

# 2020 Guidelines and Standards for Educating Students with Visual Impairments in Texas

**Dedicated to the memory of Dr. Vicki DePountis**  
Director, Services to Students with Sensory Impairments  
and Texas Deafblind Project

To find this document on the web:

Look on the Texas Education Agency (TEA) website at:  
<https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/sensory-impairments>

Search for "Guidelines and Standards" on the Texas School for the Blind and Visually Impaired (TSBVI) website, <http://www.tsbvi.edu>

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## Important Updates to Rules Regarding Visual Impairment

1) The Texas Education Code had defined visual impairment as "a serious vision loss after correction that adversely affects a child's educational performance". However, an Office of Special Education Programs policy letter dated May 22, 2017, (See Section XVII) clarified that eligibility for services as a student with visual impairment must not be based upon the severity of the vision loss, but rather on the adverse impact of visual impairment.

...any impairment in vision, **regardless of significance or severity**, must be included in a State's definition, provided that such impairment, even with correction, adversely affects a child's educational performance. States may not use criteria or other definitions for "visual impairment including blindness" that result in the exclusion of children who otherwise meet the definition in 34 CFR §300.8(c)(13). For example, State eligibility guidelines and definitions for "visual impairment including blindness" may not exclude a child with convergence insufficiency or other visual impairment from meeting the IDEA's definition of "visual impairment including blindness" if that condition, even with correction, adversely affects that child's educational performance (e.g., the child's ability to read and write) (OSEP, 2017).

As a result, the Texas Code is being updated, and these changes, although not formally adopted yet, are reflected in this document.

2) A second change reflects recently enacted legislation, passed in the Texas Legislature 86 Regular Session. This legislation removed the term "functionally blind" from Education Code by amending Subsection (f) and adding Subsection (f-1) in Section 30.002. The term had been used in an attempt to define which students need braille instruction, but instead, the vagueness of this category resulted in confusion. Senate Bill 522 replaced the term "functionally blind" with wording that is closer to federal law under the Individuals with Disabilities Education Act (IDEA). Specifically, this bill specified that an individualized education program (IEP) for a student with visual impairment is required to provide for instruction in braille if deemed appropriate by the student's IEP team, based on an evaluation of their proficiency in relevant skills and their instructional needs. This change ensures that, based upon evaluation, students who truly would benefit from braille instruction can receive such instruction, and students who would not benefit from braille instruction would have other more suitable educational resources made available to them.

There are related Texas Commissioner Rules and Administrative Code changes that are in the process of being updated to conform with the legislation that went into effect September 1, 2019. This document reflects the new language in Texas Education Code and will be revised as related legal documents are changed.



## A Note About the Use of the Term Deafblind

In 2016, the American Association of the DeafBlind changed the presentation of their name from Deaf-Blind to DeafBlind. In a Facebook posting on April 6, 2016, the group noted there "...is the need to shift from a medical view of being a DeafBlind person to a cultural one. We now view our community as a cultural community." This term was adopted in Texas, to respect the wishes of the community.

Since that time, other groups have noted a strong preference for using a combined term with no capitals, e.g., deafblind. The national consumer group, DeafBlind Citizens in Action, has chosen to use deafblind as a combined non-capitalized word (except in their title) to recognize a distinct, unified disability. Internationally, the most common current label is deafblind, including within Deafblind International, The World Federation of the Deafblind and the UN Convention on the Rights of Persons with Disabilities. There are also organizations that use the Federal IDEA format of deaf-blind, such as the National Center on Deaf-Blindness and the Helen Keller National Center for Deaf-Blind Youths & Adults. This is clearly an ongoing conversation within the community.

In this document, and for now, the term will be presented as **deafblind**, except for citing legal documents, or matching titles of organizations and previously published documents using a different format.

## I. Need for This Document

The American education system has a broad goal of preparing all students for lifelong success. Some stated objectives of IDEA are to ensure an educational program is available to all students with disabilities that prepares them “for further education, employment, and independent living” (IDEA: Regulations, Part 300) and to “lead productive and independent adult lives, to the maximum extent possible” (IDEA: Title 1). This document addresses how to accomplish these goals for the population of students with visual impairments, including those who are deafblind.

Students with visual impairments have unique learning needs that must be addressed if they are going to graduate ready for further education, employment, and/or independent living. Employment has often been used as a gauge for educational success. According to the U.S. Census Bureau, 2017 American Community Survey 1-Year Estimates, Table B18120: Employment Status by Disability Status and Type, in 2017 "over half of working-age people who are blind or visually impaired are not in the labor market, meaning they are not working and not seeking work, compared with fewer than a quarter of people without disabilities." The data indicate a significant employment gap between those with a visual impairment and those with no disability even when matched by levels of education (accessed July 26, 2020 from <https://www.afb.org/research-and-initiatives/employment/reviewing-disability-employment-research-people-blind-visually>). Educators clearly face a significant challenge in providing educational services that will lead to successful post-school outcomes for this population. Why is that?

In addition to the general education curriculum instruction that all students receive, students with visual impairments, starting at birth, also need an **expanded core curriculum** (ECC) to meet needs directly related to their visual impairment (TEC §30.002, Subsections (c-1) and (c-2)). These nine ECC areas include:

Compensatory skills that permit access to the general curriculum (such as braille and concept development, tactile graphics, Nemeth Code, and specialized communication skills)

- Orientation and mobility skills
- Social interaction skills
- Career education and planning
- Assistive technology (AT), including optical devices
- Independent living skills
- Recreation and leisure skills
- Self-determination
- Sensory efficiency (including visual, tactual and auditory skills)

Making appropriate decisions about the development and implementation of programs and services for students with visual impairments requires a clear understanding of these unique learning needs. Administrators must have knowledge about specialized personnel, materials, equipment, and educational settings to ensure appropriate IEP planning for these students. Knowing the features of a quality program is also key for parents and caregivers so that they can advocate for appropriate services to meet the needs of their child.

Program administrators must understand the essential role that appropriately certified personnel provide within the educational team for every student with a visual impairment. These specially trained individuals include certified teachers of students with visual impairments (TVIs) and certified orientation and mobility specialists (COMS). In addition, students who are deafblind need teachers who have specialized deafblind knowledge and training and may require trained interveners and/or interpreters, and students who read braille may need braille transcribers to be included on their instructional team.

## **II. Purpose of this Document**

The primary purpose of this document is to provide school administrators, educational staff, family members, and other decision makers with a set of guidelines and standards to evaluate the quality of their programs for students with visual impairments.

These guidelines and standards are highlighted in each section. There are also resource links and descriptions of components found in high-quality programs along with references to current federal and state laws, rules, and regulations that impact the education of students with visual impairments in Texas.

Resources cited in this document include federal and state law and procedures, professional organization standards, and additional sources reflected in Sections XVII, XIX-XX, and XXV-XXVI. Primary legal sources are S. 1177 — 114th Congress: Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA) 2004 revision, current Texas Education Code (TEC), and the Texas Administrative Code (TAC). Primary professional references are from the Council for Exceptional Children (CEC) and the Association for Education and Rehabilitation of the Blind and Visually Impaired (AER).

## **III. The Population of Students with Visual Impairments**

The population of students with visual impairments is diverse. In January of 2020, a total of 11,125 students were registered with the Texas Education Agency (TEA) as

eligible for specialized instruction due to a visual impairment. This includes 820 students eligible for services as being deafblind. Students who are eligible for services as a student with visual impairment may also have additional disabilities.

These students:

- May be totally blind or have varying degrees of low vision
- Range from birth to 22 years of age
- May have been born with a visual impairment or may have acquired a visual impairment at a later time in their life
- May or may not be learning on the same academic level as their peers
- May also be deaf/hard of hearing (deafblind)
- May have vision impairment related to ocular disorders or due to neurological causes (such as cerebral or cortical visual impairment) or both
- May also be eligible to receive services under other IDEA categories of special education (such as intellectual disability, physical disability, deaf/hard of hearing, emotional or behavioral problems, autism, or specific learning disabilities)<sup>1</sup>
- May have additional medical needs and considerations
- May be receiving instruction in a variety of instructional settings, including the home, school, and community

#### **IV. Determining Eligibility for Students with Visual Impairments**

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##### **Guideline/Standard #1:**

**Eligibility is determined by an individualized family service plan (IFSP) or by an admission, review, and dismissal (ARD) committee. It is based upon an eye medical report, functional vision evaluation, a learning media assessment, and an orientation and mobility evaluation. A COMS must be part of the team that determines the scope of any needed full and individual reevaluations.**

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**Visual impairment and deafblind** are recognized disability eligibility categories for special education and related services in federal law.

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<sup>1</sup> TEA's Legal Framework includes a specific example of a student with intellectual disability AND a visual impairment: "*Multiple disabilities* means impairments occurring at the same time (such as intellectual disabilities-blindness or intellectual disabilities-orthopedic impairment..."

The term *visual impairment including blindness* means an impairment in vision that, even with correction, adversely affects the child's educational performance. This includes both partial sight and blindness (TAC §89.1040(c)(12), 34 CFR §300.8(c)(13)). All rules related to visual impairment also apply to students who are deafblind, with additional criteria listed later in this section.

Children may receive services for visual impairment from birth through school graduation. IDEA Part C describes and mandates early childhood intervention services for children with disabilities birth through two years of age (34 CFR §300.25). IDEA Part B governs services for students with disabilities ages three through twenty-one.

**In determining eligibility and educational need, the educational committee must consider information from a variety of sources; no single source determines eligibility (34 CFR §300.306(c)(i)).** In order for a student to be eligible for special education services as a student with visual impairment under Texas state law TEC §30.002 and 19 TAC §89.1040, the IFSP or ARD committee must be provided a range of information gathered from a variety of sources, which must include the following:

- *A medical report* by a licensed ophthalmologist or optometrist
- *A functional vision evaluation (FVE)* conducted by a TVI and/or a COMS
- *A learning media assessment (LMA)* that must be conducted by a TVI AND
- *An orientation and mobility (O&M) evaluation* by a COMS - required for *initial* eligibility, and a COMS must be a member of the multidisciplinary team reviewing the scope of any needed reevaluation in subsequent years

In some cases, it may be difficult to obtain a current eye medical report. The local education agency (LEA) is responsible for evaluation, including acquiring an eye report and transportation to and from the appointment if the parent cannot provide (34 CFR §300.154(f)). It is preferable for the FVE, LMA, and O&M evaluations to be conducted after the eye medical exam, because medical corrections, such as prescribed glasses, may influence a student's performance on other components of the assessment process. However, there is not a legal requirement for a specific sequence of the visual impairment evaluations. Federal law states that "each public agency must conduct a full and individual evaluation, in accordance with 34 CFR §§300.304-300.306, before the initial provision of special education and related services to a child with a disability. 34 CFR §300.301(a)" (OSEP, 2017, p. 3), and no component of that evaluation may be used as a single determining factor for eligibility (OSEP, 2017). Therefore, other assessments may be conducted prior to the completion of the medical exam to avoid an unnecessarily lengthy process. After the eye medical report is acquired, the visual impairment evaluations may need to be reexamined based upon the medical information.

Results of the eye medical report along with the findings of an FVE, LMA, O&M

evaluation, and other documented reports of visual functioning should all be carefully considered by the IFSP or ARD committee in determining eligibility as a student with visual impairment. **The FVE and LMA reports should typically be conducted and results shared prior to additional evaluation by other members of the educational team**, including school psychologists, educational diagnosticians, counselors, and related service professionals, to ensure that tools used and results found accurately reflect the child's aptitude and not the impact of a visual impairment (34 CFR §300.304(c)(3)).

A student who is eligible for specially designed instruction and special education services as having a visual impairment may also be eligible in other IDEA special education categories, such as intellectual disability, specific learning disabilities, deafblind, and autism. When evaluating students with visual impairments for additional disabilities, it is critical that the IEP team include a TVI because of the complexity involved in separating the impact of visual impairment from the possible impact of a separate area of disability. For students who are suspected of having dual sensory impairment, a teacher of students who are Deaf and hard of hearing (TODHH) must be involved.

### *Eligibility Evaluations, Legal Requirements*

TAC §89.1040 outlines required elements for each eligibility evaluation. A screening is not the same as an evaluation (34 CFR §300.302). To make professional decisions regarding eligibility, an evaluation must be conducted by a qualified professional.

- The *eye medical* report should indicate whether the student has no vision or a serious visual loss after correction, or a progressive medical condition that will result in no vision or serious vision loss after correction. (19 TAC §89.1040(c)(12)(A)). The school district is responsible for ensuring that medical reports are available for the consideration of eligibility for special education services (19 TAC §89.1050(a)).
- The FVE is an analysis of how a student uses vision to perform in real-life environments. The evaluation must include 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 (19 TAC §89.1040(c)(12)(A)(ii)(I)).
  - Input from both a TVI and a COMS ensures consideration of all aspects of functional use of vision.
  - The FVE should reflect and link to the student's assistive technology evaluation results.
- Clinical low vision evaluations are needed to prescribe optical devices that

enhance visual efficiency for students with low vision (Low Vision Position Paper, AER). Eye care specialists, typically ophthalmologists or optometrists with specialized training in low vision, conduct clinical low vision evaluations.

- If the IEP committee, based upon the recommendation of the FVE results, agrees to the need for a clinical low vision evaluation, it is the legal responsibility of the local education agency to provide this service (34 CFR §300.154(b)(2)).
- An LMA must include 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 (TAC §89.1040((c)(12)(A)(ii)(II)).
  - The LMA is an important evaluation tool for determining a literacy medium. IDEA states, "In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child." (34 CFR §300.324(a)(2)(iii)).
  - The LMA should reflect and link to the student's assistive technology evaluation results.
  - Based on the considerations of the law, for some students, literacy decisions may require ongoing diagnostic instruction in a variety of media and careful data collection. There should be adequate exposure to and practice with tactile, visual and auditory formats in order to meaningfully evaluate the student's strengths and needs. Information from a clinical low vision evaluation is an important component for students with low vision in determining whether there are optical and/or electronic devices that will assist the student in efficiently accessing print.

Note: Often the FVE and LMA are combined into a single report.

- An orientation and mobility evaluation must be 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. The evaluation will analyze the student's level of safe and efficient movement and recommend needed instructional services for current and future mobility needs (TEC §30.002, Subsection (c-1) and (c-2)).

Note: After the required O&M evaluation for initial eligibility for visual impairment, a

COMS must be part of the multidisciplinary team that determines the scope of any needed full and individual reevaluations.

### *Eligibility for Children Under the Age of Three*

If a visual impairment is suspected in a child under the age of three, the Health and Human Services Commission (HHSC) – Division of Early Childhood Intervention (ECI) Program coordinates the referral process. As part of the eligibility process, ECI assists families with obtaining documentation of the vision problem from a licensed ophthalmologist or optometrist. ECI provides the local school district with doctors' reports, consent for referral for evaluation, and consent for release of information. The ECI provider must refer the child to the LEA and to the local office of the HHSC Blind Children's Program, with parental consent and within 5 days of receiving an eye medical report (40 TAC §108.815). A new resource from TEA to help explain this process is available at:

[https://tea.texas.gov/sites/default/files/FINAL%20Child%20Find%20and%20Evaluation%2011.5.19\\_accessible-locked\\_r.pdf](https://tea.texas.gov/sites/default/files/FINAL%20Child%20Find%20and%20Evaluation%2011.5.19_accessible-locked_r.pdf). The local district is responsible for providing the FVE, LMA, and O&M evaluations. The initial evaluation, the initial assessments of the child and family, and the initial IFSP meeting must be completed within 45 days from the date the lead agency or ECI provider receives the referral of the child, with some exceptions (34 CFR §303.310).

