**State Performance Plan / Annual Performance Report: Part B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on
FFY 2019**

**Texas**



**PART B DUE
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION**

**WASHINGTON, DC 20202**

# Introduction

**Instructions**

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State’s systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State’s General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

## Intro - Indicator Data

**Executive Summary**

The Individuals with Disabilities Education Act (IDEA) of 2004 requires each state to develop a six-year performance plan. The extension of the IDEA continues to require a State Performance Plan (SPP)/Annual Performance Report (APR) to evaluate the State of Texas’ (State) efforts to implement the requirements and purposes of IDEA and illustrate how the State will continuously improve upon its implementation. The State is required to submit an updated SPP/APR to the Office of Special Education Programs (OSEP) on February 1 each year.

The Introduction to the SPP/APR provides an overview of the State’s systems that are in place to ensure IDEA requirements and the provision of services to improve results for students with disabilities are met. These are outlined through the following introduction sections which include: General Supervision, Technical Assistance, Professional Development, Stakeholder Involvement, and Reporting to the Public.

The SPP/APR includes 17 indicators that represent five monitoring priorities; Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionate Representation, Child Find, Effective Transition, and General Supervision. Each indicator includes historical and current data, targets, improvement strategies and stakeholder involvement, and progress monitoring.

The SPP/APR is presented publicly on the Texas Education Agency (TEA) website following submission and OSEP approval each spring. Additionally, TEA reports annually to the public on the performance of each local education agency (LEA) on each of the indicators through a district profile on its website.

**Additional information related to data collection and reporting**

Although State operations for data collection and reporting were not shut down or delayed due to the nation-wide pandemic relating to COVID-19, several key systems and functions for monitoring, general supervision, technical assistance delivery, and availability of data were affected. These impacts are addressed in the specific areas and indicators throughout the SPP/APR and include:

**Number of Districts in your State/Territory during reporting year**

1,206

**General Supervision System**

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

The State of Texas (State) incorporates the SPP in the blueprint for the Texas Continuous Improvement Process (TCIP). The state's general supervision system mirrors the requirements of IDEA outlined in the SPP /APR. The State's data-driven, evidence-based improvement activities inclusive of stakeholder needs and input guides its efforts to improve results for students with disabilities.

Texas has a balanced system of compliance and performance-based accountability that is included in the monitoring and intervention practices in the state. Special Education monitoring and intervention activities rely on rich data sources by which student-level information is analyzed to determine compliance and results of effective programs for students with disabilities. The State's monitoring activities include targeted and cyclical monitoring of public school districts including public charter schools; approval and re-approval of nonpublic day and residential schools; cyclical monitoring of other entities that provide services to students with disabilities; residential facility educational program monitoring; dispute resolution tracking through the Correspondence and Dispute Resolution Management System (CDRMS); and noncompliance tracking and monitoring through the ASCEND secure linked platform. School closures due to COVID-19 pushed some monitoring timelines and required some late spring activities to be held in Fall 2020.

Each year, TEA evaluates every LEA through an analysis of district data against the standards of an RDA framework (formerly the Performance-Based-Analysis System) and is aligned across different RDA special population program areas that includes Special Education. The RDA framework uses reliable and comprehensive LEA data, indicating patterns of past performance along with other federally required indicators, as part of the State's mechanism to inform monitoring determinations and interventions. The RDA framework has transformed its early historical program monitoring from a stand-alone, cyclical and compliance-driven on-site monitoring system to a data-informed, results-driven system of coordinated and aligned monitoring activities inclusive of targeted and cyclical review processes. Updates this FFY year to the system included alignment in structure within the system reports, capturing the included indicators under 3 domains similar in structure to the State's A-F Accountability system and reports. This diagnostic framework supports the Agency and LEAs in developing differentiated support activities to promote compliance and continuous improvement of outcomes for students with disabilities. Although impact from the COVID-19 pandemic delayed some intended milestones, the State has continued to evolve its system for a differentiated LEA determination rating system inclusive of a risk assessment index that will include predictive measures of student outcomes and school success.

The RDA framework includes an intervention component with specific processes and activities that is implemented after the initial RDA determinations occur. This component, the Differentiated Monitoring and Support (DMS) system, is similar to OSEP’s monitoring system to achieve continuous improvement goals. DMS provides monitoring and support activities that are customized based on the LEAs need and concentrates on three programmatic pillars: Implementation, Student Outcomes, and Family Engagement. These pillars are integral to the analysis of the seven critical areas of compliance within the monitoring framework. The Self-Assessment support activity is purposed to assist Local Education Agency (LEA) leadership teams in evaluating and improving their special education program, and engages leadership teams through a proactive approach by addressing special education compliance and improving student performance.

LEA monitoring activities are targeted to address unique special population program needs and to meet state and federal statutory requirements for performance interventions and compliance reviews specific to each program area. All cyclical and targeted districts are required to develop local improvement plans addressing areas of concern. TEA requires districts to address findings of noncompliance in a corrective action plan (CAP) and they must implement intervention activities when intensive or noncompliance areas are identified. All LEAs must correct noncompliance as soon as possible, but in no case later than one year from identification. Additional information about DMS and special education monitoring activities can be found on TEA’s Special Education Review and Support website.

TEA monitors both day and residential nonpublic schools with which LEAs are approved in contracting for special education instructional and related services. TEA’s Nonpublic School Monitoring and Guidance Resources are found on the Special Education website.
TEA also monitors four state agencies that provide educational services to students with disabilities: Texas School for the Deaf, Texas School for the Blind and Visually Impaired, Texas Juvenile Justice Department, and the Windham Prison System. These entities are monitored on a four-year cycle.

Under the authority of 19 Texas Administrative Code (TAC) §97.1072, TEA monitors districts that serve students with disabilities who reside in residential facilities to ensure a free and appropriate public education (FAPE). Additionally, RF monitoring has become a part of the integrated intervention process if districts are staged in more than one program area.
CDRMS provides integrated tracking and management of correspondence and dispute resolution processes at TEA. CDRMS is divided into modules as follows:
• Correspondence – maintains basic correspondence data as well as student, complainant, and district information for items flagged as potential complaints;
• Closure Letters – maintains all closure letter data including student, complainant, and district information as well as workflow and related dispute tracking;
• Complaints – maintains all relevant complaint data including student, complainant, district information, related dispute events for the same student, and workflow, as well as links to copies of initial correspondence and response;
• Due Process Hearings – includes electronic docketing functionality as well as maintenance of petitioners, respondents, related dispute events for the same student, issues in dispute, links to the initial request and final hearing orders, and appeals for all hearing requests received by TEA;
• Mediations – includes electronic docketing functionality as well as tracking of related disputes events for the same student; and
• Facilitations - organizes information related to state-sponsored facilitations managed by the Division of Special Education (Division) as well as tracking of related activities for the same student.
Additionally, the CDRMS tracks progress on pending and completed corrective actions. The Division, in collaboration with the Division of Review and Support, is responsible for monitoring any required corrective actions resulting from complaints and due process hearings.

In tandem with CDRMS, TEA monitors the finding of noncompliance through the ASCEND platform. Cited noncompliance is recorded in the district’s account. ASCEND documents the date that the district was notified of the finding, the due date for correction, and the date the district was cleared of noncompliance. Monitoring occurs through correspondence; uploading and tracking such things as the district CAP, interventions, and results for correction of the noncompliance; and documentation of these results. Districts who do not correct any instance of noncompliance within a year are identified as in escalated oversight within the ASCEND system, where additional interventions and/or sanctions are tracked.

**Technical Assistance System**

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

The State provides leadership in implementing the requirements of IDEA 2004 in Texas and has mechanisms in place which address state and federal identified monitoring priorities to ensure the timely delivery of high quality, evidenced-based TA; and to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities. Delivery to service providers during school closures due to Covid-19 required quick re-think and re-boot of planned TA for remote access environments. Service provider demands above and beyond normal circumstance limited time for all planned TA during Spring, Summer, and early Fall 2020.

Twenty regional education service centers (ESCs) are the foundation of the State’s TA infrastructure. ESCs provide training and TA to parents, school districts, charter schools, and other community stakeholders for each region. ESCs support the State in implementing the requirements of IDEA 2004, meeting the targets of the SPP, and carrying out other results-driven measures identified in the State. Each ESC develops an annual regional special education continuous improvement plan (SECIP) describing regionally developed improvement activities based on regional data as compared to state target and engages with state agency staff to identify successes that might be scaled statewide and/or opportunities for state agency support to enhance their efforts. ESCs report formative data quarterly, and summative in an annual report of high-leverage regional activities tied to the state agency’s monitoring areas of focus at universal, targeted, and intensive levels. ESCs also provide dissemination of information throughout the state.

Additionally, the State’s commitment of resources exists in collaborative projects, institutes of higher education (IHE) grants, and interagency coordination. Interagency coordination is integral in shared support within the State to those who provide services to children with disabilities specific to their state agency charge. The TEA participates in many stakeholders and interagency councils.

