

Chapter 75. Curriculum
Subchapter BB. Commissioner's Rules Concerning Provisions for Career and Technical Education

Statutory Authority: The provisions of this Subchapter BB issued under the Texas Education Code, §§29.001, 29.182, and 29.185, and Texas Labor Code, §311.004, unless otherwise noted.

§75.1023. Provisions for Individuals Who Are Members of Special Populations.

- (a) An individual who is a member of a special population as defined in 20 United States Code (USC), §2302(29), shall be provided career and technical education in accordance with all applicable federal law and regulations, state statutes, and rules of the State Board of Education (SBOE) and commissioner of education.
- (b) A student with a disability shall be provided career and technical education in accordance with the provisions of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, 20 USC §§1400-1491, and implementing regulations, state statutes, and rules of the SBOE and commissioner of education relating to services to students with disabilities.
- (c) A student with a disability shall be instructed in accordance with the student's individualized education program (IEP) in the least restrictive environment, as determined by the admission, review, and dismissal (ARD) committee. If a student is unable to receive a free appropriate public education (educational benefit) in a regular career and technical education program, using supplementary aids and services, the student may be served in separate programs designed to address the student's occupational/training needs, such as career and technical education for students with disabilities (CTED) programs.
- (d) A student with a disability identified in accordance with provisions of Public Law 105-302 and the IDEA of 2004, 20 USC §§1400-1491o, is an eligible participant in career and technical education when the requirements of this subsection are met.
 - (1) The ARD committee shall include a representative from career and technical education, preferably the teacher, when considering initial or continued placement of a student in a career and technical education program.
 - (2) Planning for students with disabilities shall be coordinated among career and technical education, special education, and state rehabilitation agencies and should include a coherent sequence of courses.
 - (3) A school district shall monitor to determine if the instruction being provided students with disabilities in career and technical education classes is consistent with the IEP developed for a student.
 - (4) A school district shall provide supplementary services that each student with a disability needs to successfully complete a career and technical education program, such as curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices.
 - (5) A school district shall help fulfill the transitional service requirements of the IDEA of 2004, 20 USC §§1400-1491o, and implementing regulations, state statutes, and rules of the commissioner of education for each student with a disability who is completing a coherent sequence of career and technical education courses.
 - (6) When determining placement in a career and technical education classroom, the ARD committee shall consider a student's graduation plan, the content of the individual transition plan and the IEP, and classroom supports. Enrollment numbers should not create a harmful effect on student learning for a student with or without disabilities in accordance with the provisions in the IDEA of 2004, 20 USC §§1400-1491o, and its implementing regulations.

Source: The provisions of this §75.1023 adopted to be effective May 29, 1996, 21 TexReg 4329; amended to be effective December 26, 1999, 24 TexReg 11334; amended to be effective June 7, 2010, 35 TexReg 4699.