

- **Summer Programs.** A wide range of summer programs serve students of all levels of functioning, from elementary through high school. Classes range from 4 days to 5 weeks in length.

The summer application form is completed online at the TSBVI website between the first week of December and the February 14 deadline and is available at <https://s22318.tsbvi.edu/special/Login.asp>

Although a summer application does not require a district referral, the TVI is asked to complete the application with supportive information from the family.

Specific questions can be directed to the Program Coordinator of individual summer programs, as described on the summer application form.

3.3 Comprehensive Programs

- **On-Campus K-12 Educational Program.** TSBVI Comprehensive Programs department is the School's on-campus K-12 educational program. Students enrolled in Comprehensive Programs are referred by a local district Admission, Review and Dismissal Committee. Students who are admitted to TSBVI attend school during the regular two-semester school year and do not attend TSBVI during the summer. Students attend school on the TSBVI campus and return home on most weekends during the school year. If a student requires extended school year services, the local district will provide these services; TSBVI does not provide extended school year services. Students who live close to the TSBVI campus are usually transported from their homes to TSBVI on a daily basis by the local school district.
- **Eligibility Requirements.** To be a student at TSBVI, the student must be a resident of Texas who has been determined by the local school district Admission, Review and Dismissal (ARD) Committee to be visually impaired or deafblind.
- **Additional Information about Admission Requirements.** Under Texas law, TSBVI is intended to serve students who require specialized or intensive educational or related services related to the visual impairment. The school is not intended to serve students whose needs are appropriately addressed in a home or hospital setting or in a residential treatment facility; or students whose primary, ongoing needs are related to a severe or profound emotional, behavioral, or cognitive deficit.⁴
- To summarize, to be admitted to TSBVI, a student:
 - Must require specialized or intensive educational or related services related to the visual impairment

⁴ Tx. Educ. Code 30.021(a), (a)(1), (a)(2)

- Must not have needs that are appropriately addressed in a home or hospital setting or in a residential treatment facility
- Must not have primary, ongoing needs that are related to a severe or profound emotional, behavioral, or cognitive deficit.
- Local district ARD committees, including a student's parents, should review these service requirements as part of considering whether to refer a student for admission into Comprehensive Programs.
- **Campus Tours.** Local district staff, parents and students interested in learning about TSBVI Comprehensive Programs may tour the TSBVI campus. During the tour, visitors will be told about campus services and will see the campus facilities, including educational, recreational and living facilities.

To arrange a tour, please contact Admissions Coordinator Cathy Olsen by phone, 512-206-9182, or by email olsenc@tsbvi.edu

- **Student Referral for Admission.** To start a referral process, TSBVI must receive a referral from the local school district ARD committee. Upon receipt of a referral, the TSBVI Admissions Coordinator will communicate by phone with the local district representative and follow up by sending the application for admission. This will include a request for information such as the student's Individualized Educational Plan (IEP) and other important documents.
- **TSBVI Referral Committee Determination and Notification of Local School District.** After receiving the student application and other documentation requested, the TSBVI Referral Committee will review all information to determine 1) if the student is eligible for services at TSBVI; and if so, 2) whether it appears that the student is receiving a FAPE (see section 5, below) from the local district.

For students who are eligible for TSBVI services and appear to need TSBVI admission in order to receive a FAPE, TSBVI will 1) notify the district that the student will be admitted; 2) provide an anticipated enrollment date; and 3) provide the district with the TSBVI contact to begin a collaboration plan with the district and parent.

If, upon review of the information provided by the district, the student appears to be 1) receiving a FAPE in the local school district, or 2) not eligible for TSBVI services, TSBVI will collaborate with the district to ensure that all relevant referral information has been considered. After the collaboration, TSBVI will determine whether or not to admit the student and notify the district of this determination.

- **Resolution of Differences.** If a local school district does not agree with the determination of the TSBVI Referral Committee, the local school district may call the TSBVI Director of Educational Support Services for additional discussion about the referral and/or may seek resolution through the Texas Commissioner of Education and the Texas Education Agency or through any due process hearing to which the

district or school is entitled under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).⁵

⁵ Tx. Educ. Code 30.021(b)

4. Supporting Local School Districts with FAPE.

Primary Role to Assist Local Districts in Providing a Free Appropriate Public Education to the Student. A student's local school district is responsible for ensuring that each of its students receives a free appropriate public education (FAPE).⁶ Depending upon the needs of the student, the student's parents and professionals and other staff providing services to a student, each of TSBVI's three programs may be accessed to assist the local district in providing an individual student or groups of students with a FAPE.