As part of the dissemination of discretionary funds that TEA receives under IDEA-B for state-level activities, TEA provides grants for TA networks. Networks address major, thematic topics that are identified as critical TA and support needs for the state. A network is comprised of:
• The grantee who serves as the network lead alongside TEA
• Identified Network members (inclusive from all 20 Education Service Centers (ESCs) across the state)
• TEA special education program staff

Many networks also utilize stakeholder or advisory groups in the design and implementation of network activities. TA, resources and trainings from these networks are available to any local education agency (LEA) in the state and are intended to leverage best practices.
As part of the April 2018 special education strategic plan, TEA incorporated stakeholder feedback, data, and interviews to reimagine the network structure. As a result, the current networks launched July 1, 2019.

The Child Find, Evaluation and ARD Supports Network assists LEAs by providing resources and training that are aligned with implementing effective Child Find practices, conducting comprehensive evaluations, and practicing collaborative admission, review, and dismissal (ARD) committee processes that lead to a free appropriate public education (FAPE) for students with disabilities.

The Inclusion in Texas Network is working to promote a statewide culture of high expectations for students with disabilities and significantly improve academic and functional outcomes for students served by special education. The network assists LEAs to build capacity to develop and appropriately implement instructional programs that provide meaningful access to inclusive environments and grade-level standards, where appropriate.

Texas Statewide Leadership for Autism Training (TSLAT) increases LEAs’ knowledge, understanding, and implementation of evidence-based practices that ensure the academic, functional, and behavioral needs of students with autism are met. TSLAT provides access to training, TA, support, and resources for educators who serve students with autism. The TSLAT website includes online courses (some in Spanish), webinars, information about opportunities for deeper learning, a video library, and more.

The Tiered Interventions using Evidence-based Research (TIER) network is developing comprehensive and coherent training and resources for evidence-based intervention practices across the state. The network strives to increase LEA and ESC capacity to develop and implement an effective, integrated, comprehensive framework for intervention that is grounded in differentiated instruction and aligns the systems that are fundamental for all students’ academic, behavioral, and social achievement.

The Texas Complex Access (TXCAN) network provides statewide leadership and support to increase the capacity of LEAs and families to meet the needs of students with significant cognitive disabilities. The network provides resources and supports that provide for the complex and intensive educational and functional needs of students with significant cognitive disabilities.

The Texas Sensory Support Network (TxSSN) ensures the provision of support to infants, toddlers, children, and youth with sensory impairments, their families, and the professionals who serve them. This network provides information and strategies for the development of communication, mobility, tactile skills, and environmental adaptations. Additionally, TxSSN addresses diagnosis, evaluation, and educational programs for services to students in their home communities in support of the comprehensive statewide education plan for this student population.

The Small and Rural Schools Network (SRSN) strives to build capacity of small and rural LEAs to provide a more equitable level of access for students with disabilities in these communities. The network will develop state-level infrastructures, resources, and professional development to support LEAs who face unique challenges, such as resource limitations and geographic remoteness.

The Student-Centered Transitions Network (SCTN) builds collaborative infrastructures among students, families, schools, LEAs, and communities. The SCTN aims for all students with disabilities to be actively involved in planning, communicating, and evaluating progress in meeting their transition goals from early childhood through high school graduation and post-secondary readiness.

The Multiple Exceptionalities and Multiple Needs (MEMN) Network supports students with multiple exceptionalities and multiple needs served by special education and identified in one or more of the following special populations: gifted and talented (GT), English learner (EL), or highly mobile family situation, including military, migrant, foster, or homeless. The multifaceted needs of these students require planned and purposeful coordination. Through the creation of partnerships and a foundation in evidenced-based practices, this network builds capacity for educator support through training and resources specific to identification and programming for students with multiple exceptionalities and multiple needs.

Additionally, TEA leverages an initiative for School, Family, and Community Engagement. This initiative provides resources and professional development to build the capacity of educators to work collaboratively with families and community members in supporting positive outcomes for students with disabilities. As part of this initiative, SPEDTex (the Texas Special Education Information Center) optimizes information and responds with TA in a succinct and useful format that is user-friendly, culturally responsive, and accessible to all individuals. Important parent resources are housed or linked on the SPEDTex website.

**Professional Development System**

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.**

Providing a quality education for all Texas children requires partnerships among TEA, educator preparation programs, public and private schools, institutions of higher education, and the community. TEA is committed to ensuring that the state’s educator preparation programs are high-quality institutions that recruit and prepare qualified educators to meet the needs of all learners in today's and tomorrow's Texas classrooms.

Texas issues standard certificates to educators meeting the state requirements. An educator with a standard certificate in Texas is required to renew his or her standard certificate(s) every five years. A minimum number of Continuing Professional Education (CPE) hours provided by an approved CPE provider must be obtained to renew that certificate under the Texas Administrative Code (TAC) §232.13.

All CPE providers must be approved and registered by the State Board for Educator Certification (SBEC) and TEA. This approval process ensures that quality CPE is offered to support the professional growth of educators in the knowledge and skills necessary to improve student outcomes. Only CPE activities from approved, registered providers are recognized for certificate renewal purposes.

CPE activities are offered at a wide variety of physical and virtual locations for easy access to a continuum of quality professional development (i.e. institutes of higher education, ESCs, local education agency provided programs, and statewide projects and initiatives such as Texas Gateway - a collection of Web 2.0 tools and applications that provides high-quality professional development in an interactive and engaging learning environment)

Additionally, ESCs provide professional development (PD) and training activities based on state needs and the monitoring priorities identified in the SPP. TEA provides a wide array of services that help educators do their jobs. An overview of these services can be found on TEA’s Texas Educator website and each ESC’s regional website.

School closures, and in-person training and development due to Covid-19 required quick re-think and re-boot of planned events for remote access environments. Additionally, service provider demands above and beyond normal circumstance limited time for all planned PD during Spring, Summer, Fall 2020, and beyond.

**Stakeholder Involvement**

**The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

YES

**Reporting to the Public**

**How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State’s submission of its FFY 2018 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State’s SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2018 APR in 2020, is available.**

TEA publicly reports district performance against the state targets in the SPP for Indicators 1-14 for a given year on its Local Education Agency Reports and Requirements webpage. Each spring, no later than 120 days following the State's submission of its APR, TEA produces a District Profile of SPP Indicators Report for each district in the state as required by 34 CFR §300.602(b)(1)(i)(A). Also, a complete copy of the most recently submitted and accepted SPP and APR is available on the TEA State Performance Plan and Annual Performance Report and Requirements webpage. This system is evolving through ongoing projects resulting in a new platform for LEA public reporting that will include interactive and dynamic dashboards in the next SPP cycle.

The Texas Student Data System (TSDS ) is a statewide system that has modernized and improved the quality of data collection, management, and reporting in Texas education. TSDS replaces and expands on the existing Public Education Information Management System (PEIMS), which is one of the largest education databases in the world. Local education agencies (LEAs) load data to the TSDS PEIMS repository from their local systems. This data is moved to other reporting systems used to create reports that provide information about a variety of topics, such as assessment results, prekindergarten and kindergarten readiness skills, college admissions and graduation, and spending and implementation of legislation. TEA provides these reports publicly on its Reports and Data.

The Results Driven Accountability (RDA) reporting system is the public report used to evaluate LEAs in special population program performance areas. This data-driven-monitoring report is a coordinated function of TEA’s Department of Review and Support, Department of Performance Reporting, and the Division of Special Education Program Reporting. The data system generates annual publicly facing reports used to evaluate the annual performance of LEA special population program areas. The RDA manual, a Texas statutory requirement, is used as a comprehensive technical resource designed to explain indicators and reports. The RDA, a redesign of the former Performance-Based-Analysis-System (PBMAS), is a dynamic system in which indicators are added, revised, or deleted in response to changes and developments that occur outside of the system, including new legislation and the development of new assessments.

Additionally, all 20 ESCs maintain websites to provide regional as well as statewide information and data. The links to these can be found on the TEA Education Service Centers Map webpage.

Impacts from COVID-19 resulting barriers demonstrated increased urgency for speed, transparency, and accessible reporting needs that are being met through efforts to target and align systems for data and reporting needs.

## Intro - Prior FFY Required Actions

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year Five; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP’s coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State’s capacity to improve its SiMR data.

OSEP notes that one or more of the attachments included in the State’s FFY 2018 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education’s IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

The State's IDEA Part B determination for both 2019 and 2020 is Needs Assistance. In the State's 2020 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

**Response to actions required in FFY 2018 SPP/APR**

TEA publicly reported its FFY 2018 SPP with accessible links and information provided to OSEP prior to the 120th day after the date of the determination letter in Summer 2020. This is linked at https://tea.texas.gov/reports-and-data/data-submission/state-performance-plan

Technical Assistance Received by the State and Actions Taken as a Result of the Technical Assistance: Please see attached.

## Intro - OSEP Response

The State's determinations for both 2019 and 2020 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 25, 2020 determination letter informed the State that it must report with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State did not provide the required information.

Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State does not have any FFY 2019 data for indicator 17.

On October 19, 2020, OSEP issued a report of the results of its May 2019 on-site monitoring of TEA’s implementation of its Corrective Action Response (CAR). TEA submitted documents to OSEP on October 22, 2020; October 27, 2020; November 1, 2020; November 19, 2020; December 3, 2020; and December 12, 2020. TEA also participated in telephone calls with OSEP on October 21, 2020; November 16, 2020; and November 19, 2020. OSEP is currently reviewing the documentation submitted by TEA and will respond under separate cover.

## Intro - Required Actions

The State's IDEA Part B determination for both 2020 and 2021 is Needs Assistance. In the State's 2021 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2020 SPP/APR submission, due February 1, 2022, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

OSEP notes that the State submitted verification that the attachment complies with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508). However, one or more of the attachments included in the State’s FFY 2019 SPP/APR submission are not in compliance with Section 508 and will not be posted on the U.S. Department of Education’s IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

## Intro – State Attachment



# Indicator 1: Graduation

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) graduating from high school with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

Same data as used for reporting to the Department of Education (Department) under Title I of the Elementary and Secondary Education Act (ESEA).

**Measurement**

States may report data for children with disabilities using either the four-year adjusted cohort graduation rate required under the ESEA or an extended-year adjusted cohort graduation rate under the ESEA, if the State has established one.

**Instructions**

Sampling is not allowed.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target. Provide the actual numbers used in the calculation.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Targets should be the same as the annual graduation rate targets for children with disabilities under Title I of the ESEA.

States must continue to report the four-year adjusted cohort graduation rate for all students and disaggregated by student subgroups including the children with disabilities subgroup, as required under section 1111(h)(1)(C)(iii)(II) of the ESEA, on State report cards under Title I of the ESEA even if they only report an extended-year adjusted cohort graduation rate for the purpose of SPP/APR reporting.

## 1 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2011 | 76.70% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 83.00% | 88.00% | 88.00% | 88.50% | 88.50% |
| Data | 77.50% | 78.20% | 77.87% | 77.41% | 77.86% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 90.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

The TCISC and CAC stakeholder groups provide feedback relative to the monitoring priority FAPE in the LRE and specific to the percent of youth with IEPs graduating from high school with a regular diploma. Detailed information related to the TCISC and the CAC and the mechanisms the state has in place for soliciting broad stakeholder input on the targets is found in the introduction of the SPP/APR.

Stakeholder engagement is fundamental to Texas’ process for developing statewide policies and standards. The State Board of Education (SBOE) sets policies and standards for Texas public schools. This 15-member board is elected to four-year terms of office. Each member represents about 1.8 million Texans. The SBOE sets curriculum standards and graduation requirements with input from educators, subject matter experts, and citizens. Information concerning graduation requirements is found on TEA’s State Graduation Requirements webpage.

In general, students must pass five State of Texas Assessments of Academic Readiness (STAAR) end-of-course (EOC) assessments— Algebra I, English I, English II, Biology, and U.S. History—to earn a high school diploma from a Texas public or charter school as required in TEC §39.025. Thousands of Texas educators have served on one or more of the educator committees involved in the development of the Texas assessment program. These committees represent the state geographically, ethnically, by gender, and by type and size of school district. They routinely include educators with knowledge of the needs of all students, including students with disabilities. Information concerning assessment requirements related to graduation is found on the STAAR Resource webpages.

Based on data analysis, stakeholder input, and the annual graduation rate targets for children with disabilities under Title 1 of the state’s Every Student Succeeds Act (ESSA) plan, the TEA set the FFY 2019 target at 90%.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 07/27/2020 | Number of youth with IEPs graduating with a regular diploma | \*[[1]](#footnote-2) |
| SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 07/27/2020 | Number of youth with IEPs eligible to graduate | 31,537 |
| SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695) | 07/27/2020 | Regulatory four-year adjusted-cohort graduation rate table | 77.9%[[2]](#footnote-3) |

**FFY 2019 SPP/APR Data**

| **Number of youth with IEPs in the current year’s adjusted cohort graduating with a regular diploma** | **Number of youth with IEPs in the current year’s adjusted cohort eligible to graduate** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| \*1 | 31,537 | 77.86% | 90.00% | 77.9%2 | Did Not Meet Target | No Slippage |

**Graduation Conditions**

**Choose the length of Adjusted Cohort Graduation Rate your state is using:**

4-year ACGR

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain*.***

The four-year graduation rate follows a cohort, or a group of students, who begin as first-time 9th graders in a particular school year and who graduate with a regular high school diploma in four years or less. An extended-year graduation rate follows the same cohort of students for an additional year or years. The cohort is "adjusted" by adding any students transferring into the cohort and by subtracting any students who transfer out, immigrate to another country, or die during the years covered by the rate.

Under 34 C.F.R. §200.19(b)(1)(iv), a "regular high school diploma" means the standard high school diploma awarded to students in a State that is fully aligned with the State's academic content standards and does not include a General Equivalency Diploma (GED) credential, certificate of attendance, or any alternative award. The term "regular high school diploma" also includes a "higher diploma" that is awarded to students who complete requirements above and beyond what is required for a regular diploma.

The conditions for earning a general education diploma and a detailed description of the State’s methodology for calculating the graduation rate can be found in the State’s Secondary School Completion and Dropouts in Texas Public Schools, 2017-18 report on TEA's Completion, Graduation, and Dropouts website.

Additional information can be found at this same website in the State’s report Processing of District Four-Year Longitudinal Graduation and Dropout Rates, Class of 2019.

Current and updated information can be found on the TEA website page entitled State Graduation Requirements.

The State has maintained continued emphasis on access to the general curriculum, performance on exit level assessments, effective graduation and dropout prevention strategies for at risk students, and standards based IEP and positive behavior support training through the state. The State continues to strive toward a graduation rate commensurate for students with disabilities with that of their nondisabled peers.

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

Impacts from the COVID-19 pandemic during the 2019-2020 school year did not have impact in this indicator for the data reported in the FFY 2019 SPP/APR Indicator 1 data set, as this indicator is reflective of data from the Class of 2019 graduates concluding in school year 2018-2019.

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

## 1 - Required Actions

# Indicator 2: Drop Out

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

**Measurement**

OPTION 1:

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

**Instructions**

Sampling is not allowed.

OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved, but are known to be continuing in an educational program.

OPTION 2:

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target.

Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain.

## 2 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2013 | 2.25% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target <= | 2.20% | 2.10% | 2.00% | 1.90% | 1.80% |
| Data | 2.11% | 2.01% | 1.96% | 1.82% | 1.93% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target <= | 1.80% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Please indicate the reporting option used on this indicator**

Option 2

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 13,060 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b) | 13,548 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c) | 44 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d) | 3,914 |
| SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/27/2020 | Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e) | 118 |

**Has your State made or proposes to make changes to the data source under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012? (yes/no)**

YES

**If yes, provide justification for the changes below.**

Based on advisement from stakeholder input, the methodology by which the Indicator 2 targets are set was revised for FFY 2013 through FFY 2019. TEA utilizes the NCES computation methodology in the Part B Indicator Measurement Table for this indicator in alignment with state accountability targets and measurements. As such, Texas identifies FFY 2013 as a re-baseline year due to a change in target setting methodology.

**Use a different calculation methodology (yes/no)**

YES

**Change numerator description in data table (yes/no)**

YES

**Change denominator description in data table (yes/no)**

YES

**If use a different calculation methodology is yes, provide an explanation of the different calculation methodology**

A Grade 7-12 annual dropout rate has been calculated by the Texas Education Agency (TEA) since 1987-88, allowing the adopted methodology in setting targets for this indicator to include a longitudinal statistical analysis including population growth and/or declines, alignment with state accountability targets, as well as informed programmatic intervention and infrastructure review. In 2003, the 78th Texas Legislature passed legislation requiring that dropout rates be computed according to the NCES dropout definition (TEC §39.051, 2004). Districts began collecting data consistent with the NCES definition in the 2005-06 school year. The annual dropout rate is calculated by dividing the number of students who dropped out during a single school year by the cumulative number of students who enrolled during the same year. The conditions for what counts as dropping out for all youth and a detailed description of the State’s methodology for calculating the dropout rate can be found in the report Secondary School Completion and Dropouts in Texas Public Schools, 2018-2019 located on TEA's Completion, Graduation, and Dropouts website.

**FFY 2019 SPP/APR Data**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Number of youth with IEPs who exited special education due to dropping out (grades 7-12) | Total number of students with IEPs (grades 7-12) | **FFY** **2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 4,453 | 241,106 | 1.93% | 1.80% | 1.85% | Did Not Meet Target | No Slippage |

**Provide reasons for slippage, if applicable**

**Provide a narrative that describes what counts as dropping out for all youth**

A dropout is a student who is enrolled in a public school in Grades 7-12, does not return to public school the following fall, is not expelled, and does not: graduate, receive a GED certificate, continue school outside the public school system, begin college, or die. The annual dropout rate is calculated by dividing the number of students who dropped out during a single school year by the cumulative number of students who enrolled during the same year. The conditions for what counts as dropping out for all youth and a detailed description of the State’s methodology for calculating the dropout rate can be found on pages 10-11 in the report Secondary School Completion and Dropouts in Texas Public Schools, 2018-19 located on TEA's Completion, Graduation, and Dropouts webpage.