- If the child is already being served by ECI when a vision loss is discovered, the timelines for evaluation and services should be governed by a local agreement between the school district and the area ECI program. See Section XXIV for legal citations.

### *Eligibility for Students Who Are Deafblind*

For students who are **deafblind**, there are specific additional criteria for eligibility in both visual impairment and auditory impairment in TAC §89.1040(c)(2)(A-D). These criteria are listed below:

deaf-blindness. A student with deaf-blindness is one who has been determined to meet the criteria for deaf-blindness as stated in 34 CFR §300.8(c)(2). In meeting the criteria stated in 34 CFR §300.8(c)(2) a student with deaf-blindness is one who, based on the evaluations specified in subsections (c)(2) and (c)(3) of this section:

- a) Meets the eligibility criteria for auditory impairment specified in subsection (c)(3) of this section and visual impairment specified in subsection (c)(12) of this section



- b) Meets the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected.
- c) Has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; OR
- d) Has a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance. (TAC §89.1040(c)(2)(A-D).

Students will need to have an O&M evaluation for initial eligibility and a COMS on the team - for students who are deaf or hard of hearing, an O&M evaluation should address how the student accesses auditory information in addition to the other evaluation elements noted above.

## **V. The Full and Individual Evaluation for Students with Visual Impairments**

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### **Guideline/Standard #2:**

**Visual impairment professionals provide expertise specific to visual impairment prior to and during the full and individual evaluation.**

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Specially designed instruction (special education) involves adapting content, methodology or delivery of instruction as needed to address the unique needs of an eligible child that result from the child's disability and ensure access to the general curriculum (34 CFR §300.39(b)(3)(ii)). Visual impairment professionals are essential partners in the evaluation process. Involvement of the TVI and COMS in the full and individual evaluation is supported by 34 CFR §300.304(c)(3)), which states that comprehensive evaluations are administered "by trained and knowledgeable personnel" to accurately reflect the child's aptitude or achievement rather than impaired sensory, manual, or speaking skills; the TEC aligns with IDEA. Eligibility considerations specific to visual impairment are outlined in Section IV of this document.

## *Full Individual and Initial Evaluations for Students from Birth through Two Years*

Evaluations of students under three years of age must be comprehensive, multidisciplinary evaluations designed to identify supports and services necessary to enhance the family's capacity to meet the developmental needs of their infant or toddler (34 CFR §303.321). There are significant changes in demands on visual and sensory systems in the early developmental years. A comprehensive evaluation of a child under three years of age includes, but is not limited to, the child's:

- Current health and physical status, including vision, hearing, and nutrition;
- Functioning in developmental areas (gross motor, fine motor, cognitive, language, self-help, and social development); and
- Functional abilities to participate in the family's daily activities.

For students under three years of age, ECI is responsible for making sure a child has all the necessary vision and/or hearing evaluations and medical examinations. The ECI service coordinator must convene a meeting at least every six months to evaluate and revise the IFSP as needed (40 TAC §108.1004(f)). Guidance for meeting standards in Texas can be found at the Region 11 Education Service Center (ESC) website: <https://www.txssn.org/bvi/infants>.

The local district is responsible for providing services for children birth through two years old with visual impairment and for those who are deaf or hard of hearing. Language in 40 TAC §108.1009 specifies that the IFSP team must include a TVI and that the TVI must be given 10 days' written notice of initial, six-month review and annual IFSP meetings. A COMS must conduct an orientation and mobility evaluation as part of determining initial eligibility and be a member of the team considering subsequent comprehensive needs for evaluation. Every six months or annually for children under the age of three, it is critical to consider a student's evaluation data to determine how that child is functioning in new environments and whether new evaluation is needed. See Section XXIV for legal excerpts.

## *Initial Evaluations for Students Three Years Old and Older*

District personnel or family members may refer a student for initial evaluation for specialized instruction if there is a suspected visual impairment that may be impacting educational performance. The purpose of the full and individual initial evaluation is:

- 1) To determine whether the child is a child with a disability as defined in IDEA, and

- 2) If that disability impacts learning, to determine the child's educational needs, and
- 3) To decide upon specially designed instruction and appropriate educational programming to incorporate into the child's IEP (34 CFR §300.305(a) and 20 U.S.C. 1414(c)(1)-(4)).

The first time a student is formally evaluated as a student with a visual impairment, whether or not the student is already in special education for another disability category, the team must make two determinations:

1. Does the child meet eligibility as a child with a visual impairment?
2. By reason of that visual impairment, will the child need special education and related services?

The essential evaluations for initial eligibility for visual impairment include: An eye medical report, FVE, LMA and an O&M evaluation. These evaluations should typically be completed and reports shared **prior to evaluation by other members of the team**, including specialized instructional support personnel such as school psychologists, educational diagnosticians, counselors, and related service professionals. This sharing ensures that testing procedures are appropriate reflections of the student's achievement and do not reflect their sensory status (34 CFR §300.304(c)(3)).

Evaluation for initial eligibility must include a comprehensive review of student progress in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities (34 CFR §300.304(c)(4)).

TEC §30.002 requires that students who are determined eligible for the district's special education program on the basis of a visual impairment receive evaluation and instruction in the ECC. It outlines the nine areas of the ECC that are related to the disability of visual impairment. The National Association of State Directors of Special Education (NASDSE) has endorsed the term "expanded core curriculum" to describe areas that should be included in the comprehensive evaluation of students with visual impairments. See Section VI for a complete explanation of these instructional areas that must be included in a comprehensive evaluation of students with visual impairments and in developing the annual IEP.

### *Reevaluations for Continued Eligibility and to Design IEPs*

Vision professionals (TVIs and COMS) must be included in the multidisciplinary team making determinations about needed reevaluations for students with visual impairments. Reevaluations conducted by the TVI and COMS should typically be

completed and reports shared **prior to evaluation by other members of the team**, including specialized instructional support personnel such as school psychologists, educational diagnosticians, counselors, and related service professionals. This sharing is to ensure that the tools and procedures used for evaluation accurately reflect the student's achievement and not their visual status (34 CFR §300.304(c)(3)). Legally, a FIE for continued eligibility must include a comprehensive review of student progress in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities (34 CFR §300.304(c)(4)). TEC §30.002 requires that students who are eligible for the district's special education program on the basis of a visual impairment receive evaluation and instruction in the ECC.

### *Role of Visual Impairment Professionals in Evaluations*

The input of trained and knowledgeable professionals is required by IDEA (34 CFR §300.304). Specialized visual impairment professionals\* are critical for:

- **Performing the FVE and LMA** to establish eligibility and appropriate modifications and accommodations for evaluation and instruction (34 CFR §300.306(a)(1) and 19 TAC §89.1040(b) and §89.1040(c)(12)(A)(ii)(I) and (II))
- **Performing the O&M evaluation** to establish eligibility and/or reevaluate the need for orientation and mobility instruction (19 TAC §89.1040(b) and §89.1040(c)(12)(A)(ii)(I))
- Ensuring that evaluation includes all appropriate areas of the **expanded core curriculum** (34 CFR §300.304(c)(4) and §300.305(a)(2)(ii), and TEC §30.002(c)(4))
- **Establishing appropriate assessment techniques**, methods, and materials for the Texas Student Assessment Program and local assessments
- **Assisting other team members** in the use of appropriate evaluation tools and methods
- **Providing input regarding evaluation results** as they relate to visual impairments (34 CFR §300.304(c)(3)) and
- **Developing appropriate IFSP and IEP** programming recommendations.

\* For students who are deafblind, the team must include a teacher of the deaf and hard of hearing (TODHH). Additional training and expertise in the impact of dual sensory impairment may be needed in order to provide an appropriate evaluation for these students.

## VI. Defining the Expanded Core Curriculum (ECC)

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### **Guideline/Standard #3:**

**Evaluations of all areas of the expanded core curriculum are used to determine individual student programs.**

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Evaluations to document the present level of academic and functional performance for the development of the IEP are required by IDEA and TEC (34 CFR §300.320(a)(1), TEC §30.002). The TEC further specifies that each child eligible for special education as a result of visual impairment receive evaluation and instruction in the ECC (TEC §30.002(b)(4)(A)(B)).

The ECC areas include educational needs that result from the visual impairment to enable the student “to be involved in and make progress in the general education curriculum”; and “other educational needs that result from the child's disability” as required by IDEA (34 CFR §300.324). There are a variety of resources available to support evaluation in each area of the ECC. The TSBVI publication [Expanded Core Curriculum for Students with Visual Impairments \(ECC\), Resources for Evaluation and Curriculum](#) provides a compilation of resources for reference.

The presence of a visual impairment requires that these ECC skills be thoroughly evaluated and systematically taught to these students by teachers with specialized expertise (NASDSE, 1999, p. 70).

Once eligibility as a student with visual impairment is established, instructional needs in the following skill areas should be considered, based upon evaluation results, as the IFSP/IEP is being developed:

**Compensatory Skills** needed to access the general curriculum, including:

- Access to literacy and mathematics through braille (including literary codes and Nemeth Code) and/or print, handwriting skills, and auditory skills. TEC requires all students with visual impairments to be taught braille unless the ARD committee determines and documents, through the results of the LMA, another learning medium to be more appropriate (TEC §30.002(f)). Currently, Texas students are transitioning to the Unified English Braille (UEB) code for literary purposes. Most are maintaining Nemeth Code for math and science materials. Many students with low vision use regular print with magnification devices. Some students need both print and braille. Students with multiple

disabilities, including those who are deafblind, may use a tactile or object symbol system for literacy. Tactile learning must include instruction in the use of tactile graphics, increasingly used in instructional materials and assessment tools.

- Communication needs vary depending on degree of functional vision, effects of additional disabilities, and the task to be done. Students who are deafblind and others may have alternative communication systems, such as tactile sign language, symbol or object communication, or calendar boxes.
- Concept development may be significantly impacted due to limited visual observation. Fragmented concepts impede social, academic, and vocational development. It is essential to offer specific and sequential hands-on lessons, systematic tactile exploration, and clear verbal explanations to build a broad base of experiences. Instruction is essential because some concepts are totally visual, such as colors, rainbows, clouds, and sky. Some are too large to experience completely, such as tall buildings, mountain ranges, and oceans. Other items are too tiny or too delicate to understand through touch, including small insects, snowflakes, and microscopic items.
- Many abstract mathematical, geographical, and scientific concepts must be taught with alternative strategies and materials, including Nemeth Code and tactile graphics. Nemeth Code is a specialized braille code used to transcribe mathematical symbols as well as scientific and other technical materials. Teachers must ensure that students have tactile materials to convey the same information that sighted peers can access from pictures, graphs, diagrams, maps and other visual representations. Often, when descriptions cannot adequately convey information, students require quality tactile graphics in their educational programming. The use of graphics in assessment materials to test comprehension of concepts has greatly increased over time. Students must have time to train and practice with tactile graphics in order to achieve competency.

**Orientation and Mobility (O&M):** Safe and efficient travel throughout the environment is a critical component in the education of students with visual impairments. Students with multiple impairments will benefit from O&M instruction that facilitates purposeful movement and increases independence to the greatest degree possible. In order for students to succeed in school and be prepared for post-secondary and vocational pursuits, they will need to develop independent travel skills in the community and in using public transportation systems.

O&M evaluation and instruction should begin during infancy with basic body and spatial concepts, purposeful and exploratory movement, and progress through more independent age-appropriate motor and travel skills in increasingly complex environments. Vision provides the primary motivation for infants to begin to move their bodies, to raise their heads to see people, to reach toward objects, to move through the

environment, and to begin to play. Significant delays and differences in meeting motor milestones can impact overall development. The child who is blind needs to know how classrooms or other environments are arranged in order to independently move with confidence. Systematic orientation to a space may be needed before the placement and function of furniture and objects are understood. As the student gets older, more advanced age-appropriate travel skills such as street crossings, bus travel, and community experiences are needed.

**Social Interaction Skills:** A visual impairment can socially isolate a student, impede typical social interactions, or limit social skill development. A student with a visual impairment may not be able to see facial expressions and subtle body language, which are important cues to participate successfully in conversations and activities. Social skills that sighted children observe and imitate may need to be taught to a child with a visual impairment.

**Career Education:** Students with visual impairments need to be taught about the variety of work and career options that are available because they cannot casually observe people in different job roles. They need opportunities to explore their strengths and interests in a systematic, well-planned manner. Full access to appropriate school career preparation programs may require adaptations. Training may include the acquisition of specialized skills and equipment to compete in the job market. Students must be prepared for a wide range of vocational choices and the adaptations, including technological devices, which make them attainable. It is important to have opportunities to job shadow for concrete experience of different career choices and to learn about other persons with visual impairments who have successful vocational outcomes.

**Assistive Technology (AT), including optical devices:** Technology permits students with visual impairments to access the general education curriculum, to increase literacy options, and to enhance communication or improve their functional capabilities. AT has also dramatically improved mobility options. There are a variety of high and low-tech AT tools designed specifically for students with visual impairments that may require specialized instruction. AT can include electronic equipment such as switches, tablets, and portable notetakers; computer access such as magnification software, screen readers, refreshable braille displays, and keyboarding; and low-tech devices such as an abacus, a brailler, Active Learning materials (e.g., Little Room®), calendar systems, and optical devices. Clinical low vision evaluations may be recommended to determine technology devices that support visual efficiency.

**Independent Living Skills:** Personal hygiene, dressing, food preparation, time and money management, housekeeping, and organization skills are critical for successful transition from school to independent living. Young children begin learning basic skills independent living skills from visual observation and imitation. Most students with visual impairments, however, will need systematic instruction, specific adaptations, and

frequent practice. Depending on the level of vision, cognition, and other individual characteristics of a student, adaptations needed may include highlighting on oven controls, magnifying lenses for grooming, or tactile cues for matching clothing. These skills are not typically evaluated or taught in a sequential and systematic basis in general education settings. Family members may require assistance to implement adaptations that will permit independent practice and mastery of new skills within the home.

**Recreation and Leisure skills:** Students with visual impairments need to be exposed to, given sufficient hands-on experiences, and systematically taught recreation and leisure activities that they can enjoy as children and throughout their lives. They are often not aware of the options or possible adaptations that would allow them to participate in these activities. Such skills should include both individual and organized group activities for students at all ages and levels.

