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SPECIAL EDUCATION VERIFICATION

For purposes of the requirements set forth in this Policy, "verify" means that the new school district has received a copy of the student's individualized education program ("IEP") that was in effect in the previous district. The first school day after the new district receives a copy of the student's IEP that was in effect in the previous district begins the timelines set forth in 19 T.A.C. § 89.1055(s)(1), (2).

19 T.A.C. § 89.1055(s)(6).

Sec. 1. STUDENTS WHO TRANSFER WITH AN IEP DURING THE SAME SCHOOL YEAR

In accordance with 34 C.F.R. § 300.323(g), IDEA Public Schools ("IDEA") shall take reasonable steps to promptly obtain the student's records from a previous school or district in order to facilitate the student's transition, and for students transferring from IDEA, IDEA will furnish a copy of the student's records, including the student's special education records, to the student's new school not later than the 10th working day after the date IDEA received the request for information.

34 C.F.R. § 300.323(g); *Tex. Educ. Code § 25.002; 19 T.A.C. § 89.1055(s)(4).*

a. Texas Transfers

When a student transfers to IDEA from another school district within Texas, IDEA shall provide a free appropriate public education ("FAPE") to the student. IDEA shall provide comparable services as those described in the IEP the student transferred with until IDEA adopts the student's IEP from the previous school, or develops, adopts, and implements a new IEP. IDEA must either adopt the student's IEP from the previous school district or develop, adopt, and implement a new IEP within 20 school days from the date the student is verified as being a student eligible for special education services.

34 C.F.R. § 300.323(e), (g); 19 T.A.C. § 89.1055(s)(1).

b. Out-of-State Transfers

If the student with a disability transfers to IDEA from a school district outside of Texas and the parents or previous school district verifies that the student had an IEP that was in effect in the previous district, IDEA shall provide the student with FAPE, including comparable services, until IDEA conducts an evaluation, if appropriate, and develops, adopts, and implements a new IEP.

If IDEA determines that an evaluation is necessary, the evaluation is considered a full individual and initial evaluation and must be completed within the timelines established by 19 T.A.C. § 89.1011.
If IDEA determines that an evaluation is not necessary, IDEA shall develop, adopt, and implement a new IEP within 20 school days from the date the student is verified as being a student eligible for special education services.

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34 C.F.R. § 300.323(f); 19 T.A.C. § 89.1055(s)(2).

c. Comparable Services Pending Verification

While IDEA waits for verification, IDEA must take reasonable steps to provide, in consultation with the student's parents, services comparable to those the student received from the previous district if IDEA has been informed by the previous school district of the student's special education and related services and placement.

19 T.A.C. § 89.1055(s)(7).

d. Comparable Services Following Verification

Once IDEA receives verification that the student had an IEP in effect at the previous district, IDEA shall provide comparable services to the student during the timelines established under subparagraphs (a) and (b) of this Section. Comparable services include provision of Extended School Year ("ESY") services if those services are identified in the previous IEP or if IDEA has reason to believe that the student would be eligible for ESY services.

19 T.A.C. § 89.1055(s)(8).

e. Requirements If Unable to Obtain Verification

If a parent hasn't already provided verification of eligibility and the IDEA has been unable to obtain the necessary verification records from the previous district by the 15th working day after the date IDEA submitted a request for the records to the previous district, IDEA shall seek verification from the student's parent. Nothing prohibits IDEA from asking the parent to provide verification of eligibility before that date. If the parent is unwilling or unable to provide such verification, IDEA shall continue to take reasonable steps to obtain the student's records from the previous district and provide any services comparable to what the student received at the previous district if they communicate those to the IDEA.

19 T.A.C. § 89.1055(s)(5).

Sec. 2. STUDENTS WHO TRANSFER WITH AN IEP DURING THE SUMMER

Students who register in IDEA during the summer when students are not in attendance for instructional purposes are considered transfer students. The provisions in 19 T.A.C. § 89.1055(s)(1) shall apply if the student comes from an in-state school district, and the provisions in 19 T.A.C. § 89.1055(s)(2) shall apply if the student comes from an out-of-state district.

19 T.A.C. § 89.1055(s)(3).

Sec. 4. ADMINISTRATIVE PROCEDURES

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IDEA shall formally implement administrative procedures as reasonably necessary to properly administer this policy and to adhere to applicable law and rule. In doing so, IDEA shall not adopt, and are prohibited from adopting, an administrative procedure that conflicts with applicable law or this policy. Accordingly, IDEA shall confer with the Board or legal counsel before deviating from the requirements set forth in this policy. In the event that a deviation from this policy becomes necessary, IDEA shall either recommend an amendment to this policy or the Board's approval of a specific deviation, including the purpose, scope and duration of the requested deviation.

Sec. 5. DATE ADOPTED AND EFFECTIVE

As set forth in the pertinent minutes to the meeting of the Board, the Board adopted this policy on January 31, 2025, and it became effective on January 31, 2025. This policy shall be retained until superseded, expired, or discontinued and for five (5) years thereafter in accordance with state law.

Sec. 6. CERTIFICATION

The Undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of the Board Policy relating to Children Who Transfer, as originally adopted by the Board on January 31, 2025 and as subsequently amended by the Board on October 20, 2026, which Policy, as amended, is in full force and effect and has not been revoked or amended.

Signed by:
Najuma Atkinson
8680138102324BA...
Naj Atkinson, Secretary

10/23/2026
Date Certified

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