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs below.**

**Provide additional information about this indicator (optional)**

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

## 2 - Required Actions

# Indicator 3B: Participation for Students with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator**: Participation and performance of children with IEPs on statewide assessments:

A. Indicator 3A – Reserved

B. Participation rate for children with IEPs

C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

**Measurement**

B. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Provide separate reading/language arts and mathematics participation rates, inclusive of all ESEA grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3B - Indicator Data

**Reporting Group Selection**

**Based on previously reported data, these are the grade groups defined for this indicator.**

| **Group** | **Group Name** | **Grade 3** | **Grade 4** | **Grade 5** | **Grade 6** | **Grade 7** | **Grade 8** | **Grade 9** | **Grade 10** | **Grade 11** | **Grade 12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall | X | X | X | X | X | X | X | X | X | X | X |

**Historical Data: Reading**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group**  | **Group Name**  | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2005 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| **A** | Overall | 99.00% | Actual | 97.73% | 97.77% | 97.81% | 97.60% | 97.62% |

**Historical Data: Math**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group**  | **Group Name**  | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2005 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| **A** | Overall | 99.00% | Actual | 98.53% | 98.68% | 98.63% | 98.67% | 98.82% |

**Targets**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2019** |
| Reading | A >= | Overall | 95.00% |
| Math | A >= | Overall | 95.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
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The TCISC and CAC stakeholder groups provide feedback relative to the monitoring priority FAPE in the LRE and specific to the percent of youth with IEPs participation and performance on statewide assessments. Detailed information related to the TCISC and the CAC and the mechanisms the state has in place for soliciting broad stakeholder input on the targets is found in the introduction of the SPP/APR. Stakeholder engagement has always been a part of Texas’ process for developing statewide policies and standards. The publicly elected State Board of Education (SBOE) has legislative authority to adopt the Texas Essential Knowledge and Skills (TEKS), which are the state standards for what students should know and be able to do. The SBOE develops the TEKS with input from educators, subject matter experts, and citizens. State assessment questions are directly aligned to the TEKS currently implemented for the grade/subject or course being assessed. Thousands of Texas educators have served on one or more of the educator committees involved in the development of the Texas assessment program. These committees represent the state geographically, ethnically, by gender, and by type and size of school district. They routinely include educators with knowledge of the needs of all students, including students with disabilities. For more than 25 years, Texas has had a statewide student assessment program. Over time, changes to state and federal statute as well as to the state-mandated curriculum standards have required the Texas Education Agency to expand the state assessment program, making it more inclusive of and accessible to all student groups. Whether students are served through general education, special education, or bilingual/English as a Second Language programs, the state tests provide a snapshot of the degree to which students are learning the TEKS. Because of this snapshot, students can receive the additional help they need to strengthen their knowledge and skills in core academic areas; and districts and campuses can evaluate the effectiveness of their instructional programs. In this way, the state assessment program plays an important role in helping all students reach their academic potential, regardless of his/her instructional setting. The State of Texas Assessments of Academic Readiness (STAAR™) replaced the Texas Assessment of Knowledge and Skills (TAKS) in 2012. The STAAR questions are directly aligned to the TEKS currently implemented for the grade/subject or course being assessed. There are large print, braille, paper, and online versions of STAAR with and without designated supports. The State of Texas Assessments of Academic Readiness (STAAR) program includes annual assessments for reading and mathematics, grades 3–8; writing at grades 4 and 7; science at grades 5 and 8; social studies at grade 8; end-of-course (EOC) assessments for English I, English II, Algebra I, biology and U.S history. Beginning in spring 2016, STAAR English III and Algebra II became available for districts to administer as optional assessments. Eligible students may meet testing requirements with Spanish-version STAAR assessments. STAAR Spanish participation requirements are found on the STAAR Spanish Resources webpage. STAAR Spanish is available in grades 3-5 in reading, writing, mathematics, and science. The State of Texas Assessments of Academic Readiness Alternate (STAAR™ Alternate 2) replaced Texas Assessment of Knowledge and Skills–Alternate (TAKS–Alt) beginning in the 2011–2012 school year and was redesigned and implemented beginning in the 2014-2015 school year. TEA developed the STAAR Alternate 2 assessment to meet the federal requirements mandated under the Elementary and Secondary Education Act (ESEA). STAAR Alternate 2 is designed for assessing students in grades 3–8 and high school who have significant cognitive disabilities and are receiving special education services. Information concerning STAAR Alternate 2 is located on TEA’s STAAR alternate 2 Resources webpage. Additional information concerning the State’s monitoring priority FAPE in the LRE and specific to the percent of youth with IEPs participation and performance on statewide assessments can be found on TEA’s website. Links to these webpages can be found in the attached Texas Education Agency Weblinks document. In alignment with the ESSA target and with stakeholder advisement the TEA set the FFY 2019 target at 95%.

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

NO

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

**Reading Assessment Participation Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards |  |  |  |  |  |  |  |  |  |  |  |

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

**Math Assessment Participation Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards |  |  |  |  |  |  |  |  |  |  |  |

**FFY 2019 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs** | **Number of Children with IEPs Participating** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 97.62% | 95.00% |  | N/A | N/A |

**FFY 2019 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs** | **Number of Children with IEPs Participating** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 98.82% | 95.00% |  | N/A | N/A |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

Additional information about the Texas Assessment Program can be found on the TEA STAAR Resources website and the STAAR Statewide Summary Reports website.

**Provide additional information about this indicator (optional)**

In a correspondence on March 18, 2020, TEA informed all LEAs in the State of Governor Greg Abbott's decision to use his statutory authority as the governor of Texas under Texas Government Code, §418.016 to suspend annual academic assessment requirements for the remainder of the 2019–2020 school year due to the COVID-19 pandemic and school closures. As a result, no state assessment data was obtained for the 2019-2020 school year, and therefore not reported for this indicator. Additional information on events impacting State Assessments during school year 2019-2020 and decisions to mitigate access to provisions for state assessments for the 2020-2021 school year is located on the COVID-19 Support: State Assessment TEA website.

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

## 3B - Required Actions

# Indicator 3C: Proficiency for Students with IEPs

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

A. Indicator 3A – Reserved

B. Participation rate for children with IEPs

C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

**Measurement**

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned)]. Calculate separately for reading and math. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

**Instructions**

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for reading/language arts and mathematics assessments (combining regular and alternate) for children with IEPs, in all grades assessed (3-8 and high school), including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3C - Indicator Data

**Reporting Group Selection**

**Based on previously reported data, these are the grade groups defined for this indicator.**

| **Group** | **Group Name** | **Grade 3** | **Grade 4** | **Grade 5** | **Grade 6** | **Grade 7** | **Grade 8** | **Grade 9** | **Grade 10** | **Grade 11** | **Grade 12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall | X | X | X | X | X | X | X | X | X | X | X |

**Historical Data: Reading**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group** | **Group Name** | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2017 | Target >= | 83.00% | 87.00% | 91.00% | 95.00% | 98.00% |
| **A** | Overall | 23.04% | Actual | 36.68% | 34.73% | 34.42% | 23.04% | 21.68% |

**Historical Data: Math**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Group**  | **Group Name** | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| **A** | Overall | 2017 | Target >= | 83.00% | 87.00% | 91.00% | 95.00% | 98.00% |
| **A** | Overall | 25.60% | Actual | 38.03% | 41.99% | 47.71% | 25.60% | 26.45% |

**Targets**

|  |  |  |  |
| --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2019** |
| Reading | A >= | Overall | 26.00% |
| Math | A >= | Overall | 28.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