**Self-Determination:** Self-determination includes personal decision-making, self-advocacy, problem solving, and assertiveness. These skills lead to personal competence and are important components of positive self-esteem. Students who become effective advocates for themselves through instruction in developing self-determination skills can meaningfully participate in their educational and transition planning and make positive adult lifestyle, job, and other life choices. Students need self-determination skills to be active and effective members of their educational team, to participate in the development of their IEP, and to participate in developing post-secondary goals that are meaningful and reflect personal interests and abilities.

**Sensory Efficiency (including visual, tactual, and auditory skills):** Students who are blind, have low vision, or are deafblind need systematic instruction to learn efficient use of all their senses.

- Instruction in *visual efficiency* must be individually designed and based on accurate evaluation. Instruction may include using visual gaze to make choices, tracking cars when crossing the street, responding to visual cues in the environment, and/or using optical devices such as magnifiers and telescopes.
- For some students, an increased reliance upon *tactual skills* is essential to learning. These skills should be considered as part of the IFSP/IEP development. Students may require more detailed “hands-on” interaction and repetition to tactually understand a concept tactually, such as relative size, that may be readily captured with a glance.
- Systematic evaluation of and instruction in *auditory skills* are critical for successful mobility and learning. Students must learn to effectively use their hearing to respond appropriately to social cues, travel safely in schools and across streets, use recorded media, or use echolocation for orientation.



- Sensory learning also addresses the development of the proprioceptive, kinesthetic, and vestibular systems, all of which can be impacted by vision loss. Some students may rely upon olfactory and gustatory skills and need instruction in those areas.

## **VII. Addressing Curricular (ECC) Needs of Students with Visual Impairment**

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### **Guideline/Standard #4:**

**Appropriate instructional time, accommodations, and modifications are provided to meet all identified areas in individual student programs.**

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TEC §30.002(c)(4) states that for a child with visual impairment receiving special education services the LEA must provide evaluation of the impact of the impairment and instruction in the ECC.

<http://framework.esc18.net/display/Webforms/ESC18-FW-Summary.aspx?FID=119&SearchTerm=expanded+core+curriculum>

Classroom teachers are primarily responsible for instruction in core academic content, with the support of visual impairment professionals (TVI/COMS) who assist with accommodating or modifying instructional design, providing curricular materials, and adapting materials to address the impact of the sensory impairment. The team, with active participation from the TVI, should develop a plan for determining the student's present levels of academic achievement and functional performance in both the general curriculum and the ECC in order to develop the student's specially designed instruction. The TVI and COMS may have specific input into needed adaptations, modifications, and appropriate materials due to their knowledge of the impact of that student's visual impairment, including for students who are deafblind. Visual impairment professionals partner with other members of the educational team to ensure students have access to their learning environments, as well as to specific instructional materials.

Collaboration among the TVI, COMS, parents, and other team members is an effective approach for addressing many areas of the ECC. Many of these skill areas are needed and typically practiced in non-classroom settings, including at home and in community venues. IEP plans should ensure that systematic instruction occurs and student progress is monitored for instruction/learning that may be required outside of normal school day hours. The district must note in the IEP how it will document student progress when non-LEA staff addresses an identified IEP goal.

## *Providing Services for Students Under the Age of Three*

For students who are under three years of age, LEAs and charter schools should be prepared to provide visual impairment and/or deaf or hard of hearing services, including initial evaluations in accordance with Child Find, as documented in the IFSP to children who meet visual impairment or deaf and hard of hearing eligibility. Service delivery in the IFSP is based upon developmental needs and family priorities (IDEA Part C, Section 1436). ECI programs are administered by the Texas HHSC in partnership with LEAs for students who meet eligibility for VI, deafblind, or deaf and hard of hearing services. The most current Memorandum of Understanding (MOU) between the TEA and HHSC outlining ECI and local education agency joint responsibilities for students under three years of age with visual impairment is available at <https://tea.texas.gov/sites/default/files/TEA%20%20HHSC%20ECI%20-%20MOU.pdf>. See Section XII for more information.

## *Instructional Accommodations and Modifications*

In addition to the specific areas of the ECC, students with visual impairment may need accommodations to access the same well-rounded education program and school assignments as their peers. These accommodations may include items such as extended time, specialized instruction, specialized materials and devices, and environmental adaptations to reach the same levels of performance as sighted students. Individualized instruction for certain skills that may be difficult to learn in a large group setting may be needed for concepts such as map skills, advanced math concepts, spatial concepts, and other concepts the student cannot learn incidentally through vision. AT, specialized equipment, and materials may also be needed such as a braille, raised line paper, a cane, an abacus, a talking graphing calculator, a braille notetaker, a video-magnifier, or JAWS software. For most students, accommodations should be designed so that success in the general curriculum can be attained without lowering expectations.

Some students may also need modifications to the general curriculum to develop an appropriate IEP. It is critical that families and students understand that some modifications will impact the permissible degree plan and secondary education options.

## *Evaluation in the ECC*

IDEA requires consideration of present levels of performance in both academic and functional areas. Evaluation in each of the ECC areas is critical to gauging the need for instruction in skills that promote lifetime independence and success. There are both formal and informal evaluations that can determine a student's functioning level in these vision-specific topics.

A COMS must be a member of the committee that determines what evaluations are needed. Both the TVI and the COMS have roles in evaluating or ensuring appropriate evaluation of the student's needs in all areas of the ECC. The COMS must perform the O&M evaluation. In other areas of the ECC, the two professionals may collaborate with each other as well as other members of the team, including the family, to ensure a valid comprehensive evaluation.

Each district should create and document a systematic process to **annually** prioritize students' strengths and needs in all areas of the ECC, and to monitor ongoing progress. Priority ECC areas included in an IEP may vary from year to year for a particular student based on identified needs as they are ultimately determined by the ARD committee. Evaluation in the ECC can be supported with the use of checklists. The EVALS KIT <https://www.tsbvi.edu/curriculum-a-publications/3/1030-evals-evaluating-visually-impaired-students> includes a range of relevant evaluation tools, as do other resources found in the [Expanded Core Curriculum for Students with Visual Impairments \(ECC\), Resources for Evaluation and Curriculum](#).

If evaluation has indicated a need for instructional goals in ECC areas, progress should be documented in the student progress report. Progress can also be noted on the visual impairment ARD Supplement, in the student's district folder, or another designated format and procedure for storing this information.

### *Instruction in the ECC*

Instruction in the ECC areas may be addressed using a variety of service delivery models. A growing number of curricula resources are available to support instruction in each area of the ECC, both in print (e.g., *ECC Essentials: Teaching the Expanded Core Curriculum to Students with Visual Impairments*, Allman and Lewis, 2014) and online. Many are listed in [Expanded Core Curriculum for Students with Visual Impairments \(ECC\), Resources for Evaluation and Curriculum](#).

The TVI and the COMS are primary resources for instruction in the ECC. In collaboration with the TVI and COMS, many others may also play important roles in providing needed instruction, including:

- Family members (For children under three years of age, parents and caregivers are considered the primary instructors.)
- Early intervention specialists
- Occupational therapists
- Physical therapists

- Speech-language pathologists
- Classroom teachers
- Other district personnel
- ESC staff
- TSBVI programs  
(TEC §30.002((c)(5)A-E)

TEC requires districts to develop procedures for assuring access to resources, including through

- Cooperating agencies
- TSBVI
- The Central Media Depository, and related sources, which would include
- HHSC - Blind Children's Program staff
- Texas Workforce Commission, Transition Rehabilitation Program staff  
(TEC §30.002(10)A-E)

### *Addressing the Need for Instructional Time for the ECC*

Students with visual impairment have unique individual learning needs beyond the core curricular instruction offered to all students. Therefore, instructional teams often must develop creative strategies to ensure adequate instructional time is available to address priority ECC annual goals.

ECC instruction may require additional time beyond the regular school day and year. It can be difficult to find time within the typical school program for addressing all needed elements of the general academic curriculum and ECC areas. Texas law specifically notes that there will need to be flexibility on the part of school districts to meet the special needs of children with visual impairments (TEC §30.002(c)(5)). The TEC notes that students' unique educational curriculum needs may be addressed in many ways, including:

- A longer school day, which might require flexible instructional work times, alternate transportation and locations
- Additional years in school: Students with disabilities may be eligible for educational services from birth to 21 years of age
- Application for high school credit for vision-specific coursework, following state regulations and procedures: See Section XXII for more information on

innovative courses

- After-school programs sponsored by the LEA, ESC, or community or private agencies
- Summer programs, either locally, regionally, or offered by TSBVI
- Short-term programs offered by TSBVI Short Term Programs
- Programs offered by HHSC Blind Children's Program
- Programs offered by Texas Workforce Commission's Transition Rehabilitation Program
- Intervention in the child's home or natural environment for children under three years of age (TEC §30.002)

TEC §30.002(e)(10) requires a description of arrangements for services beyond regular school hours. The 2019-20 Student Attendance Accounting Handbook, available on the TEA website, includes an example of O&M services offered in the evening (underline added):

If your school district provides instructional services for special education after school or on Saturday, the contact hours may be counted only if the services cannot be provided or are unavailable at any other time (for example, speech therapy provided on Saturday as a result of the unavailability of speech therapists during the regular school week, orientation and mobility services or vision instruction provided outside the regular school day because they must be provided at night or in periods of darkness). SAAH Section 3.6.5 Instruction Provided Outside of the Regular School Day.

## **VIII. Role of the Certified Teacher of Students with Visual Impairments (TVI)**

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### **Guideline/Standard #5:**

**Certified teachers of students with visual impairments perform required evaluations and provide specially designed instruction.**

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TVIs are required IEP team members for all students with visual impairments, including those who are deafblind (34 CFR §300.321 and 19 TAC §89.1050(c)(4)(A) and (C)). Roles are defined by the CEC, and these competencies are incorporated into accredited university training programs. The educational needs of these students vary widely, so the role of the TVI must be flexible to meet changing conditions. Ongoing professional

development is essential. From initial evaluation to specially designed instruction to ongoing assessment, the TVI plays a critical role in collaboration with teachers, paraeducators, family members, and related service personnel. For information about certification requirements, university coursework, and programs for training TVIs, refer to the Administrator's Toolbox at <http://www.tsbvi.edu/tb>. The VI and O&M Preparation in Texas newsletter is available at each ESC and on the [TSBVI website](http://www.tsbvi.edu). A post at <https://www.tsbvi.edu/professional-preparation-program> answers questions prospective students may have about the TVI and O&M certification programs in Texas.

TVIs have many roles, including:

### *Assessment and Evaluation*

- Conducting the functional vision evaluation and the learning media assessment
- Assisting other professionals in developing appropriate evaluation and assessment strategies
- Interpreting eye medical reports, evaluation and assessment results regarding the impact of a visual impairment
- Evaluating student progress and collecting data to demonstrate student progress per district policy
- Evaluating areas of the ECC
- Recommending and collaborating in appropriate specialized evaluations

### *Direct Instruction in the Expanded Core Curriculum*

- Providing direct instruction in visual efficiency, tactile symbols, braille (including literary and math codes), assistive technology, auditory skills, social skills, use of near and distance optical devices, skills for transition, and other areas of the expanded core curriculum
- Supporting parents of infants, toddlers, and preschoolers as they help their children reach developmental milestones with adapted strategies specific to needs related to the visual impairment (services may be in the home, at an early intervention program, or in the community)
- Providing specially designed instruction to the student to facilitate development of self-esteem, self-determination, and social acceptance

### *Supporting Educational Teams through Collaboration*

The TVI must be able to educate, support, and partner with administrators, family members, and all other members of the instructional team who work with each student. The TVI must be able to convey professional opinions in a diplomatic, collaborative

manner in order to ensure that appropriate programming is recommended for the student with a visual impairment (<http://community.cec.sped.org/dvi/home>). The TVI's supporting roles include:

- Supporting families in developing infant and early childhood goals and objectives related to their child's visual impairment
- Supporting transitions from ECI to preschool, preschool to elementary school, elementary to middle school, middle school to high school and through graduation
- Providing opportunities for families to meet other families and to access training
- Coordinating services for students with the COMS
- Consulting with parents, teachers, and other specialized instructional support personnel in the home, community, and school on providing instruction in the ECC areas
- Observing instruction across the day in order to support consistent educational programming across environments.
- Supervising/coaching paraeducators to ensure provision of quality adapted materials, promote independence, and support mastery of IEP goals
- Modifying the environment to accommodate specific visual needs.
- Modeling appropriate techniques for providing instruction.
- Providing, creating, and acquiring adapted materials
- Providing in-service training and collaborative consultation to the extended educational team
- Recommending adapted strategies for access to the general curriculum and participation in the school community
- Ensuring that instruction in necessary skills for transitioning from school to adult life is provided
- Providing guidance to help the team develop a vision-specific support system for transitioning from school to adult life
- Building independence and success in home, community, and school environments
- Researching technology options and connecting with vendors for optical devices and assistive technology solutions for students

#### *Administrative/Record Keeping Duties*

- Registering each eligible student with the TEA via the Annual Registration of

### Students with Visual Impairment and Deafblind Child Count

- Maintaining records on all evaluations, IFSPs/IEPs, and progress reports
- Attending IFSP and ARD meetings
- Monitoring and recording student progress toward IEP goals/objectives.
- Ordering and providing adapted instructional materials as appropriate for each student
- Ordering adapted materials from the American Printing House for the Blind through the Federal Quota program and from other resources
- Consulting with guidance counselors about accommodated state and College Board tests

Federal and state laws mandate specific involvement of TVIs in the educational programs of students with visual impairments, including those who are deafblind and have other additional disabilities:

- TVIs must be available to students with visual impairments, including those who are deafblind (34 CFR §300.321, TAC §89.1131(b)(3)).
- IDEA requires that an individual who can interpret the instructional implications of evaluation results be a member of the IEP team (34 CFR §300.321).
- A TVI must attend initial and annual IFSP meetings and any other IFSP meeting, for children birth–2 years of age with visual impairment, including those who are deafblind, that addresses issues related to or impacted by the visual impairment (Early Childhood Transition Memorandum of Understanding (MOU)).
- A TVI must attend each ARD committee meeting for students with visual impairment, including those who are deafblind, unless they meet the exception conditions regarding attendance or excusal described in 34 CFR §300.321(e)(1-2).
- In general, the TVI is not the principle instructor in academic content areas; instruction in the general curriculum is the primary responsibility of the general education teachers.
- The district shall ensure that the ARD committee for each student with a disability includes the required members (19 TAC §89.1050(c)).
- All special education and related service personnel must be certified, endorsed, or licensed in the area(s) of assignments (ESSA, 34 CFR §300.321, and TAC §89.1131(a)).



## IX. Role of the Certified Orientation and Mobility Specialist (COMS)

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### Guideline/Standard #6:

**Certified orientation and mobility specialists perform required evaluations and provide instruction in orientation and mobility.**

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Movement, independent or supported, is critical for learning. A COMS is required to conduct an O&M evaluation for *initial eligibility* of a student under the IDEA category of visual impairment (TEC §30.002(c-1)) and to be a member of the multidisciplinary team in evaluating needed reevaluations. O&M is recognized in IDEA as a related service, which may be required to assist a child with a visual impairment to benefit from **special education**. Under TEC §30.002, O&M may be considered as an instructional service if the qualifying reason for eligibility as a student with a visual impairment relates to O&M instruction. These students would qualify as visually impaired under IDEA and their specially designed instructional services would be provided by the COMS.

