

Texas Administrative Code

TITLE 40

SOCIAL SERVICES AND ASSISTANCE

PART 2

DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES

CHAPTER 108

EARLY CHILDHOOD INTERVENTION SERVICES

SUBCHAPTER J

INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP)

RULE §108.1009

Participants in Initial and Annual IFSP Meetings

*LPHA Lina & Brad
Healy Ochs*

(a) The initial IFSP meeting and each annual meeting to evaluate the IFSP must be conducted by the IFSP team as defined in 34 CFR §303.343(a) (relating to IFSP Team meeting and periodic review).

(b) The initial IFSP meeting and the annual meeting to evaluate the IFSP must be conducted by an interdisciplinary team that includes, at a minimum, the parent and at least two professionals from different disciplines or professions.

(1) At least one professional must be an ECI service coordinator.

(2) At least one professional must be an LPHA.

(3) At least one ECI professional must have been involved in conducting the evaluation. This may be the service coordinator, the LPHA, or a third professional.

(4) If the LPHA attending the IFSP meeting did not conduct the evaluation, the contractor must ensure that the most recent observations and conclusions of the LPHA who conducted the evaluation were communicated to the LPHA attending the initial IFSP meeting and incorporated into the IFSP.

(5) Other team members may participate by other means acceptable to the team.

(c) With parental consent, the contractor must also invite to the initial IFSP meeting and annual meetings to evaluate the IFSP:

(1) Early Head Start and Migrant Head Start staff members, if the family is jointly served; and

(2) representatives from other agencies serving or providing case management to the child or family including Medicaid managed care programs.

(d) If a child has a documented:

(1) auditory impairment as described in §108.813(a) of this chapter (relating to Determination of Hearing and Auditory Status), the IFSP team for an initial IFSP meeting and annual IFSP evaluation meetings must include a certified teacher of the deaf and hard of hearing; or

(2) visual impairment as described in §108.815(a) of this chapter (relating to Determination of Vision Status), the IFSP team for an initial IFSP meeting and annual IFSP evaluation meetings must include a certified teacher of the visually impaired.

(e) Unless there is documentation that the LEA has waived notice, the contractor must:

(1) provide the certified teacher required in subsection (d) of this section 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 ECI record.

(f) The IFSP team cannot plan auditory or vision services or make any changes that affect those services if the certified teacher required in subsection (d) of this section is not in attendance.

(g) The IFSP team must route the IFSP to the certified teacher required in subsection (d) of this section for review and signature when changes to the IFSP do not affect the child's auditory or vision services.

(h) The certified teacher of the deaf and hard of hearing and the certified teacher of the visually impaired required in subsection (d) of this section 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.

(i) The certified teacher required in subsection (d) of this section is not required to attend an IFSP review when changes do not affect the child's auditory or vision services, but the contractor must obtain the teacher's input.

Source Note: The provisions of this §108.1009 adopted to be effective September 1, 2011, 36 TexReg 5387; amended to be effective July 1, 2012, 37 TexReg 4621; amended to be effective September 1, 2013, 38 TexReg 5524; amended to be effective March 7, 2015, 40 TexReg 939; amended to be effective June 30, 2019, 44 TexReg 3280

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