The TCISC and CAC stakeholder groups provide feedback relative to the monitoring priority FAPE in the LRE and specific to the percent of youth with IEPs participation and performance on statewide assessments. Detailed information related to the TCISC and the CAC and the mechanisms the state has in place for soliciting broad stakeholder input on the targets is found in the introduction of the SPP/APR. Stakeholder engagement has always been a part of Texas’ process for developing statewide policies and standards. The publicly elected State Board of Education (SBOE) has legislative authority to adopt the Texas Essential Knowledge and Skills (TEKS), which are the state standards for what students should know and be able to do. The SBOE develops the TEKS with input from educators, subject matter experts, and citizens. State assessment questions are directly aligned to the TEKS currently implemented for the grade/subject or course being assessed. Thousands of Texas educators have served on one or more of the educator committees involved in the development of the Texas assessment program. These committees represent the state geographically, ethnically, by gender, and by type and size of school district. They routinely include educators with
23 Part B
knowledge of the needs of all students, including students with disabilities. For more than 25 years, Texas has had a statewide student assessment program. Over time, changes to state and federal statute as well as to the state-mandated curriculum standards have required the Texas Education Agency to expand the state assessment program, making it more inclusive of and accessible to all student groups. Whether students are served through general education, special education, or bilingual/English as a Second Language programs, the state tests provide a snapshot of the degree to which students are learning the TEKS. Because of this snapshot, students can receive the additional help they need to strengthen their knowledge and skills in core academic areas; and districts and campuses can evaluate the effectiveness of their instructional programs. In this way, the state assessment program plays an important role in helping all students reach their academic potential, regardless of his/her instructional setting. The State of Texas Assessments of Academic Readiness (STAAR™) replaced the Texas Assessment of Knowledge and Skills (TAKS) in 2012. The STAAR questions are directly aligned to the TEKS currently implemented for the grade/subject or course being assessed. There are large print, braille, paper, and online versions of STAAR with and without designated supports. The State of Texas Assessments of Academic Readiness (STAAR) program includes annual assessments for reading and mathematics, grades 3–8; writing at grades 4 and 7; science at grades 5 and 8; social studies at grade 8; end-of-course (EOC) assessments for English I, English II, Algebra I, biology and U.S history. Beginning in spring 2016, STAAR English III and Algebra II will be available for districts to administer as optional assessments. Eligible students may meet testing requirements with Spanish-version STAAR assessments. STAAR Spanish participation requirements are found on the STAAR Spanish Resources webpage. STAAR Spanish is available in grades 3-5 in reading, writing, mathematics, and science. The State of Texas Assessments of Academic Readiness Alternate (STAAR™ Alternate 2) replaced Texas Assessment of Knowledge and Skills–Alternate (TAKS–Alt) beginning in the 2011–2012 school year and was redesigned and implemented beginning in the 2014-2015 school year. TEA developed the STAAR Alternate 2 assessment to meet the federal requirements mandated under the Elementary and Secondary Education Act (ESEA). STAAR Alternate 2 is designed for assessing students in grades 3–8 and high school who have significant cognitive disabilities and are receiving special education services. Information concerning STAAR Alternate 2 is located on TEA’s STAAR Alternate 2 Resources webpage. Additional information about the Texas Assessment Program can be found on the State Assessment Division and the STAAR Resource webpages. For FFY 2016 state accountability, students who receive a proficiency level of “approaches grade level or above” and “meets grade level or above” were counted as proficient and were included in the numerator of the calculation for 3B. However, the States ESSA plan revised the achievement measurement of proficiency to only include students with a proficiency level of “meets grade level or above”, thus impacting the numerator of the calculation for 3B. Therefore, the State re-based lined at FFY 2017 based on these changes in reporting. With stakeholder advisement the TEA set the FFY 2019 target at 26% proficiency rate for the statewide assessment in reading and 28% proficiency rate for the statewide assessment in math .

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

**Reading Proficiency Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs who received a valid score and a proficiency was assigned |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

**Math Proficiency Data by Grade**

| **Grade** | **3** | **4** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **HS** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a. Children with IEPs who received a valid score and a proficiency was assigned |  |  |  |  |  |  |  |  |  |  |  |
| b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level |  |  |  |  |  |  |  |  |  |  |  |

**FFY 2019 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Children with IEPs who received a valid score and a proficiency was assigned** | **Number of Children with IEPs Proficient** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 21.68% | 26.00% |  | N/A | N/A |

**FFY 2019 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Children with IEPs who received a valid score and a proficiency was assigned** | **Number of Children with IEPs Proficient** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Overall |  |  | 26.45% | 28.00% |  | N/A | N/A |

**Regulatory Information**

**The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]**

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

The publicly reported assessment results for state assessments can be found at http://bit.ly/STAAR\_Results.

Additional assessment results against the state targets for SPP 3b and 3c reporting can be found on the State Performance Plan and Annual Performance Report and Requirements LEA public reports webpage

**Provide additional information about this indicator (optional)**

In a correspondence on March 18, 2020, TEA informed all LEAs in the State of Governor Greg Abbott's decision to use his statutory authority as the governor of Texas under Texas Government Code, §418.016 to suspend annual academic assessment requirements for the remainder of the 2019–2020 school year due to the COVID-19 pandemic and school closures. As a result, no state assessment data was obtained for the 2019-2020 school year, and therefore not reported for this indicator. Additional information on events impacting State Assessments during school year 2019-2020 and decisions to mitigate access to provisions for state assessments for the 2020-2021 school year is located on the COVID-19 Support: State Assessment TEA website.

## 3C - Prior FFY Required Actions

None

## 3C - OSEP Response

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

## 3C - Required Actions

# Indicator 4A: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of districts that meet the State-established n size (if applicable) that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State that meet the State-established n size (if applicable))] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons:

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2016 | 2.29% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target <= | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Data | 0.24% | 0.17% | 2.29% | 1.89% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target <= | 0.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

The TCISC and CAC stakeholder groups provide feedback relative to the monitoring priority FAPE in the LRE. Both organized stakeholder groups provide feedback specific to rates of suspension and expulsion as measured in this indicator. Detailed information related to the TCISC and the CAC and the mechanisms the state has in place for soliciting broad stakeholder input on the targets is found in the introduction of the SPP/APR. TEA analyzes information reported from all public input sources to identify trends for guiding improvement planning within the State.

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

935

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of districts that have a significant discrepancy** | **Number of Districts that met the State's minimum n-size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 0 | 271 | 0.00% | 0.00% | 0.00% | Met Target | No Slippage |

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

**State’s definition of “significant discrepancy” and methodology**

All LEAs are subject to the annual analysis for Indicator 4A; however, an LEA must meet all of the following
conditions in order to be included in the analysis:
• LEAs must have a total student population of 100 students or more
• LEAs must have at least 40 students receiving special education services (as a whole)
• LEAs must have at least five students receiving special education who also received a disciplinary action that resulted in a cumulative removal of greater than 10 days

Given that positive rate differences might result in LEAs being a fraction of a student over the limit, an additional
safeguard exists that requires that LEAs must be at least one student (percentage-wise) over the established
threshold to be identified as having a significant discrepancy.

For this indicator, the difference between the suspension/expulsion rate for students with disabilities and
the suspension/expulsion rate for students without disabilities in a district is measured. For discrepancies, a district would need to be above the positive threshold in order to be identified as having a significant discrepancy. LEAs that exceed the 2.22 rate difference threshold are considered for reporting purposes to have a significant discrepancy in the discipline of students with disabilities for Indicator 4A.

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

TEA required identified districts, through a self-assessment, to review policies, procedures, and practices related to the development and implementation of individualized education programs (IEPs), to review its use of positive behavioral interventions and supports, and to review its procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170. Upon the completion of the district’s self-assessment of policies and procedures, TEA required districts to submit an assurance statement affirming that its policies, procedures, and practices complied with federal regulations and state rules related to the discipline of students with disabilities. Then, under the direction of TEA, one of the State’s Educational Service Centers monitored these processes, and subsequently, TEA staff reviewed the results.
The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4A - Prior FFY Required Actions

None

## 4A - OSEP Response

## 4A - Required Actions

# Indicator 4B: Suspension/Expulsion

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Data Source**

State discipline data, including State’s analysis of State’s Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

**Measurement**

Percent = [(# of districts that meet the State-established n size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State that meet the State-established n size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “significant discrepancy.”

**Instructions**

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State’s examination must include one of the following comparisons

--The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or

--The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4B: Provide the following: (a) the number of districts that met the State-established n size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) the number of those districts in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2016 | 0.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

690

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts that have a significant discrepancy, by race or ethnicity** | **Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements** | **Number of Districts that met the State's minimum n-size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 1 | 0 | 516 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**State’s definition of “significant discrepancy” and methodology**

All LEAs are subject to the annual analysis for Indicator 4B; however, an LEA must meet all of the following
conditions in order to be included in the analysis:
• LEAs must have a total student population of 100 students or more
• LEAs must have at least 40 students receiving special education services
• LEAs must have at least three students of a specific race or ethnicity receiving special education who also received a disciplinary action that resulted in a removal of greater than 10 days

Given that positive rate differences might result in LEAs being a fraction of a student over the limit, an additional safeguard exists that requires that LEAs must be at least one student (percentage-wise) over the established threshold to be identified as having a significant discrepancy. Positive difference indicates the rate for the particular group is greater than the rate for all other children. For this indicator, the difference between the suspension/expulsion rate for students with disabilities from one race/ethnicity group and the suspension/expulsion rate for all students without disabilities in a district is measured. For discrepancies in suspension/expulsion rates of students with disabilities for a particular race or ethnicity, a district would need to be above the positive threshold in order to be identified as having a significant discrepancy. LEAs that exceed the 3.47 rate difference threshold are considered for reporting purposes to have a significant discrepancy in the discipline of students with disabilities for a particular race or ethnicity.