COMS are critical members of the team for all students with visual impairments who have identified O&M needs. COMS provide services that enable students who are visually impaired to attain systematic orientation to and safe movement within home, school and community environments, and in addition support development of social, sensory, daily living, and recreation/leisure skills (34 CFR §300.34(c)(7)(i)). The O&M needs of students with visual impairments vary widely, and ongoing professional development for COMS is essential.

In the state of Texas, an O&M specialist must be certified by the Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP) to provide O&M instruction in the schools (19 TAC §89.1131(e)). For information about university coursework and certification requirements and programs for training COMSs, refer to the Administrator's Toolbox 2.0 at <https://www.tsbvi.edu/tb>. The VI and O&M Preparation in Texas newsletter is available at each ESC and on the TSBVI website at <https://www.tsbvi.edu/how-do-i-become-a-vi-professional>. It has answers to many questions prospective students may have about the TVI and O&M certification programs in Texas.

COMS have many roles, including:

### *Assessment and Evaluation*

- Conducting the functional vision evaluation in collaboration with the TVI
- Conducting the orientation and mobility evaluation
- Evaluating student progress and collecting data to demonstrate student progress per district policy
- Evaluating ECC areas, often in collaboration with the TVI

### *Direct Instruction in the Expanded Core Curriculum*

- Encouraging purposeful movement, exploration of immediate surroundings, and motor development for infants with visual impairments
- Teaching 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 in a variety of settings (e.g., using traffic sounds at an intersection to cross the street)
- Facilitating purposeful movement and independence to the greatest degree possible for students with multiple impairments, including through active learning systems for students with severe disabilities
- Providing specially designed instruction to foster development of self-esteem, self-determination, social skills, independent living skills, and recreation and leisure
- Instructing in efficient use of low vision for movement
- Orienting students to unfamiliar environments and different lighting conditions (e.g., night travel)
- Teaching efficient use of optical devices
- Teaching use of mobility tools, including the long cane and adaptive mobility devices, for safely negotiating the environment
- Encouraging and reinforcing use of braille skills in the community for accessing information (e.g., signage)
- Reinforcing and developing listening skills
- Teaching the use of assistive technology that supports movement and travel, including GPS systems and other navigation tools as well as online applications
- Arranging travel experiences for instruction in the community, including residential and business environments and public transportation systems

### *Supporting Educational Teams*

- Supporting families of young children in developing gross and fine motor

- skills, sensory skills, basic concepts, and other developmental milestones
- Ensuring continuity from early childhood intervention services to school-aged programs
  - Ensuring that appropriate vision-specific supports are in place and the necessary skills attained for transitioning from school to adult life
  - Modifying the environment to accommodate specific mobility needs
  - Modeling appropriate O&M techniques for other team members, including family members
  - Providing, creating and acquiring adapted materials such as tactile maps and mobility devices
  - Providing in-service training and collaborative consultation to other team members in home, school, and community settings
  - Recommending O&M strategies for access to the general curriculum such as physical education class and participation in school and community extracurricular activities

#### *Administrative/Record Keeping Duties*

- Maintaining records on all evaluations, IFSPs/IEPs, and progress reports.
- Attending IFSP and ARD meetings.
- Ordering and providing adapted materials from the American Printing House for the Blind through the Federal Quota program and from other resources.

## **X. Roles of Paraeducators for Students with Visual Impairments and Students who are Deafblind**

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### **Guideline/Standard #7:**

**Written job descriptions identify comprehensive roles of paraeducators supporting instruction of students with visual impairments, including those who are deafblind.**

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The decision to add a paraeducator (also called a paraprofessional, classroom aide, or teaching assistant) to a student's team is made by the ARD committee after careful consideration of what modifications are necessary to achieve proposed IEP goals. The roles of paraeducators will vary with the specific student or classroom being supported. In addition, there are unique categories of support staff for students who are blind or deafblind, as described below. As required in the ESSA, paraeducators paid for with

Title 1 funds must meet applicable state certification and licensure requirements. In addition, when working with students with visual impairment, these staff members need specific and ongoing training on the impact of vision (and when applicable, hearing) loss and the individual's other learning characteristics. Guidance and specific direction from the TVI or COMS are necessary in order to support effective strategies to address sensory impairment.

Paraeducators must be provided training on their role and the roles of all team members. The impact of a visual impairment on development varies widely; paraeducators need information and ongoing coaching on instructional strategies appropriate for their individual students with sensory impairments. When simply assigned to a student without proper preparation, paraeducators may act as a barrier between the student and peer involvement, improperly direct instruction away from the teachers, or reduce independent skill acquisition. Over-reliance on a paraeducator over time can lead students to develop passivity and dependence on prompts from others. General information about this role is available in [A Paraeducator's Handbook](#) available from TSBVI Publications.

Classroom paraeducators may be hired to provide overall support to the larger class with particular duties for a student with a visual impairment or who is deafblind. Their role may include assistance for activities of daily living, health and safety, and/or access to the environment. Many programs hire paraeducators to prepare adapted materials. Preparation may include general copying, scanning for digital access, highlighting and enlarging, or adapting materials into tactile or other formats based on the student's learning media assessment.

As stated in State Board for Educator Certification Rules, [19 TAC §230.61](#), paraeducators work under the supervision of a certified teacher or teaching team. They supplement and practice skills introduced by the teaching team, support implementation of IEP goals and student behavioral plans, and may contribute data for student progress monitoring to the team.

### *Braille Transcribers*

When there are students reading braille, districts will need to hire braille transcribers. Transcribers need intensive training in order to produce specialized braille materials for literacy, music, math, and computer code; using computer software; and operating tactile graphics devices. The TVI will specify learning media for each student and oversee material preparation. Inservice training, both online and in person, is offered by the ESCs and TSBVI. To access webinars from ESC 11, go to <https://www.esc11.net/>. To register for the Braille Boot Camp sessions offered at TSBVI, go to <https://www.tsbvi.edu/register-for-outreach-events-and-courses>. Other resources for braille transcribers, including a professional learning community and on demand trainings are also available from TSBVI and regional ESCs.

Certification courses in the literary braille code are available from the National Federation of the Blind for a person to acquire Library of Congress Literary Braille Certification through the National Library Service. Find more information at: <http://www.nfb.org/transcribers>. There are two ways to do this: a) remotely through email with an assigned instructor or b) take a weekly class through TSBVI, which is now being offered on a remote basis as well as in person. Contact [obriens@tsbvi.edu](mailto:obriens@tsbvi.edu) for more information. One resource on the role of a paraeducator for students with visual impairment is [A Paraeducator's Handbook](#) available from TSBVI Publications.

### *Interveners*

Interveners are specially trained paraeducators who provide direct support to ensure appropriate access to instruction for some students who are deafblind. Interveners are needed for students who require assistance to connect with what is happening in the environment beyond what the student can personally see or hear, often using highly individualized communication systems (See <http://www.tsbvi.edu/materials-on-Deafblindness/1886-interveners-for-students-with-Deafblindness-in-texas>). Interveners may be assigned for all or part of the instructional day. Training should include information about deafblind issues in general and the specific communication and learning strategies that are appropriate for each individual student.

Training for interveners is available from visual impairment professionals in the local districts, from regional ESC consultants, from TSBVI, and via web-based resources. A National Intervener Credential is available through the National Resource Center for Paraeducators. Information can be found at <http://www.nrcpara.org/intervener>. There are now two university programs that offer coursework towards credentialing: SKI-HI at the Center for Persons with Disabilities located at Utah State University and Central Michigan University. Learn more about the Utah State online program at <https://www.usu.edu/online/degrees/certificate/deafblind-intervener-training-certificate/> and the Central Michigan University Program at <https://lf.globalapp.cmich.edu/degreeConc/UCERT/DBI>.

There is also a category of community intervener within the Medicaid Waiver program. These interveners work with people who are deafblind, of all ages, outside the school settings. For information, see <https://hhs.texas.gov/laws-regulations/handbooks/deaf-blind-multiple-disabilities-dbmd-program-manual>.

Paraeducator job functions differ according to role, but generally, duties in the educational setting will include:

- Assisting visual impairment professionals and campus staff to adapt/modify instructional materials; adaptations are specific to each student and might include use of braille translation software, magnification and magnification devices, or AT software.

- Ordering, storing, and distributing large print and braille books and other adaptive materials, under teacher supervision
- Assisting teacher(s) with individual student activities to implement the IEP
- Reinforcing O&M skills for movement of students between instructional locations or activities
- Increasing access for students who are deafblind to their immediate environment
- Implementing the student's communication system per the IEP

Sample job descriptions of paraeducators, braille transcribers, interveners and other paraeducators are part of the Administrator's Toolbox found on the TSBVI website at <http://www.tsbvi.edu/tb-jobs>.

## **XI. Role of the Family in the Individualized Family Service Plan/Individualized Education Program (IFSP/IEP) Process for Students with Visual Impairments**

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### **Guideline/Standard #8:**

**Families are active members of the educational team.**

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Quality education is fostered through collaboration between educators and families. Parent training and counseling are included in TEC §30.002(c)(7) as one component of the comprehensive state plan for students with visual impairment in order to support effective interaction between the school and home. Family members of children with visual impairment, including those with additional disabilities and who are deafblind, may need information to fully engage as partners with the educational team to:

- Incorporate activities into daily routines that promote their child's development
- Ensure that their child has access to information that other children gain through vision
- Adapt the home and community environment for safety and increased access
- Connect with other families of children with similar needs
- Help their child master skills necessary to access and interpret their environment
- Locate information and resources about their child's specific needs
- Understand their child's unique educational requirements

- Understand the combined impact of additional disabilities, such as a hearing loss or other impairments

Collaboration of all team members, including family members, helps to assure a shared focus on student success. Families bring knowledge of their child but also need information about the unique needs of and services for students with sensory impairments in order to be informed participants on the team. Information about specific teaching strategies, materials, and activities will need to be shared with family members to ensure consistent approaches and to support and facilitate quality interactions between family members and their children. Families need knowledge to advocate effectively for their children's needs. Close partnership with the TVI and COMS is critical. Early intervention services should be based on the needs and concerns of each family and child.

A quick checklist for families is available at <http://www.tsbvi.edu/resource-pages/4248-is-my-child-getting-a-quality-vi-program>. Another resource that may be helpful is Considering Blindness and Visual Impairment, a checklist originally developed by the Center for Parent Information & Resources, 2010. It is available at <http://www.parentcenterhub.org/considering-visual>.

Families of students with visual impairments have the same rights and responsibilities as families of all students with and without disabilities. TEC §30.004 requires each school district to provide parents with information about the availability of services at state institutions and their rights regarding eligibility and admission. Specific notice about services available through TSBVI is required under TEC §30.002(e)(3). The form can be downloaded from this site: <http://www.tsbvi.edu/school/19/comprehensive-programs/195-general-information-for-parents>.

The ESSA mandates extensive family engagement for families of students in Title 1 schools, and IDEA defines rights of parents of children with disabilities. These requirements, related to increasing participation of families in the education of their children, include the right to explanations of the IDEA procedural safeguards, confidentiality of and access to their child's records, participation in their child's educational meetings, independent evaluations, prior written notice, etc. as outlined in multiple sections of the statute, including 34 CFR §300.306(a)(1), §300.322(c), §§300.327-328 and §300.501(b-c). [Texas Project First](#) is a TEA-sponsored resource for information on parent rights in special education in Texas.

## **XII. Service Delivery for Infants with Visual Impairments**

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### **Guideline/Standard #9:**

**Visual impairment professionals are members of the instructional team for all birth through 2-year-old children with visual impairments and available for services year-round.**

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HHSC-ECI is the lead agency in Texas for services for infants with disabilities. However, local districts are responsible for providing specialized services specifically for infants with visual impairment, who are deaf or hard of hearing, or who are deafblind, at no cost to families, as mandated by IDEA Part C, given parental consent. When a child is referred to an ECI program, the TVI, COMS and TODHH are considered members of the interdisciplinary team.

A Memorandum of Understanding (MOU) governs roles and responsibilities and sets standards and funding agreements between HHSC-ECI and TEA for students with visual impairment and who are deaf or hard of hearing. A new resource from TEA outlines components of the ECI - LEA relationship.

<https://tea.texas.gov/academics/special-student-populations/special-education/recent-tea-guidance>.

The TVI and a TODHH, for a student who is also deaf or hard of hearing (deafblind), must attend each annual IFSP meeting as well as each IFSP meeting that addresses issues related to and impacted by the visual impairment and/or hearing impairment (19 TAC §89.1050). A COMS is required to perform an O&M evaluation for initial eligibility as well as be a member of the IFSP team considering the need for any reevaluation.

ECI programs are responsible for providing ophthalmological, optometric, audiological, and otological evaluations when required to determine eligibility for ECI services and for hearing and vision services from an LEA, although they are the payor of last resort (CFR Title 34 §303.510 and §303.520). Eye medical reports and the evaluations for eligibility are usually updated at least annually as there is tremendous growth and change during the first years of life that can impact development.

The MOU promotes interagency collaboration and a coordinated system of activities, policies, and procedures to support services for infants. The ECI service coordinator arranges evaluations, coordinates the interagency team for effective delivery of services, sets up IFSP meetings, and ensures that records are accurate and up to date.



The IFSP is family-driven and provides services in the child's natural environment, focusing on the needs of the child within the family. TVIs and COMS often provide services in the home setting as well as day care and other community settings for children under three.

IFSPs are usually written for a calendar year and services must continue to be provided each month as they have been established by the IFSP committee. This means that district and ECI personnel must be available to provide services or assess children during the summer months if such services are included in the IFSP.

Visual impairment professionals who serve students within the ECI program should provide progress reports in the format and with the information required by the ECI program and their ISD.

Early intervention services should be based on the needs and concerns of each family and child. The purpose of early intervention is to support parents and caregivers in developing competence and confidence to help their young child learn and develop. ECI staff must meet with the family to review the child's progress at least every six months to determine whether the services and strategies on the IFSP are helping address IFSP goals. The visual impairment specialists, and a TODHH for a student who is deafblind, should participate in this review (19 TAC §89.1050). Reviews can occur at other times if any team members think there may be a need to change the IFSP.

It is the local district's responsibility to provide visual impairment or deaf/hard or hearing instructional services to all infants with sensory loss residing within district boundaries. The location of service delivery is determined as part of the IFSP process, based upon the individual needs of the child and family, after outcomes are identified and strategies are designed. The family's routines and the child's daily living experiences are relevant factors to consider in determining the location of services. Each school district develops agreements that govern coordination of services with ECI programs in their area. If a child attends daycare outside the boundaries of the school district of resident, the district may:

- Make a formal or informal arrangement with the district that the daycare is in for that district to provide the visual impairment and deaf and hard of hearing services
- Provide services in the evening or on weekends in the child's home
- Provide services in the daycare that is outside district boundaries

The Student Attendance Accounting Handbook (SAAH) and 19 TAC §89.1035b outline legal requirements for districts to serve infants with visual impairments and to be enrolled in their local district or regional day school program for the deaf (for students

who are deaf and/or deafblind). See excerpts from IDEA, 19 TAC §89.1035, and Section 3.3.9 and 4 of the SAAH in Section XXIV.

