



# TEXAS PROFESSIONAL EDUCATIONAL DIAGNOSTICIANS

## UPDATE

**SYMPOSIUM 2019**  
**Waco Convention Center**  
**December 8, 2019**  
**4:00-6:00 P.M.**

**Presenting Cherry C. Lee**  
 Dyslexia Coordinator, Division of Special Education  
 Texas Education Agency  
**Evaluator's Toolkit for Dysgraphia**

[Symposium Registration](#)

[TPED website](#)



### Chair Report



#### Board of Registry Fall Meeting

Happy Fall! We have so much to be thankful for and your Board of Registry is thankful for you and your dedication to this amazing profession. The Board holds meetings twice annually, and each fall we hold the meeting virtually, allowing board members from across the state to participate from the comfort of their own workspace. This continues to be a great option once a year.

Since our last meeting in April, the Board hosted one exam site where all applicants completed the requirements to become REGPEDs! We are excited about the upcoming opportunities that the Board is exploring to bring the exam to a testing center closer to you.

The Board is eager for December 8, 2019 when we'll once again host our Symposium. With the CAP (Corrective Action Plan), much focus has been around dyslexia/dysgraphia and how to serve students identified as such. We are so excited to host TEA's Director of Reading Academies, and formerly TEA's Dyslexia Coordinator, Cherry Lee. Cherry has served in both general and special education and is currently employed with the TEA in the Division of School Programs. She provides technical assistance in the areas of learning disabilities, evaluation, *Response-to-Intervention*, and compliance with Section 504 and IDEA regulations. She is a Certified Academic Language Therapist, Licensed Dyslexia Therapist, and an educational diagnostician. She is currently pursuing her doctorate in educational leadership.

This school year has much greatness to behold, largely due to dedicated professionals as yourselves--seeing the needs of others and serving well. May we keep focused on our relationships, being innovative, and creating excellence in all we do!

Serving alongside you,  
 Leslie Flisowski  
 Board Chair



Presenting Cherry C. Lee  
**Evaluator's Toolkit for Dysgraphia**  
 Dyslexia Coordinator, Division of Special Education  
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Cherry Lee has served in both general and special education. She is currently employed with the Texas Education Agency (TEA) in the Division of School Programs as the Director of the Reading Academies. Recently, she served as the Dyslexia Coordinator in the Division of Special Education at TEA. Mrs. Lee provides technical assistance in the areas of the science of teaching reading, learning disabilities, evaluation, Response-to-Intervention, and compliance with Section 504 and IDEA regulations. She is a Certified Academic Language Therapist (CALT), Licensed Dyslexia Therapist (LDT), and an educational diagnostician. Cherry is currently pursuing her doctorate in educational leadership.

### Welcome Our New Members

**In June 2019 twenty-two candidates took the TPED Board of Registry examination after completing the application process and being approved by the Board. Candidates came from eight regions in Texas, Regions 4, 6, 7, 8, 10, 11, 13, and 15. We are excited to announce that all candidates passed the examination. Please join us in welcoming our newest TPED members.**

Amber Birchmier  
 Rebekah Boone  
 Agathe Bourget  
 Katie Breaux  
 Denise Cervantez  
 Jenny Civello  
 Emily Hungerford Cummings  
 Jenny Curfew  
 Christine Davis  
 Sumaya Elhassouni  
 Susanne Evans  
 Deborah Fields  
 Julia Huff  
 Stephanie Johnson Jenkins  
 Patricia Longoria  
 Janet Nash  
 Raychel Neel  
 Andrea Pavolonis  
 Angie Rivera  
 Amy Roby  
 Kaley Stringfellow  
 Teresa Vandermeer

*"Every person owes some of his time to the upbuilding of the profession to which he belongs." T. Roosevelt*

### Legislative

#### House Bill 3703

Is marijuana allowed at school???? House Bill 3703 makes appears to be addressing the medical benefits from THC and school officials may be wondering how these new products and legal developments impact Texas public schools.

##### What is CBD?

CBD, or cannabidiol, is one of many naturally occurring chemical compounds of Cannabis sativa L., the plant from which both marijuana and hemp are derived. Tetrahydrocannabinol, or THC, is another compound of the cannabis plant. The primary difference between hemp and marijuana is the amount of THC, which is the main component of marijuana that creates a "high" sensation. Both hemp and marijuana contain CBD, which is non-intoxicating. CBD has been shown to be effective in treating some forms of epilepsy. Preliminary research has also suggested that CBD may be used to treat other health conditions, including anxiety, insomnia, and chronic pain. Unlike whole-plant marijuana, which is usually smoked or vaporized, CBD is commonly consumed as an oil extract or a pre-mixed additive in food or beverages.