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

TEA required identified districts, through a self-assessment, to review policies, procedures, and practices related to the development and implementation of individualized education programs (IEPs), to review its use of positive behavioral interventions and supports, and to review its procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170. Upon the completion of the district’s self-assessment of policies and procedures, TEA required districts to submit an assurance statement affirming that its policies, procedures, and practices complied with federal regulations and state rules related to the discipline of students with disabilities. Then, under the direction of TEA, one of the State’s Educational Service Centers monitored these processes, and subsequently, TEA staff reviewed the results.
The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

**Describe how the State verified that each *individual case* of noncompliance was corrected**

## 4B - Prior FFY Required Actions

None

## 4B - OSEP Response

## 4B- Required Actions

# Indicator 5: Education Environments (children 6-21)

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Education environments (children 6-21): Percent of children with IEPs aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; and

C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

**Measurement**

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)]times 100.

**Instructions**

Sampling from the State’s 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2019 | Target >= | 66.50% | 67.00% | 67.50% | 68.00% | 68.00% |
| A | 71.04% | Data | 67.53% | 68.13% | 68.42% | 68.75% | 69.45% |
| B | 2019 | Target <= | 14.00% | 13.50% | 13.00% | 12.50% | 12.00% |
| B | 14.42% | Data | 14.26% | 14.60% | 14.79% | 14.94% | 14.88% |
| C | 2019 | Target <= | 1.30% | 1.30% | 1.30% | 1.30% | 1.29% |
| C | 0.84% | Data | 1.22% | 1.12% | 1.15% | 1.11% | 0.91% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= |  |
| Target B <= |  |
| Target C <= |  |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | Total number of children with IEPs aged 6 through 21 | 553,205 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 392,972 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 79,790 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c1. Number of children with IEPs aged 6 through 21 in separate schools | 2,239 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c2. Number of children with IEPs aged 6 through 21 in residential facilities | 80 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/08/2020 | c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements | 2,332 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2019 SPP/APR Data**

| **Education Environments** | **Number of children with IEPs aged 6 through 21 served** | **Total number of children with IEPs aged 6 through 21** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 392,972 | 553,205 | 69.45% |  | 71.04% | N/A | N/A |
| B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 79,790 | 553,205 | 14.88% |  | 14.42% | N/A | N/A |
| C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 4,651 | 553,205 | 0.91% |  | 0.84% | N/A | N/A |

**Use a different calculation methodology (yes/no)**

NO

**Provide additional information about this indicator (optional)**

Changes in reporting category options in the SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 613) for students aged 5 enrolled in Kindergarten impacting this indicator requires the State to re-baseline in FFY 2019. Addition of age 5 enrolled in Kindergarten to this data set impacts the School Aged categories included in this indicator. Although the state did make the change in reporting for the file prior to the FFY 2019 data collection requirements, the state did not re-baseline until FFY 2019 per agreement with stakeholders. The State reported against the previously agreed upon targets during the FFY 2018 SPP submission although the reporting category options were utilized for that FFY year.

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State’s data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State’s slippage status indicates “NA” for this indicator.

## 5 - Required Actions

# Indicator 6: Preschool Environments

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Preschool environments: Percent of children aged 3 through 5 with IEPs attending a:

A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and

B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

**Measurement**

Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

**Instructions**

Sampling from the State’s 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.

## 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2019 | Target >= | 31.50% | 32.00% | 32.50% | 33.00% | 33.00% |
| A | 26.75% | Data | 30.63% | 32.05% | 32.87% | 31.79% | 32.03% |
| B | 2019 | Target <= | 17.00% | 16.50% | 16.00% | 15.50% | 15.00% |
| B | 26.58% | Data | 15.96% | 16.59% | 16.99% | 16.88% | 17.59% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= |  |
| Target B <= |  |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

The TCISC and CAC stakeholder groups provide feedback relative to the monitoring priority FAPE in the LRE. Both organized stakeholder groups provide feedback specific to children ages 3 to 5 with IEPS attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and separate special education classes, separate schools, or residential facilities. Additional information related to the TCISC and the CAC and the mechanisms the state has in place for soliciting broad stakeholder input on the targets is found in the introduction of the SPP/APR. TEA analyzes information reported from all public input sources to identify trends for guiding improvement planning within the State.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | Total number of children with IEPs aged 3 through 5 | 35,112 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 9,392 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b1. Number of children attending separate special education class | 9,288 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b2. Number of children attending separate school | 46 |
| SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/08/2020 | b3. Number of children attending residential facility | 0 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**FFY 2019 SPP/APR Data**

| **Preschool Environments** | **Number of children with IEPs aged 3 through 5 served** | **Total number of children with IEPs aged 3 through 5** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 9,392 | 35,112 | 32.03% |  | 26.75% | N/A | N/A |
| B. Separate special education class, separate school or residential facility | 9,334 | 35,112 | 17.59% |  | 26.58% | N/A | N/A |

**Use a different calculation methodology (yes/no)**

NO

**Provide additional information about this indicator (optional)**

Changes in reporting category options in the SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) for students aged 5 enrolled in Kindergarten impacting this indicator requires the State to re-baseline in FFY 2019. Removal of age 5 enrolled in Kindergarten from this data set impacts the Preschool Environment categories included in this indicator. Although the state did make the change in reporting for the file prior to the FFY 2019 data collection requirements, the state did not re-baseline until FFY 2019 per agreement with stakeholders. The State reported against the previously agreed upon targets during the FFY 2018 SPP submission although the reporting category options were utilized for that FFY year.

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State’s data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State’s slippage status indicates “NA” for this indicator.

## 6 - Required Actions

# Indicator 7: Preschool Outcomes

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

**Data Source**

State selected data source.

**Measurement**

Outcomes:

A. Positive social-emotional skills (including social relationships);

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and

C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.

b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes:**

**Summary Statement 1**: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2**: Percent = [(# of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e)) divided by (the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

**Instructions**

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining “comparable to same-aged peers.” If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining “comparable to same-aged peers” has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Part** | **Baseline** | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A1 | 2008 | Target >= | 82.00% | 83.00% | 84.00% | 84.00% | 85.00% |
| A1 | 73.40% | Data | 84.49% | 83.73% | 84.26% | 84.81% | 84.36% |
| A2 | 2008 | Target >= | 61.00% | 62.00% | 62.00% | 63.00% | 63.00% |
| A2 | 62.20% | Data | 60.47% | 59.86% | 60.74% | 61.04% | 59.65% |
| B1 | 2008 | Target >= | 82.00% | 83.00% | 84.00% | 84.00% | 85.00% |
| B1 | 67.00% | Data | 83.33% | 82.34% | 83.56% | 84.41% | 84.25% |
| B2 | 2008 | Target >= | 57.00% | 57.00% | 58.00% | 58.00% | 58.00% |
| B2 | 52.00% | Data | 56.63% | 55.91% | 57.61% | 58.51% | 56.95% |
| C1 | 2008 | Target >= | 82.00% | 83.00% | 84.00% | 84.00% | 85.00% |
| C1 | 72.50% | Data | 85.34% | 83.37% | 84.73% | 84.86% | 84.71% |
| C2 | 2008 | Target >= | 72.00% | 73.00% | 73.00% | 74.00% | 74.00% |
| C2 | 73.60% | Data | 71.95% | 71.00% | 72.32% | 71.65% | 71.29% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A1 >= | 86.00% |
| Target A2 >= | 63.00% |
| Target B1 >= | 86.00% |
| Target B2 >= | 58.00% |
| Target C1 >= | 86.00% |
| Target C2 >= | 74.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
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TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
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**FFY 2019 SPP/APR Data**

**Number of preschool children aged 3 through 5 with IEPs assessed**

23,944

**Outcome A: Positive social-emotional skills (including social relationships)**

| **Outcome A Progress Category** | **Number of children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 116 | 0.48% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 2,646 | 11.05% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 6,798 | 28.39% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 8,887 | 37.12% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 5,497 | 22.96% |

| **Outcome A** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation:(c+d)/(a+b+c+d)* | 15,685 | 18,447 | 84.36% | 86.00% | 85.03% | Did Not Meet Target | No Slippage |
| A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 14,384 | 23,944 | 59.65% | 63.00% | 60.07% | Did Not Meet Target | No Slippage |

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

| **Outcome B Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 132 | 0.55% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 2,919 | 12.20% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 7,122 | 29.76% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 9,400 | 39.28% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 4,360 | 18.22% |

| **Outcome B** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. *Calculation: (c+d)/(a+b+c+d)* | 16,522 | 19,573 | 84.25% | 86.00% | 84.41% | Did Not Meet Target | No Slippage |
| B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 13,760 | 23,933 | 56.95% | 58.00% | 57.49% | Did Not Meet Target | No Slippage |

**Outcome C: Use of appropriate behaviors to meet their needs**

| **Outcome C Progress Category** | **Number of Children** | **Percentage of Children** |
| --- | --- | --- |
| a. Preschool children who did not improve functioning | 121 | 0.51% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 2,223 | 9.28% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 4,325 | 18.06% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 8,573 | 35.81% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 8,701 | 36.34% |

| **Outcome C** | **Numerator** | **Denominator** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.*Calculation:(c+d)/(a+b+c+d)*  | 12,898 | 15,242 | 84.71% | 86.00% | 84.62% | Did Not Meet Target | No Slippage |
| C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. *Calculation: (d+e)/(a+b+c+d+e)* | 17,274 | 23,943 | 71.29% | 74.00% | 72.15% | Did Not Meet Target | No Slippage |

**Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)**

YES

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | NO |

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

YES

**List the instruments and procedures used to gather data for this indicator.**

Based upon the specifics designated within indicator 7 and the requirements to report data for all local education agencies (LEAs), the State uses the Early Childhood Outcome Center’s (ECO) Childhood Outcomes Summary (COS) Form to document children's functioning in three outcome areas. The COS form is a template which allows LEA staff to record multiple sources of assessment information regarding a student’s level of functioning in each of the prescribed outcome areas. The form also serves as a template for converting individualized assessment data into a consistent system for statewide reporting.