General information on ECI programs and links to find a local program can be found online at: <https://hhs.texas.gov/services/disability/early-childhood-intervention-services>. (See Section XXIV for relevant legal excerpts.)

A parent handbook is available at <https://hhs.texas.gov/sites/default/files/documents/services/disability/eci/eci-parent-handbook.pdf>. Additional guidelines for serving students from birth through two years of age with visual impairments can be found at the TxSSN website: <https://www.txssn.org/bvi/infants>. An online training created by the ESC XI, called EIEIO, and other related resources are available on the TSSN website.

### **XIII. Appropriate Educational Placements for Students with Visual Impairments**

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#### **Guideline/Standard #10:**

**An array of services and placement options are available based on individual student needs.**

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Children under the age of three are served through ECI in the setting agreed upon in an IFSP to match each family situation. The most appropriate setting is the placement supporting the family in achieving chosen outcomes for their family and child, with as little disruption as possible to daily routines and family life. Though most ECI services are provided at home, they can also be provided in other locations where the child goes regularly, such as a daycare center or other community setting.

For school-aged students, IDEA provides this guidance on placement:

Part B regulations require public agencies to make available a continuum of alternative placements, or a range of placement options to meet the needs of students with disabilities for special education and related services. The options on this continuum, which include regular classes, special classes, separate schools, and instruction in hospitals and institutions, must be made available to the extent necessary to implement the IEP of each disabled student. (34 CFR §300.115 and §300.116)

The ARD Committee should determine the most appropriate learning environment for

each student based upon individual educational needs. By law, the committee must consider the least restrictive environment, or LRE, for each student. The least restrictive environment is typically interpreted to be the placement closest to the child's home with an appropriate program to meet assessed needs of the individual child. Assessment should include both general academic and ECC needs for a student with a visual impairment. IDEA and TEC require the ARD Committee to first look at placement in general education with recommended accommodations and/or modifications.

By law, student needs should drive placement decisions. Any service delivery option may be the most appropriate for an individual student at any given time, and the appropriate placement option may change over time for a particular student (34 CFR §300.116).

Services for students with visual impairments who are served in private or home school settings are guided by the same rules as those for any similarly placed student. Reference the SAAH at the TEA website <https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook> and/or Guidance on Parentally Placed Private school children with disabilities at <https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/state-guidance/guidance-on-parentally-placed-private-school-children-with-disabilities>

After considering educational needs in both the general curriculum and the expanded core curriculum, the committee must carefully select from the full array of potential settings. TEC §30.002(c)(5) requires "flexibility on the part of school districts to meet the special needs of children with visual impairments." Educational settings to be considered can include, but are not limited to:

- Co-teaching
- In-class support
- Itinerant teacher services
- Resource room as an instructional arrangement specific for students with visual impairments
- Short-term programs at the TSBVI
- Summer programs at the TSBVI
- Self-contained classrooms
- Placement for an academic year at TSBVI, which has a residential component

\* There are specific procedures to be followed if an ARD committee determines that enrollment at TSBVI is the most appropriate educational setting. The steps to admission are posted on the TSBVI website at <http://www.tsbvi.edu/school/16-steps>.

#### **XIV. Determining Service Time from the Teacher of Students with Visual Impairments (TVI) and/or a Certified Orientation & Mobility Specialist (COMS)**

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##### **Guideline/Standard #11:**

**Times for specialized instruction by certified teachers of students with visual impairments and by certified orientation and mobility specialists are supported by appropriate evaluation in all areas of the expanded core curriculum for each student.**

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The IFSP/IEP team must determine the appropriate amount of service time that a student will receive from a TVI and/or COMS. This determination should be based on the student's assessed needs in both the general education curriculum and ECC, the educational setting, the types of skills to be taught, and other factors. IEP service should include time for direct instruction, collaborative consultation with the team members, evaluation, and specialized material procurement and preparation. For infants, a plan must be based upon a comprehensive evaluation of the child's developmental progress with significant input from the family and include identification of functional goals and outline the need for expertise from the TVI or COMS for achieving child and family outcomes.

The *Visual Impairment Scale of Service Intensity of Texas* (VISSIT) is a validated tool to guide decisions on the type and amount of TVI service. It helps the TVI use evaluation results in all areas of the ECC to quantify how much instructional service (direct and collaborative consultation) to recommend per individual student. A new tool, the O&M VISSIT for COMS is now posted at <http://www.tsbvi.edu/o-m-vissit>; further validation testing is underway. The VISSIT tools and training materials are found on the TSBVI website at <http://www.tsbvi.edu/vissit>.

Service time from the TVI and COMS should not be determined based upon availability of personnel. The district should establish procedures for documenting student need based on evaluations and use that information to make service delivery decisions.

It can be challenging to provide sufficient instructional time with a limited supply of visual impairment professionals. There is an ongoing shortage of these professionals in this state and country. Therefore, in order to ensure adequate current and future

supplies of certified and qualified visual impairment professionals, a district's program should include ongoing recruitment for new TVIs and COMS in conjunction with the ESCs, TSBVI, and personnel preparation programs in the state.

### *Service Delivery Option Examples*

Students require intensive instructional time when beginning to learn braille, including both literary code and Nemeth Code. A certified TVI should provide braille instruction on a daily basis, often for 1-2 hours a day<sup>2</sup>. An additional 2-3 hours per day will be needed for preparation of adapted materials and extensive collaboration with the team.

Social skills instruction must be provided frequently enough to ensure mastery and generalization. Instruction may need to be provided directly to the student with frequent guided practice and observation across school and home settings at other times. Visual impairment professionals also have important roles in training campus staff and family members to adapt instructional approaches and/or to reinforce newly learned social skills with daily practice.

To provide adequate time for community instruction, the COMS may schedule lessons in 2-hour blocks. Time needs to be built into a schedule to permit travel to appropriate settings as well as enough time to explore and learn decision-making skills for safety in unfamiliar situations. Once students are familiar with their immediate school environments, instruction moves into the community in order to master O&M skills in the home, school, and community as needed for adult life.

Students with low vision who are learning to use optical devices may initially require intensive direct instruction 1-3 times a week, followed by reduced instructional time as mastery increases.

Lessons may need to be offered outside the normal school day. Some visual conditions require flexible scheduling by both the TVI and/or the COMS to support learning in nighttime environments.

Students with multiple impairments need routines that create predictable patterns for learning. To support instruction in newly introduced skills in a transdisciplinary model, the TVI may initially schedule more intensive daily consultation for a specified period of

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<sup>2</sup> Koenig, A. J., & Holbrook, M. C. (2000). Ensuring high-quality instruction for students in braille literacy programs. *Journal of Visual Impairment & Blindness*, 94(11), 677-694.  
<https://doi.org/10.1177/0145482x0009401102>

time and then decrease as appropriate based on student progress, for:

- Observing the student's current skill levels
- Working directly with the student to determine appropriate modifications to materials or instructional methodology
- Modeling teaching to show other team members appropriate techniques
- Monitoring student progress

Collaborative consultative services (indirect services) for complex learners can be as time intensive as direct instruction. There should be scheduled time for active collaboration and consultation with the educational team, including family members, for each student. Considerable time will be required from the TVI and/or COMS for:

- Participating in team evaluations
- Contributing to the writing of IEPs
- Working periodically with the student
- Observing across activities
- Modeling appropriate teaching strategies
- Adapting tactile graphs and other learning media
- Creating and preparing communication materials
- Attending staffings on a student with complex needs

An independent student with stable vision who is making progress in academic and age-appropriate ECC areas may require minimal assistance beyond collaboration around adapted materials and communication with the general education team and family. Assuming the student's progress in the ECC is evaluated by the TVI and/or COMS annually, this student may require one hour of collaborative consultative services on a monthly or twice monthly basis.

Service delivery for infants with visual impairments should be individually planned to match the needs of the family. Family-centered intervention must be sufficiently frequent – typically weekly – to develop a rapport between the family, child, and professional and to build family confidence and competence in supporting their child's growth and learning. Coaching from the TVI and COMS helps family members successfully address unique developmental needs related to visual impairment. In addition, to ensure consistency and prevent fragmented services, home visits may be combined with other team members such as early interventionists, physical therapists, speech language pathologists, and/or social workers.

### *Direct Instruction and Collaborative Consultation Models*

The TVI and O&M specialist will make a recommendation for either collaborative consultation services or direct service with related collaborative consultation. This decision must be based on the assessed needs of the student and the needs of and resources available to the educational team, including family members.

**Direct service with related consultation time** is appropriate for a student who has needs that only a particular professional can meet efficiently, legally, and appropriately. For example, the COMS is the professional who introduces instruction in the use of a cane or teach the use of distance optical devices for street crossings. The TVI is the professional who teaches new braille skills or evaluates visual functioning in classroom environments. In addition to direct services, the vision professionals must schedule consultations with other team members and the family to ensure consistency in programming across the day. Therefore, students with direct service from a visual impairment professional will also need related collaborative consultation time to support generalization of IEP objectives.

**Collaborative consultation** is an instructional model that can be used effectively to support educational progress<sup>3</sup>. Many goals and objectives can be developed and addressed collaboratively by the primary service provider, which is typically the family or early intervention specialist or a classroom teacher, with indirect services in support from the visual impairment professionals.

Consultation (or indirect) services help ensure that a student has multiple opportunities in a day to use a particular skill and that required accommodations are implemented throughout all instructional settings. Collaborative services should be linked to IEP or IFSP goals. This model is critical for students who cannot generalize to new locations or situations. Collaboration is an important part of making sure that students with special needs are appropriately included in the general education classroom.

Communicating about student programming and progress with all parties involved in a student's educational program can be extremely time intensive. Depending on the student's needs and the instructional setting, the amount of time needed for consultation can vary from daily to once a month. Observation times across the school day and at home must be scheduled to provide documentation of student progress and necessary programming adjustments.

Collaboration should occur between the family, TVI, COMS, classroom teachers, and

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<sup>3</sup>Lorna Idol, Phyllis Paolucci-Whitcomb & Ann Nevin (1995), The Collaborative Consultation Model, *Journal of Educational and Psychological Consultation*, 6:4, 329-346, DOI: [10.1207/s1532768xjepc0604\\_3](https://doi.org/10.1207/s1532768xjepc0604_3)

other personnel to assure that the student's needs are appropriately addressed across settings. The TVI may demonstrate instructional strategies to the classroom teacher that will enable a student to efficiently view a lesson or show the family how their child can access the home television. A COMS may meet with early childhood intervention staff to incorporate strategies important for sensory efficiency into other developmental lessons.

Collaboration ensures that necessary adaptations are provided throughout the student's day. The COMS may work with school personnel so that tactual cues are provided in the hallways and classrooms to facilitate independent use of mobility skills. Similar cues might be established in the home, at day care, or at an afterschool job placement.

Collaboration for a student who is deafblind may require organized meetings with a wide range of team members, including an intervener, a teacher of students who are deafblind, a TODHH, audiologist, licensed specialist in school psychology and other related service members.

The time an individual student needs from visual impairment professionals can be expected to vary over an educational career. Some students will perform independently and competently in school until there are changes in social demands, academic requirements, or new environments. For example, a student who has been receiving consultation only in elementary school may move to direct instructional support for new skills upon entering middle school. Once skills are acquired, the ARD committee may reduce service time.

Service time from a TVI or COMS can be evaluated in part by how successfully the chosen service delivery model is supporting student progress. Adjustments to service time are written into an IFSP or IEP as the student's educational performance indicates. The district should establish procedures for documenting student progress and the visual impairment professional's time.

## **XV. Determining Appropriate Caseloads for Vision Professionals**

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### **Guideline/Standard #12:**

**Written caseload guidelines are used to evaluate caseloads of vision professionals.**

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Districts should establish procedures to determine appropriate student caseloads for TVIs and COMS. It is important that caseloads allow for necessary instruction and services to meet the unique educational needs of each student with visual impairment.



Objective tools should be administered, with supervisory input, at least annually to evaluate adequacy of staffing levels. The Administrator's Toolbox, Chapter 4, has a relevant section at <http://www.tsbvi.edu/tb-workload>. A caseload analysis is a data-based process to assess the amount of time needed for VI professionals to adequately and appropriately educate their existing student caseloads. Paired with analysis of non-instructional time (workload analysis), predictions on future growth, and predicted staffing changes, this combined analysis allows districts to use objective data to provide for student instructional needs.

Although finding highly trained personnel in this field may be a challenge for Texas schools, establishing caseloads to effectively assure that student needs are met is necessary to support a quality program. Appropriate caseloads result in better student outcomes, increase student safety in school and community settings, ensure adequate instruction including intensive interventions as needed, and help retain quality staff. A set of flyers to help recruit professionals and paraprofessionals and provide information on VI workloads is available at the TSBVI website: <http://www.tsbvi.edu/how-do-i-become-a-vi-professional>.

The Itinerant Services Division of The Association for Education and Rehabilitation of the Blind and Visually Impaired (AER) position paper on Caseloads Based on Students' Assessed Needs states:

In determining an appropriate caseload for an itinerant teacher of students with visual impairments, the following factors must be considered: direct service hours needed to implement IEP goals, time for preparation of materials, time spent in collaboration and consultation with other team members, time spent in assessment, and driving time to reach schools.

Students served using a collaborative/consultation model, particularly those with multiple impairments, may require as much time from the TVI and/or COMS as a student provided direct instruction. Participation in evaluation, observation in multiple settings and across multiple activities, modeling strategies, and attending team meetings can require extensive time, including weekly or more frequent intervention.

The Visual Impairment Scale of Service Intensity of Texas tools, developed in Texas, are available to support the caseload decision process of TVIs and COMS. The VISSIT tools guide TVIs and COMS to use evaluation results in all areas of the expanded core curriculum to determine how much instructional service (direct and collaborative consultation) to recommend per individual student. The VISSIT tools and training materials are on the TSBVI website at <http://www.tsbvi.edu/vissit>.

According to the 2019 Summary of Professionals in Visual Impairment in Texas posted at <http://www.tsbvi.edu/pds>, the 10-year average caseload for TVIs has been 15 students per full time TVI. The 10-year average caseload for COMS has been just under 18 students per full time equivalent. Despite growth in the number of vision professionals in Texas, student population growth has meant increasing caseloads,

potentially limiting the availability of qualified staff to provide needed services to students. Written caseload guidelines in the professional literature advocate an average ratio of from 8 to 12 students per teacher for quality services. The National Plan for Training Personnel to Serve Students with Blindness and Low Vision (CEC, 2000) noted a preferred ratio of 8:1. The American Foundation for the Blind (1989) and the California Department of Education (2014) both provide similar ranges based on national averages for caseload and class size to be used as guidelines. For itinerant teachers, both describe an average range of from 8 to 12 students for TVIs and COMS, a range of 8 to 12 for a resource room with one teacher and one paraeducator, and fewer students for classes with younger children.