House Bill 3703 took effect on September 1, 2019 and provides the following information:

##### Patient Access and Protections

- **Maintains dosing restriction of .5% THC but removes restrictions on all other cannabinoids.**
- **Expands qualifying conditions to include all epileptic disorders, multiple sclerosis, and spasticity.**
- **Protects students who are registered T.CUP patients from discipline at/by the school for using low-THC cannabis.**

##### Physicians

- **Limits physician participation to only neurophysiology specialists, neurologists, and psychiatrists who are registered with the Compassionate Use Registry of Texas.**
- **Maintains problematic requirement for participating doctors to "prescribe" cannabis, jeopardizing the doctor's ability to prescribe controlled substances to patients.**
- **All "prescriptions" must be confirmed by a second physician (does not have to be a specialist).**

##### Research

- **Establishes an in-state low-THC cannabis research program managed by the Health and Human Services Commission (HHSC).**
- **Authorizes HHSC to establish research permitting requirements for health-related institutions, determine which conditions can be studied, and create all necessary rules to comply with the federal government.**
- **Requires that all research be done through federal channels and is dependent upon federal approval.**

##### Cannabis Business Licensing

- **Allows dispensary license holders to operate multiple locations throughout the state if DPS determines it is necessary to ensure patient access needs.**
- **Requires dispensary license holders provide a suitable sample for testing if requested by DPS.**

In summary, in the rapidly changing field of cannabis law, even experts have a hard time explaining what is and is not legal. School officials are understandably confused. Paradoxically, when the law is changing quickly, the best advice may be to slow down. Don't rush to adopt a policy that may be impacted or even negated by pending issues on the state or federal levels. Don't rush to discipline; remember your policies and the legally required mitigating factors. Finally, don't rush to judgment. Approach employees, students, and parents without bias as to their choice of treatment.

### LANDS' END

**"Check out our Land's End e-store! Land's End offers us the opportunity to order high quality attire with our TPED logo. Just go to our website [www.regped.com](http://www.regped.com), look for the Store tab and then Land's End link and place an order today! Wear it with pride and encourage fellow TPED members as well!"**

### Important Reminders about Prior Written Notice:

#### Prior written notice is required:

- **Before** the school proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child
- **Before** the school refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child
- The PWN must include:
  - A description of the action proposed or refused by the agency
  - An explanation of why the agency proposes or refuses to take the action;
  - A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;
  - A statement that the parents of a child with a disability have protection under the procedural safeguards
  - Sources for parents to contact to obtain assistance in understanding the notice
  - A description of other options that the IEP team considered and why they were rejected
  - A description of other factors that are relevant to the agency's proposal or refusal
- Remember that "propose" and suggest are not the same thing. The purpose of PWN is to document *decisions* made by the ARD committee and to give parents adequate notice before the decision is implemented. The school can discuss an action, but PWN is required before the proposal or refusal is implemented.
- PWN be given when an ARD meeting recesses before the meeting is completed. If the ARD committee reached consensus on some proposals, and the committee, including the parent, agreed to implement the proposals immediately, you should provide PWN for those proposals. For any areas of disagreement, PWN should not be provided until the ARD committee meeting has been completed and the final decision has been made.
- PWN should be provided even when the parent initiates a change.
- PWN is required when the district proposes to initiate or change the identification, evaluation, and educational placement, or the provision of FAPE to the child- even if such decisions are made through the IEP amendment.
- PWN must be given to a parent following the parent's written revocation of consent for special education services.
- The same information (for a PWN) is not required for the Notice of an ARD Committee meeting.

Information found from an online article from Walsh Gallegos:  
 Driscoll, G. (August 2018). *Legal Update: Prior Written Notice, Present Levels of Performance, and Child Find*. Retrieved from <http://www.WalshGallegos.com>

### \*START SPREADING THE NEWS\*

**TPED will be piloting a testing option that will allow applicants the opportunity to test at a licensed testing facility in their area.**

#### How will it work?

Upon approval to test, applicants will be given a list of approved licensed testing facilities in their area. The applicant will be responsible for completing and submitting an Alternate Test Site form indicating the testing facility of their choice, contact information, and scheduled testing appointment. TPED will work with and provide test materials to the testing facility. The applicant must test during the scheduled testing window; May 28, 2020 through June 4, 2020. Applicants will be responsible for any testing fees incurred. Testing fees typically range from \$30.00 to \$40.00.

*Not just competence ... excellence.*

[TPED facebook](#)