With the COS process, a team of people and parents that are familiar with a child can consider multiple sources of information about his/her functioning, including parent/provider observation and results from any valid, appropriate, and direct assessment. Additionally, the COS process allows early intervention and early childhood special education programs to combine information about children across different assessment tools to produce data that can be summarized across programs in the state.

**Provide additional information about this indicator (optional)**

Additional information concerning the COS process is found on TEA's General Information - SPP Indicator 7 webpage.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

## 7 - Required Actions

# Indicator 8: Parent involvement

**Instructions and Measurement**

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

**Data Source**

State selected data source.

**Measurement**

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

**Instructions**

Sampling **of parents from whom response is requested** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See General Instructions on page 2 for additional instructions on sampling.)

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed.

Include the State’s analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States should consider categories such as race and ethnicity, age of the student, disability category, and geographic location in the State.

If the analysis shows that the demographics of the parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 8 - Indicator Data

| **Question** | **Yes / No**  |
| --- | --- |
| Do you use a separate data collection methodology for preschool children?  | NO |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2017 | 76.40% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 79.00% | 79.00% | 80.00% | 80.00% | 81.00% |
| Data | 81.02% | 77.99% | 77.99% | 76.40% | 76.70% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target >= | 81.00% |

**FFY 2019 SPP/APR Data**

| **Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities** | **Total number of respondent parents of children with disabilities** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 4,014 | 4,968 | 76.70% | 81.00% | 80.80% | Did Not Meet Target | No Slippage |

**The number of parents to whom the surveys were distributed.**

28,711

**Percentage of respondent parents**

17.30%

**Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.**

The State included school age and preschool survey results jointly in the statewide survey results. The final database includes information regarding student grade level, gender, ethnicity, and eligibility (disability) category and the sampling framework considered the school-age and preschool variables proportionately from the various campuses/districts.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | YES |
| If yes, has your previously-approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

Selecting districts: All school districts in the state were eligible to be included in the sample, including those with fewer than 10 students receiving special education services. School districts enrolling 50,000 or more students were automatically included in Cycle 1 districts. Then, 196 districts from across the state (out of approximately 1,200 districts) were selected for inclusion, for a total of 216 districts composing Cycle 1 for the 2019-2020 survey.

Selecting campuses: Within included districts, campuses were first stratified by grade span (elementary, middle, high, other). Then, if there were fewer than six campuses in a grade span, all campuses were included in the target survey group. For districts with more than six campuses in a grade span, 10% of campuses above the minimum of six campuses were randomly selected for inclusion for that district for that grade span.

Selecting students: Within selected campuses, if fewer than 20 students received special education services, all students were included in the target survey group. If more than 20 students received special education services, the research team randomly selected 10% of the special education student population above the minimum of 20 students for inclusion. This approach resulted in no more than 50 students at any one school being included in the survey target group. Since random sampling was employed, the resulting distribution of student characteristics at the district level (and at higher levels of aggregation) in the target survey group matched closely with the overall population of special education students in Cycle 1 districts without adjusting, truncating, or over-sampling any student sub-populations by district to match the state population distribution.

Executing the student sampling process resulted in the selection of 28,711 students from 1,177 campuses for the 2019-20 sample. This total represents 10,448 students (36.4% of the total student sample) from 20 of the state’s largest districts (and from 381 campuses), and 18,263 of the sampled students (63.6%) from 196 of the state’s smaller districts (and from 796 campuses). Comparing the sampled group to the population of Cycle 1 districts, 26.3% of the students receiving special education services in the state’s smaller districts and 6.3% of the students receiving special education services in the state’s 20 largest districts were sampled. Students selected in the final sample came from multiple schools within districts that had multiple schools. For small districts with fewer than 200 special education students, students were selected from all of a district’s campuses. For districts with between 201 and 2,000 students receiving special education services, the student sample covered 91% of the district’s campuses. For the larger districts, the student sample pulled from an average of 45% of the district’s campuses. And in the very largest districts, the student sample included students from 18% to 24% of the district’s campuses. The sample included students in 56.6% of high schools, 51% of middle schools, and 25.9% of elementary schools in Cycle 1 districts, along with 77.5% of “other” types of schools (e.g., those serving grades K-8 or K-12).

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used?  | YES |
| If yes, is it a new or revised survey? | NO |
| The demographics of the parents responding are representative of the demographics of children receiving special education services. | YES |

**Include the State’s analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.**

The characteristics of the students whose parents completed a survey were compared to the state population of students receiving special education services to examine the degree to which survey responses were representative of the state’s population of students receiving special education services. The more comparable the characteristics of the responding sample to the state population, the more generalizable the results are to all students in Texas who received special education services.

The gender composition of the sample of students whose parents responded to the survey was very similar to the gender composition of the population of students receiving services in Texas. Parents of male students receiving special education services made up 65.7% of completed surveys compared with 66.7% of the statewide population. Parents of female students completed 34.3% of surveys compared with 33.3% female students statewide.

The responding sample was relatively closely aligned to the state population of students receiving special education services as defined by race/ethnicity, though somewhat under-representative of Black or African American students. Approximately 15.2% of the state population of students receiving special education services was Black or African American, while 9.9% of the responding sample was Black or African American. In contrast, parents of White students were somewhat over-represented, making up 28.2% of the state population of students receiving special education services, but 34.8% of the responding sample of parents. All other race/ethnicity groups were represented in the survey sample within one percentage point of their proportion in the state population. This information is included in the complete report located at https://www.spedtex.org/index.cfm/parent-involvement-survey-results/ , and included in the SPP attachments for this indicator.

Students represented by the survey sample were mostly similar to the state population of students receiving special education services as described by primary exceptionality/disability. A slightly larger percentage of parents responding to the survey had a child with Autism (15.1% of the responding sample compared with 13.7% of the state special education population). All other differences between the special education students in the state and the responding sample were less than one percentage point. This information is included in the complete report located at https://www.spedtex.org/index.cfm/parent-involvement-survey-results/ , and included in the SPP attachments for this indicator.

Across all surveys, 13.1% were completed in Spanish and the remaining 86.8% were completed in English. This represents a substantial decrease in the proportion of surveys completed in Spanish from prior years (16.7% in 2019, 16.1% in 2018 and 16.5% in 2017). This decrease in the proportion of surveys completed in Spanish may be attributable to the shift to an exclusively online survey administration in 2020 in response to school shutdowns. In prior years, 20% of paper surveys were completed in Spanish compared to nine to eleven percent of online surveys. These numbers suggest that those who speak Spanish tend to use the paper version to respond at higher rates than they use the online platform, and therefore reduction in Spanish-speaking responses due to this shift was greater than English-speaking respondents.

**Provide additional information about this indicator (optional)**

As the 2018-19 school year was the last cycle in the state’s prior six-year plan, the survey contractor created a new six-year plan for the State to begin with in the 2019-20 school year. To do so, the research team randomly sorted the State’s school districts into six groups (one group to be surveyed in each of six years). Random sorting was conducted ten separate times, creating ten sets of six cycles of districts. Characteristics of the school districts in a given cycle were next compared to the population of students in the state receiving special education services. One of the ten iterations that demonstrated the most comparability between the selected districts in each cycle to the state population was selected. Once the sorting was complete and the optimal iteration selected, all districts in the state were assigned to a cycle and Cycle 1 began, plus those enrolling 50,000 or more students, for the 2019-20 survey administration.

## 8 - Prior FFY Required Actions

None

## 8 - OSEP Response

## 8 - Required Actions

# Indicator 9: Disproportionate Representation

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2018, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2016 | 0.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

339

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial and ethnic groups in special education and related services** | **Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification** | **Number of Districts that met the State's minimum n-size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 15 | 0 | 867 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The State's definition of disproportionate representation for SPP Indicator 9 is in its current methodology for identifying local educational agencies (LEAs) with a disproportionate representation of students with disabilities by race or ethnicity.