Districts must consider both the caseload (instructional student service) and related activities required of VI professionals as described in Sections VIII and XIX. This includes such time-intensive activities for managing a student caseload as performing assessments, travel between school/instructional sites, connecting with related agency staff, attending ARD and IFSP meetings, researching and ordering specialized equipment, and conducting the Annual VI Registration and Deafblind Child Count. Together, these add up to a workload. Workloads of TVIs and COMS need to be monitored to assure adequate staffing to meet student needs and equitable distribution among the district as new students arrive and others move during the school year. A new Visually Impaired Services Staffing Pattern Analysis (VISSPA) is currently under development that will help address workload analysis.

## **XVI. Conclusion**

Students with visual impairments, including those with multiple disabilities and/or those who are deafblind, are a heterogeneous population. The small number of such students makes it difficult for any one school or program to have full knowledge and adequate resources to meet varied and intensive specialized needs of this unique student population.

This document was designed to provide a guideline into key components for appropriate IEP planning for these students and critical resources that are available to schools and families. The document references the impact of visual impairment and key areas for delivery of quality educational services for students with visual impairments as outlined in the Goal Statements of the [National Agenda for the Education of Children and Youths with Visual Impairments, Including Those with Multiple Disabilities](#). References to statutes and rules are intended to clearly indicate the legal foundation for these practices.

Further information and support are available from each regional ESC in Texas, TSBVI, and local visual impairment professionals.

## **XVII. Frequently Used Links**

### **Texas Education Code (TEC)**

TEC 30.002 is found at

<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.30.htm#30.002>

TEC §30.004 is found at

<https://statutes.capitol.texas.gov/Docs/ED/htm/ED.30.htm#30.004>

### **Memorandum of Understanding between the Department of Assistive and Rehabilitative Services and TEA**

Go to <https://tea.texas.gov/sites/default/files/TEA%20%20HHSC%20ECI%20-%20MOU.pdf> or click on the "Early Transition MOU" link at <http://tea.texas.gov/index2.aspx?id=2147494979>

### ***Texas Student Attendance Accounting Handbook***

The SAAH is found at <http://tea.texas.gov/index2.aspx?id=25769817607>

### **IDEA, the Individuals with Disabilities Act**

(references to 34 CFR §300.xxx, etc.)

Part B of the IDEA, relating to services for students from 3 through the school year of their 21st birthday, are found at <https://www2.ed.gov/policy/speced/reg/idea/part-b/index.html>

Part C of the IDEA, relating to services for infants and toddlers up to age three, is found at <https://www2.ed.gov/policy/speced/reg/idea/part-c/index.html>

**The Every Student Succeeds Act**, the amendment to the Elementary and Secondary Education Act (ESEA) is found at <https://www.ed.gov/essa?src=rn>

### **Texas Administrative Code (TAC)**

TAC is found at [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC)

Search the site to find specific sections.

## XVIII. OSEP 2017 Letter on Eligibility



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

May 22, 2017

**Contact Person**  
**Name: Lisa Pagano**  
**Telephone: (202) 245-7413**

OSEP 17-05

### MEMORANDUM

**TO:** State Directors of Special Education, Preschool/619 State Coordinators

**FROM:** Ruth E. Ryder  
Acting Director  
Office of Special Education Programs

**SUBJECT:** Eligibility Determinations for Children Suspected of Having a Visual Impairment Including Blindness under the Individuals with Disabilities Education Act

On November 12, 2014, the Office of Special Education Programs (OSEP) issued a response to an inquiry for policy clarification addressing whether a State educational agency (SEA) and/or local educational agency (LEA) is permitted to establish procedures that further define the disability category, “visual impairment including blindness,” under the Individuals with Disabilities Education Act (IDEA).<sup>1</sup> Since that time, OSEP has received a request for written guidance to assist SEAs in supporting their LEAs in reaching appropriate eligibility determinations for children with this disability. The purpose of this memorandum is to ensure broad dissemination of the key points made in our November 12, 2014 letter, provide the additional guidance requested on this important issue, and share information about outside resources that may be helpful as you examine your State’s procedures related to the identification and evaluation of children suspected of having a visual impairment including blindness.

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<sup>1</sup> See OSEP Letter to Kotler available at: <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/acc-13-020197r-md-kotlereligibilitycriteria.pdf>.

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[www.ed.gov](http://www.ed.gov)

*The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

## Applicable IDEA Definitions

Under Part B of the IDEA, a child with a disability means a child evaluated in accordance with 34 CFR §§300.304-300.311 as having a disability, and who, by reason thereof, needs special education and related services. 34 CFR §300.8(a)(1). Further, under 34 CFR §300.8(c)(13), “visual impairment including blindness” means an impairment in vision that, *even with correction*, adversely affects a child’s educational performance. (Emphasis added) The term includes both partial sight and blindness.

## State and Local Eligibility Criteria

While States are permitted to establish standards for eligibility for special education and related services, and are not required to use the precise definition of a disability term in the IDEA, these State-established standards must not narrow the definitions in the IDEA. We recognize that States often adopt common definitions of certain modifiers to guide evaluators in making individualized eligibility determinations. For example, as OSEP noted in our November 12, 2014 letter, “intellectual disability” refers to “*significantly* subaverage general intellectual functioning,” (34 CFR §300.8(c)(6)), and similarly, the definition of “orthopedic impairment” refers to “a severe orthopedic impairment that adversely affects a child’s educational performance” (34 CFR §300.8(c)(8)). In these cases, because the IDEA does not specifically address the meaning of these modifiers, the IDEA gives States discretion to determine the precise level of impairment that qualifies as “*significantly*,” and “*severe*,” respectively, in order for evaluators and eligibility teams to implement these definitions.

In contrast, in the definition of “visual impairment including blindness,” the regulations do not contain a modifier; therefore, any impairment in vision, regardless of significance or severity, must be included in a State’s definition, provided that such impairment, even with correction, adversely affects a child’s educational performance. States may not use criteria or other definitions for “visual impairment including blindness” that result in the exclusion of children who otherwise meet the definition in 34 CFR §300.8(c)(13). For example, State eligibility guidelines and definitions for “visual impairment including blindness” may not exclude a child with convergence insufficiency or other visual impairment from meeting the IDEA’s definition of “visual impairment including blindness” if that condition, even with correction, adversely affects that child’s educational performance (e.g., the child’s ability to read and write).

It has come to our attention that some States direct their LEAs to implement a two-step process when addressing whether a child suspected of having a visual impairment may be eligible for special education and related services under the IDEA. During the first step, the eligibility team is required to reach a decision as to whether the child has one or more of the conditions that the State has identified and believes could affect a child’s

vision functioning. Examples of such conditions might include: the child has a reduced visual field to 50 degrees or less in the better eye; the child has been diagnosed with cortical visual impairment; or the child has a diagnosis of a degenerative condition that is likely to result in a significant loss of vision in the future. During the second step, the eligibility team determines the extent that it should proceed further and examine whether the condition adversely affects the child's educational performance. However, if the eligibility team were to conclude the child's vision difficulties do not fall within one of the State's listed criteria or conditions, the eligibility team would not consider whether the child's visual functioning adversely affects his or her educational performance. Such a practice is inconsistent with the IDEA. While it is permissible for a State to provide examples of the types of conditions that would meet the State's criteria for "visual impairment including blindness," the SEA or LEA may not preclude eligibility teams from considering whether other vision conditions, even with correction, adversely affect the child's educational performance such that the child requires special education and related services under the IDEA.

For more information about various types of visual impairments and the ways in which those impairments can affect a child's ability to learn, visit <http://www.parentcenterhub.org/repository/visualimpairment/>.

### Evaluation to Determine Whether the Child's Visual Impairment Adversely Affects Educational Performance

Prior to the eligibility determination, each public agency must conduct a full and individual evaluation, in accordance with 34 CFR §§300.304-300.306, before the initial provision of special education and related services to a child with a disability. 34 CFR §300.301(a). The purpose of the evaluation is to determine whether the child qualifies as a child with a disability and the nature and extent of the educational needs of the child. Under 34 CFR §300.304(b)(1), in conducting the evaluation, the public agency must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child that may assist in determining whether the child is a child with a disability and the educational needs of the child. That information could include information from a physician, if determined appropriate, to assess the effect of the child's visual impairment on the child's eligibility and educational needs. However, under 34 CFR §300.304(b)(2), no single measure or assessment may be used as the sole criterion for determining whether the child is a child with a disability and for determining an appropriate educational program for the child.

Under 34 CFR §300.306(c)(1)(i), in interpreting evaluation data for the purpose of determining whether the child is a child with a disability under Part B of the IDEA and the educational needs of the child, the group of qualified professionals and the parent

must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior. Under 34 CFR §300.306(c)(1)(ii), the public agency must ensure that information obtained from all of these sources is documented and carefully considered. There is nothing in the IDEA or the Part B regulations that would prevent a public agency from obtaining a medical diagnosis prior to determining whether the child has a particular disability, and the educational needs of the child.<sup>2</sup> Also, there is nothing in the IDEA or the Part B regulations that would prohibit a State from requiring that a medical diagnosis be obtained for purposes of determining whether a child has a particular disability, provided the medical diagnosis is obtained at public expense and at no cost to the parents, and is not used as the sole criterion for determining an appropriate educational program for the child. Further, if a State requires a medical diagnosis consistent with the above criteria, such a requirement exceeds the requirements of Part B of the IDEA. Under 34 CFR §300.199(a)(2), the State would be required to identify in writing to the LEAs located in the State, and to the Secretary, that such rule, regulation, or policy is a State-imposed requirement that is not required by Part B of the IDEA and Federal regulations.

When determining a child's vision status, the LEA's evaluation should be thorough and rigorous. Such evaluations should include a data-based media assessment, be based on a range of learning modalities (including auditory, tactile, and visual), and include a functional visual assessment. In previously-issued guidance, OSEP has noted that an assessment of a child's vision status generally would include the nature and extent of the child's visual impairment and its effect on the child's ability to learn to read, write, do mathematical calculations, and use computers and other assistive technology, as well as the child's ability to be involved in and make progress in the general curriculum offered to nondisabled students. Such an evaluation generally would be closely linked to the assessment of the child's present and future reading and writing objectives, needs, and appropriate reading and writing media. The information obtained through the evaluation generally should be used by the eligibility team in determining whether it would be appropriate to provide a blind or visually impaired child with special education or related services as required by the IDEA. In addition, because the evaluation must assess a child's future needs, a child's current vision status should not necessarily determine whether it would be inappropriate for that child to receive special education and related services while in school.

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<sup>2</sup> In the case of a suspected "visual impairment including blindness," a diagnosis may be made by a medical professional such as the child's pediatrician, ophthalmologist, or optometrist.

Please see OSEP's Dear Colleague Letter on Braille, June 19, 2013, available at: <http://www2.ed.gov/policy/speced/guid/idea/memosdcitrs/brailledcl-6-19-13.pdf>.

You may wish to consult the following outside resources that address assessments for children who have, or are suspected of having a "visual impairment including blindness."<sup>3</sup>

- American Foundation for the Blind. Assessments for students who are blind or visually impaired. Retrieved from <http://www.familyconnect.org/info/education/assessments/13>
- American Printing House for the Blind, Inc. Accessible tests resource center. Retrieved from <http://www.aph.org/accessible-tests/>

Perkins eLearning Center. Assessment of students who are blind or visually impaired. Retrieved from <http://www.perkinselearning.org/scout/assessment-students-who-are-blind-or-visually-impaired>

Based on the guidance set forth in this memorandum and OSEP's Letter to Kotler, a State may need to review its criteria and revise those criteria, as appropriate, and make sure that its LEAs are informed of the changes. As an example of how a State could revise its criteria, a State could comply with the IDEA requirements by adding a general criterion stating that the definition of "visual impairment including blindness" includes, in addition to other specific State-established criteria, any other impairment in vision that, even with correction, adversely affects a child's educational performance.

OSEP will be following up with States through our various monitoring activities. If you have questions or would like to access technical assistance, please contact your OSEP State Lead. We appreciate your continued efforts to ensure that children suspected of having visual impairments including blindness are provided with an appropriate evaluation and if found eligible under IDEA, the services necessary to meet their special education needs.

cc: Parent Training and Information Centers  
OSEP-Funded Technical Assistance Centers

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<sup>3</sup> These organizations are examples of organizations that may be helpful on these matters. We cannot vouch for the quality or completeness of their assistance. They are provided merely as examples, and there may be other organizations that you may wish to consult.



## **XIX. Useful Websites**

For additional information on the education of students with visual impairments:

Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP): <http://www.acvrep.org>

American Council of the Blind of Texas (ACBT): <http://www.acbtexas.org>

American Foundation for the Blind (AFB): <http://www.afb.org>

American Printing House for the Blind (APH): <http://www.aph.org>

APH FamilyConnect: <https://aphconnectcenter.org/>

APH CareerConnect: <https://aphcareerconnect.org/>

Association for Education and Rehabilitation of the Blind and Visually Impaired (AER): <http://www.aerbvi.org>

Benetech Bookshare: Accessible Books for Texas: <https://www.bookshare.org/cms/state/texas>

Center for Parent Information & Resources, Considering Blindness and Visual Impairment, a legacy resource from NICHCY, December 2010, <http://www.parentcenterhub.org/considering-visual>

Council for Exceptional Children (CEC): <http://www.cec.sped.org>

CEC-DVIDB <http://community.cec.sped.org/dvi/home>

Deaf-Blind Multihandicapped Association of Texas (DBMAT): <http://www.dbmat-tx.org>

ESC Region 10 Expanded Core Curriculum checklists: <https://www.region10.org/programs/visually-impaired-services/expanded-core-ec-c-checklists/>

Hadley School for the Blind: <http://www.hadley.edu>

HHSC Early Childhood Intervention: <https://hhs.texas.gov/services/disability/early-childhood-intervention-services>

HHSC Blind Children's Program: <https://hhs.texas.gov/services/disability/blind-visually-impaired/blind-childrens-vocational-discovery-development-program>

IDEA legislation: <http://idea.ed.gov>

Learning Ally: <http://www.learningally.org/>

National Federation of the Blind (NFB): <http://www.nfb.org>

National Center on Deaf-Blindness (NCDB): <http://www.nopbc.org>

Stephen F. Austin State University: <http://www.sfasu.edu>

Texas Association for Parents of Children with Visual Impairments (TAPVI):  
<http://www.tapvi.org/>

Texas Association for Education and Rehabilitation of the Blind and Visually Impaired (TAER): <http://www.txaer.org/>

Texas Education Agency (TEA) – Accessible Instructional Materials:  
[http://tea.texas.gov/Academics/Instructional Materials/Accessible Instructional Materials](http://tea.texas.gov/Academics/Instructional_Materials/Accessible_Instructional_Materials)

Texas Education Agency (TEA) – Special Education Home Page:  
[http://tea.texas.gov/Curriculum and Instructional Programs/Special Education](http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education)

Texas Education Agency (TEA) – Special Ed Rules and Regulations:  
<http://tea.texas.gov/index2.aspx?id=2147497444>

Texas Parents of Blind Children: <http://www.tpobc.org>

Texas School for the Blind and Visually Impaired (TSBVI): <http://www.tsbvi.edu/>

Texas Tech University: <http://www.depts.ttu.edu/education/outreach-and-research/sowell>

Texas Workforce Commission: <http://www.twc.state.tx.us>

## XX. Reference Publications

Allman, C., Lewis, S., eds. *ECC Essentials: Teaching the Expanded Core Curriculum to Students with Visual Impairments*. New York: AFB Press, 2014.