The overarching role of each of TSBVI's three educational programs is to assist local school districts to ensure that all students with visual impairments receive a free appropriate education.

We think of the relationship between the student's local school district and TSBVI like the relationship between a person's primary care physician and a physician specialist that the person may need from time to time depending on the person's current condition. It is the responsibility of the primary care physician to oversee the person's health and to provide services over the long term; however, the primary care physician may refer the person to a specialist for diagnostic and specialty treatment. The primary care physician does not relinquish the person's care at any time the person is being treated by the specialist. Following intervention by the physician specialist, the primary care physician once again resumes responsibility for the person's physical examinations, diagnosis and treatment.

Similarly, a student's local school district (like a primary care physician) has the long-term responsibility for providing the student with a FAPE. It may be that, during the student's educational career, the district enlists the special services of any one of TSBVI's programs (Outreach, Special Programs, Comprehensive Programs) to meet the student's special needs for educational and related services existing at the time of the district's request and/or referral for services.

Outreach services support local capacity to provide FAPE through consultation and training. Special Programs can support local capacity to provide FAPE through intensive short-term classes on the TSBVI campus.

Comprehensive Programs is designed to assist local districts by admitting students to TSBVI for the provision of a FAPE and, during the student's enrollment, collaborating with the district to prepare for the student's return to the district or transition to adult work, living and/or education.

⁶ See 20 USC 1413

5. Length of TSBVI Placements.

5.1. Entitlement to Free Appropriate Public Education for Students with Visual Impairments.

The Individuals with Disabilities Education Act requires the State of Texas to ensure that all eligible students with disabilities receive a free appropriate public education (FAPE)⁷ and recognizes that a public residential program, such as the Texas School for the Blind and Visually Impaired, may be appropriate, as needed, for meeting this requirement.⁸

The Texas Education Agency is responsible for ensuring that students with visual impairments have an opportunity for achievement equal to the opportunities afforded their peers with normal vision⁹ and that school districts have the flexibility of meeting the needs of students with visual impairments through short-term or long-term services through the Texas School for the Blind and Visually Impaired (TSBVI).¹⁰

TSBVI is a possible placement in the continuum of statewide alternative placements for students with visual impairments that local school districts may consider to ensure that a district student with a visual impairment receives a free appropriate public education.

5.2 Consideration by the Local District of Student Placement at TSBVI, FAPE and LRE.

The State of Texas public education system serves approximately 9,000 students with visual impairments. Only a small number of these students can be served at TSBVI at any one time.

At any time a district determines that a student has intensive needs for services related to the visual impairment, the district may consider a referral for placement at TSBVI. Two factors are central to this consideration: Free Appropriate Public Education and Least Restrictive Environment.

- **Free Appropriate Public Education.** The Individuals with Disabilities Education Act has as its purpose to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.¹¹
- To provide a FAPE, a district must develop an IEP that provides the student with access to specialized instruction and related services that are individually designed

⁷ See 20 USC 1412(a)

⁸ See 34 CFR 300.104; TSBVI is considered a “public residential program”; however, for students who are admitted and live in Austin and surrounding areas, the students are “day students” and do not live on campus. Local districts provide daily transportation for the student to and from the student’s home.

⁹ See Tx. Educ. Code 30.022(a)

¹⁰ See Tx. Educ. Code 30.002(c)(5)(D)

¹¹ 34 CFR 300.1

to provide educational benefit to the student.¹² The student is not entitled to receive the maximum potential benefit but the benefit must be more than minimal,¹³ although some courts have indicated that the requirement includes only a basic floor of opportunity and meaningful access that does not guarantee any level of educational benefit.¹⁴ These standards are very important in TSBVI's consideration of student admission, continued placement and return to the district.

