

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

a. Texas Transfers

When a student transfers to Triumph Public High Schools from another school within Texas, Triumph Public High Schools shall provide a free appropriate public education (“FAPE”) to the student. Triumph Public High Schools shall provide comparable services as those described in the individualized education program (“IEP”) the student transferred with until Triumph Public High Schools adopts the student’s IEP from the previous school, or develops, adopts, and implements a new IEP.

34 CFR 300.323(e); 19 TAC 89.1050(j)(1).

b. Out-of-State Transfers

If the student with a disability transfers to Triumph Public High Schools from a school outside of Texas, Triumph Public High Schools shall provide the student with FAPE, including comparable services, until Triumph Public High Schools conducts an evaluation and develops, adopts, and implements a new IEP.

A new IEP must be implemented within 30 school days from the date the student is verified as being a student eligible for special education services.

34 CFR 300.323(f); 19 TAC 89.1050(j)(2).

If a student transfers from Triumph Public High Schools, Triumph Public High Schools will furnish the student’s special education records to the student’s new school not later than the 10th working day after the date a request for the information is received by Triumph Public High Schools.

19 TAC 89.1050(j)(3).

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

A student with a disability who has an IEP in place from a previous in- or out-of-state LEA and who enrolls in a new LEA during the summer is not considered a transfer student for the purposes of 34 CFR 300.323(e) or (f) and corresponding state law and/or regulations.

The new LEA must; (1) implement the IEP from the previous LEA in full on the first day of class of the new school year; or (2) must convene an ARD committee meeting during the summer to revise the student's IEP for implementation on the first day of class of the new school year.

**TRIUMPH PUBLIC HIGH SCHOOLS (TPHS) BOARD POLICY
MANUAL
POLICY GROUP 6 - SPECIAL EDUCATION
CHILDREN WHO TRANSFER**

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19 TAC 89.1050(j)(4).

BOARD ADOPTED: 08/01/2022

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