California Department of Education. "Guidelines for Programs Serving Students with Visual Impairments, 2014 Revised Edition." Accessed July 26, 2020.

<https://www.csb-cde.ca.gov/resources/standards/documents/viguideelines-2014edition.pdf>

Council for Exceptional Children, Division on Visual Impairment and DeafBlindness. "Position Papers on the Roles of VI and O&M Professionals". [Accessed July 26, 2020.](http://community.cec.sped.org/DVI/resourcesportal/positionpapers)  
<http://community.cec.sped.org/DVI/resourcesportal/positionpapers>.

Federal Register. 34 CFR 300 "Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities. Office of Special Education and Rehabilitative Services, Department of Education Final Regulations". August 14, 2016. <https://sites.ed.gov/idea/files/finalregulations.pdf>.

Holbrook, M. Cay, Cheryl Kamei-Hannan, and Tessa McCarthy, eds. *Foundations of Education*, 3rd Edition, 2 vols. New York: AFB Press. 2017.

Huebner, Kathleen M., Brunhilde Merk-Adam, and Karen Wolffe. *National Agenda for the Education of Children and Youths with Visual Impairments, Including Those with Multiple Disabilities*, Revised. New York: AFB Press. 2004.

Loftin, Marnee. *Making Evaluation Meaningful: Determining Additional Eligibilities and Appropriate Educational Strategies for Blind and Visually Impaired Students*. Austin, TX: TSBVI. 2006 edition, currently in revision.

National Association of State Directors of Special Education (NASDSE). *Blind and Visually Impaired Students: Educational Service Guidelines*. Watertown, MA: Hilton Perkins Foundation, Perkins School for the Blind. 1999.

Pogrund, Rona L. & Diane L. Fazzi, eds. *Early Focus: Working with Young Children Who Are Visually Impaired and Their Families*. New York: AFB Press. 2010.

Tellefson, Mary. "Orientation and Mobility Career, College and Community Readiness Standards". <https://www.pathstoliteracy.org/resources/orientation-and-mobility-career-college-and-community-readiness-standards>. Last updated February 8, 2018.

Texas Education Agency. "Texas Administrative Code, Commissioner's Rules Concerning Special Education Services 89.AA. Chapter 89. Adaptation for Special Populations". <https://tea.texas.gov/index2.aspx?id=2147509089>.

Texas School for the Blind and Visually Impaired. "Student Data Program, Annual Registration of Students with Visual Impairment and Deafblind Child Count (2020)". [https://www.tsbvi.edu/texas-students/student-data-program#VIR\\_504\\_SUMMARY](https://www.tsbvi.edu/texas-students/student-data-program#VIR_504_SUMMARY). Last updated August 2, 2020.

## **XXI. Education Service Centers (ESC)**

There is a certified visual impairment specialist at nearly every regional ESC in Texas. To find the visual impairment specialist at your ESC, go to the Texas Sensory Support Network site at <https://www.txssn.org/domain/67> or contact Stephanie Isbell Walker, Lead for the State Leadership Services for the Blind and Visually Impaired Network, at (817) 740-7594. General information numbers for each ESC are provided below.

Region 1 – Edinburg  
1900 West Schunior  
Edinburg, TX 78541-2234  
(956) 984-6000  
Fax: (956) 984-7632

Region 2 – Corpus Christi  
209 North Water Street  
Corpus Christi, TX 78401- 2599  
(361) 561-8400  
FAX: (361) 883-3442

Region 3 – Victoria  
1905 Leary Lane  
Victoria, TX 77901-2899  
(361) 573-0731  
FAX: (361) 576-4804

Region 4 – Houston  
7145 West Tidwell  
Houston, TX 77092-2096  
(713) 462-7708  
FAX: (713) 744-6514

Region 5 – Beaumont  
350 Pine Street, Suite 500  
Beaumont, TX 77701  
(409) 951-1700  
FAX: (409) 951-1800

Region 6 – Huntsville  
3332 Montgomery Road  
Huntsville, TX 77340-6499  
(936) 435-8400  
Fax: (936) 295-1447

Region 7 – Kilgore  
1909 N. Longview Street  
Kilgore, TX 75662-6827  
(903) 988-6700  
FAX: (903) 988-6708

Region 8 – Mount Pleasant  
4845 U.S. Highway 271 N.  
Pittsburg, TX 75686-4303  
(903) 572-8551  
FAX: (903) 575-2611

Region 9 – Wichita Falls  
301 Loop 11  
Wichita Falls, TX 76306-3706  
(940) 322-6928  
FAX: (940) 767-3836

Region 10 – Richardson  
400 E. Spring Valley Road  
Richardson, TX. 75081-5101  
(972) 348-1700  
FAX: (972) 231-3642

Region 11 – Fort Worth  
1451 S. Cherry Lane  
White Settlement, TX 76108  
(817) 740-3600  
FAX: (817) 740-7600

Region 12 – Waco  
P. O. Box 23409  
Waco, TX 76702-3409  
Location: 2101 W. Loop 340,  
76712  
(254) 297-1212  
FAX: (254) 666-0823

Region 13 – Austin  
5701 Springdale Road  
Austin, TX 78723-3675  
(512) 919-5313  
FAX: (512) 919-5374

Region 14 – Abilene  
1850 Highway 351  
Abilene, TX 79601-4750  
(325) 675-8600  
FAX: (325) 675-8659

Region 15 – San Angelo  
P. O. Box 5199  
San Angelo, TX 76902-5199  
Location: 612 South Irene Street,  
76903  
(325) 658-6571  
FAX: (325) 655-4823

Region 16 – Amarillo  
5800 Bell Street  
Amarillo, TX 79109-6230  
(806) 677-5000  
FAX: (806) 677-5001

Region 17 – Lubbock  
1111 West Loop 289  
Lubbock, TX 79416-5029  
(806) 792-4000  
FAX: (806) 792-1523

Region 18 – Midland  
P. O. Box 60580  
Midland, TX 79711-0580  
Location: 2811 LaForce Blvd.,  
79711  
(432) 563-2380  
FAX: (432) 567-3290

Region 19 – El Paso  
P. O. Box 971127  
El Paso, TX 79997-1127  
Location: 6611 Boeing Drive,  
79925  
(915) 780-1919  
FAX: (915) 780-6537

Region 20 – San Antonio  
1314 Hines Avenue  
San Antonio, TX 78208-1899  
(210) 370-5200  
FAX: (210) 370-5750

## **XXII. List of Guidelines/Standards**

- I. Eligibility is determined by an individualized family service plan (IFSP) or by an admission, review, and dismissal (ARD) committee. It is based upon an eye medical report, functional vision evaluation, a learning media assessment, and an orientation and mobility evaluation. A COMS must be part of the team that determines the scope of any needed full and individual reevaluations.
- II. Visual impairment professionals provide expertise specific to visual impairments prior to and during the full and individual evaluation.
- III. Evaluations of all areas of the expanded core curriculum are used to determine individual student programs.
- IV. Appropriate instructional time, accommodations, and modifications are provided to meet all identified areas in individual student programs.
- V. Certified teachers of students with visual impairments perform required evaluations and instruction.
- VI. Certified orientation and mobility specialists perform required evaluations and instruction in orientation and mobility.
- VII. Written job descriptions identify comprehensive roles of paraeducators supporting instruction of students with visual impairments, including those who are deafblind.
- VIII. Families are active members of the educational team.
- IX. Visual impairment professionals are members of the instructional team for all birth through 2-year-old children with visual impairments and available for services year-round.
- X. A continuum of services and placement options are available based on individual student needs.
- XI. Times for specially designed instruction by certified teachers of students with visual impairments and by certified orientation and mobility specialists are supported by appropriate evaluation in all areas of the expanded core curriculum for each student.
- XII. Written caseload guidelines are used to evaluate caseloads of visual impairment professionals.

## **XXIII. Innovative Courses**

Innovative Courses allow districts to offer state-approved innovative courses to allow students to master competencies not included in the essential knowledge and skills of the required general education curriculum ([Texas Administrative Code \[TAC\] Section 74.27](#)). With the approval of the local board of trustees, school districts and charter schools may offer any state-approved innovative course for state elective credit only. A district does not need to apply to the agency to offer approved innovative course. The following are approved innovative courses with relevance to students with visual impairments.

### *Braille*

This course will provide instruction in pre-braille skills, tactual discrimination, the reading and writing of the braille code, and the development of efficient braille reading, including fluency and comprehension. The braille reading and writing course will emphasize the conventions and mechanics of braille. It will, therefore, facilitate and support tasks completed in all subject areas and work environments.

### *Orientation and Mobility for Students with Visual Impairments*

This course will focus on skills and strategies that will enhance essential travel skills. These travel skills will enable students with visual impairments and blindness to access all educational environments in which they will be involved. The course will focus on travel in the following domains:

- Home/Living Environment, which includes directionality, positional concepts, and using landmarks and clues for travel within the school environment
- Campus Environment, which includes cane techniques, on-campus orientation and mobility, cardinal directions and low vision devices
- Residential Environment, which includes vehicle familiarization, residential area travel, address systems, and travel within rural areas as necessary
- Commercial Environment, which includes commercial area travel, and commercial street crossings to access community experiences
- Public Transportation, which includes skills necessary to travel on public transportation such as buses, taxicabs and rail systems

### *General Employability*

This course will provide instruction in general employability skills as well as the pre-



requisite skills for general employability. Employability skills are the skills and attitudes that allow employees to get along with their co-workers, make important work-related decisions, and become strong members of the work team. Discovering job possibilities that link skills, abilities, interests, values, needs, and work environment preferences is an experiential learning process that takes place over time.

This course is designed to guide students through learning these skills that can be transferable among a variety of jobs and careers and are considered essential in any employment situation. Students will learn and apply basic knowledge of what is expected in the world of work.

### *Methodologies for Academic and Personal Success I & II (MAPS)*

The Methodology for Academic and Personal Success courses focus on the skills and strategies necessary for students to make a successful transition into high school and an academic career. Students will explore the options available in high school, higher education, and the professional world in order to establish both immediate and long-range personal goals. After identifying their individual learning styles and abilities, students will build on these abilities by developing critical time management, organization, and study skills. The courses focus on self-understanding, decision-making, resiliency, attitude, character education, and leadership to help students maximize personal achievement. Students will develop the specific strategies necessary to achieve their personal and professional goals. The course emphasizes proactive problem solving, self-determination, independent thinking, and learning skills. In addition, students will explore and experience collaboration as a tool for creative problem solving. As part of the goal setting and leadership activities, students may complete an outside community service learning experience in addition to class assignments.

### *Assistive Technology (AT)*

This course will provide instruction in AT. AT provides access to print and electronic information using screen reading software, screen magnification software/hardware, scanning and reading, braille access, voice recognition and switches. This course will educate students about a variety of technology choices to match the needs of individuals and educate students who are interested in broadening their scope of technology, mainstream applications, and specialized devices.

Students will learn and apply basic and AT skills to access instructional materials and produce work. These skills include switch access, keyboarding, operating system navigation, file management, Internet browsing, word processing, presentation software

and spreadsheets, and programs and devices specifically designed for students with visual impairments and those who struggle with reading.

Please note that the approved courses may serve as state graduation elective credit only and are not approved to substitute for any required state graduation requirements.

Use the following codes to identify approved innovative courses. These codes may only be used by school districts that have the approval of their local board of trustees to offer these courses in accordance with 19 TAC §74.27. Information can be found at <http://www.tea.state.tx.us/index4.aspx?id=6079>.

Braille	N1100505
O&M	N1160510
General Employability	N1290060
MAPS I	N1130021
MAPS II	N1130022
Assistive Technology	N1260002

## XXIV. Frequently Asked Questions

1. Is an eye medical report signifying a visual problem sufficient to qualify as a student with visual impairment?

Under Federal law, the local school district must use a variety of assessment tools and strategies and not any single measure or assessment as the sole criterion for determining whether a child is a child with a disability or determining an appropriate educational program for the child. Eligibility for services as a student with visual impairment is determined based upon an eye medical report, a functional vision evaluation, a learning media assessment, and an orientation and mobility evaluation that indicate that there is a visual impairment that, even with correction, adversely affects a child's educational performance. This is outlined in TAC §89.1040.

*See Section IV in this document.*

2. How is it determined whether a student will read braille?

An LMA is a required evaluation for determining each student's literacy medium. Under TAC §89.1040, a TVI must conduct this evaluation; it will include recommendations for the use of visual, tactual, and auditory learning media. Decisions on whether a student should learn and use braille for literacy includes evaluating the efficiency with which the student gathers information from various sensory channels, the types of general literacy media the student uses, or will use, to accomplish reading and writing tasks, and the literacy media the student will use for reading and writing. More information is at <http://www.tsbvi.edu/seehear/spring03/literacy.htm>

*See Sections IV and V in this document.*

3. If a student has a mild visual impairment and a slight hearing impairment, does the student qualify as deafblind?

An ARD committee considers evidence to determine the eligibility of a student for services as a student who is deafblind. The committee must use evaluation data to decide whether the combination of sensory losses, regardless of severity, has a significant impact on learning. Texas law establishes deafblind eligibility using 4 separate sets of criteria. The third eligibility criteria states that a student can be considered as deafblind if the student: "(C) has documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance;"

*See Section IV in this document.*

4. Do all students need evaluation by a certified orientation and mobility specialist?

TEC §30.002 mandates an evaluation by a COMS for initial consideration of

eligibility of a student as having a visual impairment. A COMS must also be part of the multidisciplinary committee reviewing information to determine whether a reevaluation would be necessary for subsequent full and individual evaluations, which must be considered no less than every three years (or annually for infants)

*See Section IV in this document.*

5. Do all students with visual impairments (including those who are deafblind) need IEP goals and objectives in all areas of the ECC?

The ECC identifies critical skills that are impacted by the presence of a visual impairment. TEC §30.002 clarifies the need to provide assessment and instruction in all areas of the ECC. If a student continues to meet the criteria as a student with visual impairment, then the district should have a systematic process to ensure that all areas listed in TEC §30.002 have been considered, including the areas of the ECC. A COMS needs to be a member of the committee that determines what evaluations are needed. Retrieved on July 26, 2020 from a Q&A on TEC §30.002 at [https://library.tsbvi.edu/assoc\\_files/85839095.pdf](https://library.tsbvi.edu/assoc_files/85839095.pdf)

An ARD committee should have a system to consider appropriate annual IEP goals and objectives when evaluation results indicate a need for instruction in areas of the ECC. There are many resources now available to assist in the evaluation process.