- **Least Restrictive Environment.** In looking at the continuum of placement options available to meet the student's needs, the district must look for the placement that can provide the student's FAPE that is also the least restrictive environment in which FAPE can be provided. In focusing on a placement, the student's ARD committee must ensure that the student with a visual and other impairments is educated to the maximum extent appropriate with children who are nondisabled; and that a placement like one at TSBVI occurs only if the nature and the severity of the disability preclude satisfactory achievement of education in the regular classroom with the use of supplementary aids and services.¹⁵

5.3 Length of Student Enrollment in TSBVI Comprehensive Programs.

The IDEA reflects a strong preference for the student to be educated in regular classes with the student's nondisabled peers with appropriate supplementary aids and services. To this end, Commissioner Rule requires that, when a student's ARD committee places the student at TSBVI, the district is required to list the services in the student's individualized education program which TSBVI can provide and to include in the student's IEP the criteria and estimated time lines for returning the student to the resident school district.¹⁶

In accordance with Commissioner Rule and the IDEA's preference, when a student is admitted, TSBVI collaborates with the student's local school district to prepare for the student's return to the local school district for further programming. In many cases, for a variety of factors, it is appropriate for a student to transition directly from TSBVI Comprehensive Programs into adult life without returning for programming in the local district. In these situations, TSBVI will actively collaborate with local district staff and family to plan for the student's successful transition into adult life.

Occasionally, a student may continue enrollment at TSBVI for a longer term than is typical for most of our students. Reasons for this include lack of availability of appropriately trained staff or other essentials for the provision of FAPE. Throughout this time, TSBVI will continue to actively collaborate with the local school district and family so that the district can prepare for the student's return home to receive a FAPE.

¹² *Board of Education v. Rowley*, 458 U.S. 176, 206-07 (1982).

¹³ See, e.g., *Doe v. Smith*, 879 F.2d 1340, 1341 (6th Cir. 1989)

¹⁴ *JSK v. Hendry County School Board*, 941 F.2d 1563, 1572 (11th Cir. 1991)

¹⁵ See 34 CFR §300.114(a)(2)

¹⁶ 19 TAC 89.1085(c)

- **Collaboration with Local District, ESCs, DARS, and Other Agencies to Facilitate Student Return to Home and Local Education.** From the time a student is accepted for admission, TSBVI focuses on developing a strong partnership with the staff of the student's local school district, the Educational Services Center serving the student's district, the Department of Assistive and Rehabilitative Services--Division of Blind Services and other agencies or entities that support the student and the student's family. The goal of this extensive collaboration is to support the district's efforts and abilities to provide the student with a FAPE upon the student's return to the district.

During the student's enrollment, TSBVI not only provides the instruction and other FAPE elements the student needs but also collaborates intensively with the district and other agency staff and the student's family to prepare for the student's return to the district by:

- facilitating onsite visits by TSBVI and district staff;
- conducting specialized assessments;
- developing effective strategies for student teaching and learning that will be used during the student's TSBVI placement and upon return to the local district; and
- identifying student needs for:
 - 1 Special Education Services
 - 2 Related Services
 - 3 Supplementary Aids and Services
 - 4 Program Modifications
 - 5 Staff that will be needed when the student returns to the district; and ensuring that these staff members are trained

When the district is prepared to provide a FAPE, the student will return to the district. Being prepared to provide a FAPE does not mean that the district will provide the student with the same level of services or the same opportunity to benefit from education that was provided at TSBVI. It does mean, though, that the district will implement an IEP reasonably calculated to enable the student to receive educational benefit.

Because TSBVI is a center of expertise for the education of students with visual impairments, we are able to provide a level of intensity of services not typically available in local districts. Sometimes, it is difficult for parents to accept that the services offered by the district when the student returns may not match what was offered at TSBVI. This does not mean that the student is not receiving a FAPE as long as the IEP is calculated to provide educational benefit.

By working with districts and parents during student enrollment, however, we strive to perform activities that will maximize the student's educational benefit upon return to the district.