*See Sections VI and VII in this document.*

6. Which sensory professionals must attend an ARD meeting for a student who has a visual impairment?

According to 34 CFR §300.306(a)(1) and TAC §89.1050(b) and §89.1050(c)(3)(A), a TVI must attend each ARD for a child with a suspected or documented visual impairment including a child who is or is suspected to be deafblind. A TODHH must also attend each ARD for a student who is or is suspected to be eligible as deafblind.

*See Section VIII in this document.*

7. Which professionals must attend an ARD meeting for a student who is deafblind?

According to TAC §89.1050(3)(C), for a student who is suspected or documented to be deafblind, the ARD committee shall include a TVI and a TODHH.

*See Section IV in this document.*

8. Are there specific roles for paraeducators working with students with visual impairments or who are deafblind?

When an ARD committee determines that a paraeducator is needed as a member of a student's educational team, there needs to be careful consideration of the specific training needed by that individual to support implementation of the IEP. Students who are deafblind may require an intervener, a paraeducator with specific training in appropriate access to instruction for students with combined hearing and vision impairments.

*See Section X in this document.*

9. Must a TVI attend the IFSP meetings for infants with visual impairments?

According to the MOU between TEA and the ECI, the TVI, and a TODHH for a student who is deafblind, must attend each annual IFSP meeting and each IFSP meeting that addresses issues related to and impacted by the visual impairment and/or hearing impairment.

*See Section XII in this document.*

10. Does a local district have to enroll an infant (birth through 2 years) with a visual impairment?

Yes. Students with hearing and/or visual impairments are eligible to be served from birth. The HHSC-ECI is the lead agency for serving students from birth through 2 years of age. However, local district staff provides the specialized services for visual impairment and/or auditory impairment as mandated by IDEA Part C.

*See Section XII in this document.*

11. How does a student get referred to attend the TSBVI?

For admission to TSBVI, a student must have been determined by their local school district to be eligible for educational services as a student who has visual impairment or who is deafblind. Referrals for consideration for admission must be originated by the student's local school district in collaboration with the student's parent. TSBVI cannot accept direct parent referrals. The TSBVI is one placement option in the continuum of placement options for students with visual impairments and who are deafblind. Documents for district personnel (go to: <https://www.tsbvi.edu/2015-11-18-21-31-13/a-school-district-guide-to-accessing-services-at-tsbvi>) and for parents (go to: <https://www.tsbvi.edu/parent-family-member/a-parent-s-guide-to-services-at-tsbvi>) have been developed to help explain the unique role of the TSBVI in Texas and are posted on the TSBVI website.

*See Section XIII in this document.*

12. How much time should a TVI or a COMS provide to students with visual impairment?

Determination of the amount of service time and the type of service delivery is based upon the assessed needs of the student, the educational setting, the types of skills to be taught, and other relevant factors. It is an individualized decision for each student. The VISSIT and VISSIT/O&M tools are available to help TVIs and COMSs determine the amount of direct and collaborative services to recommend to the IEP team, based on evaluation. They are both available on the TSBVI website at <https://www.tsbvi.edu/vissit>.

*See Section XIV in this document.*

## **XXV. Selected legal references related to services for students with visual impairments from birth through two years**

Collaboration and coordination between the LEA and ECI providers are necessary to implement the timelines discussed in the regulations below.

More information is included in the Memorandum of Understanding that was drawn up between the Department of Assistive and Rehabilitative Services and TEA, which can be downloaded from the TEA website: <http://tea.texas.gov/index2.aspx?id=2147494979>

### *IDEA Part C Regulations*

§303.342 Procedures for IFSP development, review, and evaluation provide guidance for IFSP meetings

- (d) Accessibility and convenience of meetings.
  - (1) IFSP meetings must be conducted--
    - (i) In settings and at times that are convenient for the family; and
    - (ii) In the native language of the family or other mode of communication used by the family, unless it is clearly not feasible to do so.
  - (2) Meeting arrangements must be made with, and written notice provided to, the family and other participants early enough before the meeting date to ensure that they will be able to attend.

### *Texas Administrative Code*

40 TAC §108.1011

In addition to the requirements in 40 TAC §108.1009 of this title (relating to Participants in Initial and Annual Meetings to Evaluate the IFSP), the IFSP team for an initial IFSP meeting or annual meetings to evaluate the IFSP must include a certified teacher of the deaf and hard of hearing or a certified teacher of the visually impaired if the child has a documented auditory or visual impairment as described in 40 TAC §89.1040 (relating to Eligibility Criteria).

- (b) Unless there is documentation that the LEA has waived notice, the contractor must:
  - (1) provide the teacher at least a 10-day written notice before the initial IFSP meeting, any annual meetings to evaluate the IFSP or any review and evaluation that affects the child's auditory or vision services; and
  - (2) keep documentation of the notice in the child's record.

- (c) The IFSP team cannot plan auditory or vision services or make any changes that affect those services if the certified teacher of the deaf and hard of hearing or certified teacher of the visually impaired is not in attendance.
- (d) The IFSP team must route the IFSP to the certified teacher of the deaf and hard of hearing or certified teacher of the visually impaired for review and signature when changes to the IFSP do not affect the child's auditory or vision services.
- (e) The certified teacher of the deaf and hard of hearing and the certified teacher of the visually impaired may submit a request within five days of the IFSP meeting to have another IFSP meeting if the teacher disagrees with any portion of the IFSP.
- (f) The certified teacher of the deaf and hard of hearing or certified teacher of the visually impaired are not required to attend the review when changes do not affect the child's auditory or vision services, but the contractor must obtain their input.

### *Student Attendance Accounting Handbook (SAAH)*

#### 3.3.9 Infants and Toddlers with Auditory or Visual Impairments or Both

Infants and toddlers, birth through 2 years of age, who have auditory or visual impairments or both and an individualized family services plan indicating a need for services by the district must be enrolled in the local district or regional day school program for the deaf (RDSPD). If district services are to be provided through the RDSPD, the RDSPD must involve the home district. Local education agencies should collaborate with the RDSPD to ensure that appropriate services are provided. (See 4.10 Special Education Services for Infants and Toddlers)

#### 4.10 Special Education Services for Infants and Toddlers

Infants and toddlers (children 0 through 2 years of age) who have visual or auditory impairments or both and who are served by your district are eligible for special education services and are eligible to generate ADA. The following subsections describe the coding information to use for these children.



4.10.1 Infants Receiving Visual Impairment Services, Orientation and Mobility (O&M) Services, or Both

All infants (birth through 2 years of age) receiving visual impairment services, O&M services, or both **at home, in day care, or in a non-district center-based program** should be reported with the information shown in the following table:

<b>Grade Level</b>	<b>EE</b>
<b>Instructional Setting Code</b>	<b>01, homebound</b> (a doctor's statement is not needed)
<b>ADA Eligibility Code</b>	<p><b>0 – enrolled, not in membership</b> if the infant is served fewer than 2 hours per week</p> <p><b>2 – eligible, for half-day attendance</b> if the infant is served at least 2 hours but fewer than 4 hours per week</p> <p><b>1 – eligible for full-day attendance</b> if the infant is served at least 4 hours per week</p>

See 4.7.2 Code 01 Homebound for more information on the homebound instructional setting.

All infants receiving visual impairment services, O&M services, or both in **center-based programs** (not an early childhood intervention [ECI] program) should be reported with the information shown in the following table:

<b>Grade Level</b>	<b>EE</b>
<b>Instructional Setting Code</b>	<p><b>44</b>, self-contained, mild/moderate/severe, regular campus or <b>97</b>, off home campus, depending on the location of the services</p>
<b>ADA Eligibility Code</b>	<p><b>0 – enrolled, not in membership</b> if the infant is served fewer than 2 hours per day</p> <p><b>2 – eligible for half-day attendance</b> if the infant is served at least 2 hours but fewer than 4 hours per day</p> <p><b>1 – eligible for full-day attendance</b> if the infant is served at least 4 hours per day</p>

#### 4.10.1 Infants Receiving Auditory Impairment (Deaf) Services

All infants (birth through 2 years of age) receiving auditory impairment (deaf) services at home or in day care should be reported with the information shown in the following table:

<b>Grade Level</b>	<b>EE</b>
<b>Instructional Setting Code</b>	<b>01, homebound</b> (a doctor's statement is not needed)
<b>ADA Eligibility Code</b>	<p><b>0 – enrolled, not in membership</b> if the infant is served fewer than 2 hours per week</p> <p><b>2 – eligible for half-day attendance</b> if the infant is served at least 2 hours but fewer than 4 hours per week</p> <p><b>1 – eligible for full-day attendance</b> if the infant is served at least 4 hours per week</p>

See the **Student Attendance Accounting Handbook** for more information on the homebound instructional setting.

All infants receiving auditory impairment (deaf) services **in your school district or in non-district centers** should be reported with the information shown in the following table:

<b>Grade Level</b>	<b>EE</b>
<b>Instructional Setting Code</b>	<p><b>44</b>, self-contained, mild/moderate/severe, regular campus</p> <p>or</p> <p><b>97</b>, off home campus</p> <p>depending on the location of the services</p>
<b>ADA Eligibility Code</b>	<p><b>0 – enrolled, not in membership</b> if the infant is served fewer than 2 hours per day</p> <p><b>2 – eligible for half-day attendance</b> if the infant is served at least 2 hours but fewer than 4 hours per day</p> <p><b>1 – eligible for full-day attendance</b> if the infant is served at least 4 hours per day</p>

## **XXVI. Standards for LEA Collaboration with ECI**

### *Child Find*

- (a) ECI and the LEA share child find obligations for children birth to three with suspected visual impairments and/or hearing loss. This requires strong communication and collaboration between the LEA and ECI providers.

When a child with a **suspected** visual impairment is referred to an early intervention team, the TVI, and COMS are considered vital members of the collaborative early intervention team.

When a child with a **suspected** hearing loss is referred to an early intervention team, the TODHH is considered a vital member of this collaborative early intervention team.

Parental consent is required for ECI and the LEA to share confidential information. ECI will be required to obtain a Release of Information prior to consultation and/or referral. With parental consent, a TVI or TODHH may be consulted for ways to obtain the required medical documentation leading to a full referral. Consultation may include phone calls, emails and/or home visits if necessary.

- (a) Collaborative consultation will aid in preventing children from experiencing delays in service due to lack of medical follow-up. Consultation will also improve the quality of referrals, therefore saving time for the LEA professionals that are evaluating for hearing and vision loss.

### *Evaluations*

ECI is responsible for providing the LEA with current ophthalmological evaluation when there are signs of visual impairment, and/or current audiological and otological evaluations for suspected hearing loss.

The LEA is responsible for the communication assessment for students being evaluated due to hearing loss and for the FVE, LMA, and O&M assessment for children being evaluated for visual impairment.

When a suspected visual impairment or hearing loss drives the referral to ECI, the LEA service providers must collaborate with ECI to meet the 45-calendar day timeline for an initial evaluation.

In the event that the child has already been evaluated and is receiving ECI services due to a medically diagnosed condition or a developmental delay, before visual impairment or hearing impairment is suspected, the timeline for evaluation is determined by a local agreement between the LEA and ECI. Best practice is to complete the evaluation within 3 weeks of referral. **It is important to complete the evaluation and begin services for the family as quickly as possible.**

The initial evaluation is a baseline, which should be revised on an ongoing basis as services are delivered. Reviewing and updating evaluations is required on an annual basis for Part C services; this includes FVE, LMA, ECC review, and O&M evaluations for children with visual impairments, as well as the communication evaluation for children who are deaf and hard of hearing.

### *Family Services*

**All services delivered to a family through an IFSP must follow the IDEA Part C guidelines.** This includes services that are provided through LEA service providers. Part C guidelines indicate that IFSP services are centered on evidence-based practices in early childhood including coaching and supporting families in interacting with their child in their natural environment. Service time should be planned and delivered to meet individual family needs. A parent or caregiver must be an active participant.

**Service providers, including TODHH, TVI and O&M, must follow the schedule of services set in the IFSP according to the 12-month calendar year.** The IFSP is based on the child/family need, and providers making an exception for a holiday based on provider need is not indicated in either the MOU or in rule. Sessions that are cancelled or going to be cancelled for any reason, including but not limited to sickness, holidays, or vacation, should be discussed with the family, documented, and a plan for make-up sessions should be agreed upon by both the family and provider.

### *LEA Procedures*

Students must be enrolled at the LEA before receiving services. Families must follow district policies for enrolling their child. **LEAs should set up a policy on enrolling infants that encourages and supports families in this process.** These policies may include setting up a single location for all infants to enroll, having the LEA service provider facilitate the process at the school or at the home, communicating with ECI to obtain required documentation that they may have on file, and/or waiving a district requirement for the parent to appear in person at the school.

**According to IDEA Part C guidelines, there is a statutory responsibility to provide**

**services for infants and toddlers who have hearing or vision impairments.** Texas has established, through an MOU, that LEAs are required to work in collaboration with ECI to meet the Part C guidelines for this population of students. LEAs and ECI share the responsibility of ensuring that services begin within 28 calendar days after the initial IFSP. It is important that district enrollment procedures do not cause the LEA or ECI to fall out of compliance in delivery of timely services.

References were drawn from the following sources:

IDEA 34 CFR §303

Texas Administrative Code. Title 40. Part 2, Department of Assistive and Rehabilitative Services, Chapter 108 Early Childhood Intervention Services. 2019. Accessed August 14, 2020.

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=40&pt=2&ch=108&rl=207](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=40&pt=2&ch=108&rl=207)

Texas Education Agency. "Student Attendance Accounting Handbook (SAAH), effective April 2020". Accessed August 14, 2020.

<https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook>

Texas Education Agency. "Technical Assistance: Child Find and Evaluation, Revised June 2020". Accessed August 14, 2020.

<https://tea.texas.gov/sites/default/files/Technical%20Assistance%20-%20Child%20Find%20and%20Evaluation%20-%20June%202020%20Revised%28v5%29.pdf>

Texas Health and Human Services Commission and Texas Education Agency. "Early Transition Memorandum of Understanding". 2019. Accessed August 14, 2020.

<https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/early-transition-memorandum-of-understanding>

## **XXVII. Acronyms Used in the Document Text**

AER – Association for the Education and Rehabilitation of the Blind and Visually Impaired

ARD – Admission, referral, and dismissal committee

AT – Assistive Technology

CEC – Council for Exceptional Children

COMS – Certified orientation and mobility specialist

DHH – Deaf or hard of hearing

ECC – Expanded core curriculum

ECI – Early Childhood Intervention

ESC – Education service center

ESSA – Every Student Succeeds Act

FVE – Functional vision evaluation

IDEA – Individuals with Disabilities Education Act

IEP – Individualized education plan

IFSP – Individual family service plan

HHSC – Health and Human Services Agency

LEA – Local education agency

LMA – Learning media assessment

MOU – Memorandum of understanding

O&M – Orientation and mobility

TEA – Texas Education Agency

TODHH – Teacher of students who are deaf or hard of hearing

TSBVI – Texas School for the Blind and Visually Impaired

TVI – Teacher of students with visual impairments