6. TSBVI's Relationship with Educational Service Centers.

The Educational Service Centers (ESC) were created by the Texas Legislature to assist school districts in improving student performance, to operate more efficiently and economically and to implement initiatives assigned by the legislature of the commission of education.¹⁷

- **Outreach Programs.** The TSBVI Outreach Program collaborates with ESCs on requests for services related to individual students so that the ESC can help implement recommendations from Outreach Program specialists. The district or TSBVI will contact the ESC prior to scheduling consultation or training. ESCs sometimes assist districts in funding transportation and per diem costs related to Outreach staff consultation.
- **Short-Term Programs.** With permission, the ESC is informed when a student is attending a Short-Term Program class. This allows the ESC staff to support student learning in the local district.
- **Comprehensive Programs.** With permission, the ESC is informed when a student is enrolled as a student in TSBVI Comprehensive Programs. The student's ESC is a valued partner in supporting local capacity to provide FAPE.

7. TSBVI's Relationship with the Department of Assistive and Rehabilitative Services/Division of Blind Services.

- **Outreach Programs.** Outreach Programs actively link with DBS to serve students and their families across the state. DBS staff are invited to participate in local school consultation visits. Workshops are often co-sponsored with DBS, especially for topics relevant to family members. The quarterly *TX SenseAbilities* newsletter is an ongoing joint effort of TSBVI and DBS. Close collaboration between DBS and educational partners benefits all students.
- **Special Programs.** DBS works with TSBVI to distribute information about Special Programs throughout the state. As co-sponsor, DBS is specifically involved in administering the TSBVI summer vocational SWEAT program.
- **Comprehensive Programs.** With adult student or parent permission, DBS caseworkers are invited to attend student ARD committee meetings and to visit the student while at school. DBS has a critical role in facilitating training and opportunities outside of the school for students and families such as independent living skills, self-advocacy, vocational preparation and transition to adult life.

¹⁷ Tx. Educ. Code 8.002

8. Is there a cost to the district or to the parent for Outreach services; Special Programs; Comprehensive Programs?

8.1 Outreach Program Services.

Certain costs may be associated with Outreach services:

- **Registration Fees.** TSBVI sometimes charges a registration fee to help cover the costs of conferences.
- **Transportation Costs.** A local district occasionally pays for the transportation costs of Outreach staff coming to their district for technical assistance or training.
- **Consultation Services.** Consultation fees may be requested for certain Outreach services.

8.2 Special Programs.

Certain costs may be associated with Special Programs:

- **Short-Term Programs.** Short-Term Programs, including transportation costs, are provided by TSBVI at no cost to the district or parent.
- **Summer Programs.** There are no costs for students to attend a summer program; however TSBVI does not support transportation to the summer programs and the responsibility for transportation costs remains with the district or family.

8.3 Comprehensive Programs.

There are two costs to the district for a student enrolled in the Comprehensive Programs of TSBVI:

- **Student's Education.** The local district shares in the cost of the student's education when the student is enrolled in TSBVI. The amount of the cost per student will vary from district to district and is determined by dividing the district's local maintenance and debt service taxes by the district's average daily attendance for the preceding year.
- Each district provides the Texas Education Agency (TEA) with the information necessary to make this calculation. TEA then deducts the district's amount from the foundation school funds payable to the district and remits the district's share to TSBVI. If the district does not receive foundation school funds, TEA directs the district to remit the payment to TEA and TEA then remits the district's share to TSBVI. The district never sends a payment directly to TSBVI.¹⁸

¹⁸ Tx. Educ. Code 30.003

- **Student Transportation Costs.** The local district is responsible for providing transportation to its student at the beginning and end of the school year, and at each of the TSBVI school holidays when the School closes. There are eight school closings in the typical school year. The cost to the district depends on distance, mode of transportation, and whether the student's ARD Committee has determined that an escort is required to accompany the student. In some cases the student's parent serves as the escort and transportation provider; the parent is reimbursed by the local district for the cost of the transportation.¹⁹

Information related to Costs to Parents includes:

- **Education, Room and Board at No Cost to District or Parent.** The costs of the student's education and related services, room and board at TSBVI are funded by TSBVI at no cost to the parent or the district.
- **Parent Costs.** The student's education is free to the parent. The student's medical treatment is the responsibility of the student's parents. Parents are encouraged to provide students with an "allowance" for personal items and special recreation activities, although most recreation activities are funded by TSBVI.

¹⁹ 19 TAC 89.1090