For an LEA to be included in the annual analysis for Indicator 9, they must meet all the following conditions:

\* the total number of 100 students or more.
\* at least 40 students, ages 6-21, receiving special education services (as a whole) and the special education, the population cannot exceed 40% of the total population and
\* at least 30 students of a race or ethnicity population, that comprises at least 10% of the total student population.

Based on this minimum "n" size requirement, a total of 339 districts were excluded from the calculation.

The method by which this identification is calculated utilizes a risk difference model. Risk difference compares the sizes of two risks by subtracting the risk for a comparison group from the risk for a specific racial or ethnic group. A risk difference of 0.00 indicates no difference between the risks. A positive risk difference indicates that the risk for the racial/ethnic group is greater than the risk for the comparison group. The State determines a threshold based on the distribution analysis of the risk difference data for all eligible districts. An LEA is considered disproportionate in the representation of students with disabilities by race or ethnicity if they fall above the positive threshold. Based on multiple year data, a distribution analysis has yielded a threshold of 11.95 at the 99th percentile.

Districts were analyzed, and calculations were made using one year of data, the most recent year data. A district is determined disproportionate in the representation of racial and ethnic groups in special education if the district exceeds the threshold in the given year.

**Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.**

For FFY 2019, 15 districts exceeded this threshold. The 15 identified districts were required, through a self-assessment, to review policies, procedures, and practices related to the identification of students with disabilities to ensure compliance with 34 CFR §§300.111, 300.201, and 300.301 through 300.311.

Upon the completion of this self-assessment, districts were required to submit a written assurance statement affirming that its policies, procedures, and practices followed federal regulations and state rules related to the identification of students with disabilities. These processes were then analyzed by one of the State’s Educational Services Centers under the direction of TEA. All 15 districts submitted assurance statements reflecting compliance with policies, procedures, and practices and a review of the data by the State did not reveal any noncompliance.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

## 9 - Required Actions

# Indicator 10: Disproportionate Representation in Specific Disability Categories

**Instructions and Measurement**

**Monitoring Priority:** Disproportionality

**Compliance indicator**: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

 (20 U.S.C. 1416(a)(3)(C))

**Data Source**

State’s analysis, based on State’s Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

**Measurement**

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2019, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

**Instructions**

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2016 | 0.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 0% |

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.**

360

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories** | **Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification** | **Number of Districts that met the State's minimum n-size** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| 15 | 0 | 846 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The State's definition of disproportionate representation for SPP Indicator 10 is described by its methodology for identifying local educational agencies (LEAs) with a disproportionate representation of students with disabilities by race or ethnicity.
In order for an LEA to be included in the annual analysis for Indicator 10, they must meet all of the following conditions:
\* total number of 100 students or more;
\* at least 40 students, ages 6-21, receiving special education services (as a whole) and the special education population cannot exceed 40% of the total population; and
\* at least 30 students of a race or ethnicity population, that comprises at least 10% of the total student population at least 10 students of a race or ethnicity population in a specific disability

Based on this minimum "n" size requirement, a total of 360 districts were excluded from the calculation.

The method by which this identification is calculated utilizes a risk difference model. Risk difference compares the sizes of two risks by subtracting the risk for a comparison group from the risk for a specific racial or ethnic group. A risk difference of 0.00 indicates no difference between the risks. A positive risk difference indicates that the risk for the racial/ethnic group is greater than the risk for the comparison group. The State determines a threshold based on the distribution analysis of the risk difference data for all eligible districts. An LEA is considered disproportionate in representation of students with disabilities by race or ethnicity if they fall above the positive threshold. Based on multiple year data, a distribution analysis has yielded a threshold of 7.34 at the 99th percentile.

Districts were analyzed and calculations were made using the most recent year data. A district is determined disproportionate in the representation of racial and ethnic groups in specific disability categories if the district exceeds the threshold in the given year. For FFY 2019, 15 districts exceeded this threshold.

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

The 15 identified districts were required, through a self-assessment, to review policies, procedures, and practices related to the identification of students with disabilities to ensure compliance with 34 CFR §300.111, §300.201, and §300.301 through §300.311.

Upon the completion of this self-assessment, districts were required to submit a written assurance statement affirming that its policies, procedures, and practices were in compliance with federal regulations and state rules related to the identification of students with disabilities. These processes were then analyzed by one of the State’s Educational Services Centers under the direction of TEA. All 15 districts submitted assurance statements reflecting compliance with policies, procedures, and practices and a review of the data by the State did not reveal any noncompliance.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 10 - Prior FFY Required Actions

None

## 10 - OSEP Response

## 10 - Required Actions

# Indicator 11: Child Find

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Child Find

**Compliance indicator**: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State’s timeline for initial evaluations.

**Measurement**

a. # of children for whom parental consent to evaluate was received.

b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2007 | 89.19% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 99.55% | 99.73% | 99.02% | 99.77% | 99.05% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 100% |

**FFY 2019 SPP/APR Data**

| **(a) Number of children for whom parental consent to evaluate was received** | **(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 104,803 | 103,369 | 99.05% | 100% | 98.63% | Did Not Meet Target | No Slippage |

**Number of children included in (a) but not included in (b)**

1,434

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

LEAs reported a total of 104,803 initial referrals for children with parental consent to evaluate. Upon review by the State a total of 1,434 children's evaluations were not completed within the State-established timeline. Of those children, 539 were determined to be completed 31+ days beyond the timeline requirement and 839 were between 1 to 30 days beyond the required evaluation timeline.
Subsequent to data collection, the State conducts a 2 week period of clarification with LEAs similar to that which OSEP allows for States in their SPP data submission. During clarification, LEAs are encouraged to submit any clerical error corrections, and submit evidence of correction at both the student and systemic level for pre-finding corrections consideration by the State, following guidance included in OSEP memo 09-02 dated October 17, 2008 and subsequent resources. At conclusion of the clarification period, the State determined that correction for 1030 students using correction requirements found in OSEP memo 09-02 were met. The remaining 404 student level timeline violations are included in findings of noncompliance for SPP Indicator 11 issued to 50 LEAs. The number of students per LEA finding ranges from 1 to 48 students.

**Indicate the evaluation timeline used:**

The State established a timeline within which the evaluation must be conducted

**What is the State’s timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).**

The State's timeline for initial evaluations is specified in the Texas Administrative Code (TAC) Title 19
Chapter 89, Adaptations for Special Populations Subchapter AA, Commissioner's Rules Concerning
Special Education Services, and specifically in:

19 AC §89.1011 Full and Individual Initial Evaluation

(a) Referral of students for a full individual and initial evaluation for possible special education services must be a part of the district's overall, general education referral or screening system. Prior to referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students, such as tutorial; remedial; compensatory; response to scientific, research-based intervention; and other academic or behavior support services. If the student continues to experience difficulty in the general classroom after the provision of interventions, district personnel must refer the student for a full individual and initial evaluation. This referral for a full individual and initial evaluation may be initiated by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student.

(b) If a parent submits a written request to a school district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the school district must, not later than the 15th school day after the date the district receives the request:

(1) provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 Code of Federal Regulations (CFR), §300.503; a copy of the procedural safeguards notice required by 34 CFR, §300.504; and an opportunity to give written consent for the evaluation; or

(2) provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34
CFR, §300.503, and a copy of the procedural safeguards notice required by 34 CFR, §300.504.

(c) Except as otherwise provided in this section, a written report of a full individual and initial evaluation of a student must be completed as follows:
(1) not later than the 45th school day following the date on which the school district receives written consent for the evaluation from the student's parent, except that if a student has been absent from school during that period on three or more school days, that period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or
(2) for students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or home school setting, not later than the 45th school day following the date on which the school district receives written consent for the evaluation from the student's parent.

(d) The admission, review, and dismissal (ARD) committee must make its decisions regarding a student's
initial eligibility determination and, if appropriate, individualized education program (IEP) and placement
within 30 calendar days from the date of the completion of the written full individual and initial evaluation report. If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, IEP, and placement, unless the full individual and initial evaluation indicates that the student will need extended school year services during that summer.

(e) Notwithstanding the timelines in subsections (c) and (d) of this section, if the school district received
the written consent for the evaluation from the student's parent at least 35 but less than 45 school days
before the last instructional day of the school year, the written report of a full individual and initial evaluation of a student must be provided to the student's parent not later than June 30 of that year. The student's ARD committee must meet not later than the 15th school day of the following school year to consider the evaluation. If, however, the student was absent from school three or more days between the time that the school district received written consent and the last instructional day of the school year, the timeline in subsection (c)(1) of this section applies to the date the written report of the full individual and initial evaluation is required. If an initial evaluation completed not later than June 30 indicates that the student will need extended school year services during that summer, the ARD committee must meet as expeditiously as possible.

(f) If a student was in the process of being evaluated for special education eligibility by a school district and enrolls in another school district before the previous school district completed the full individual and initial evaluation, the new school district must coordinate with the previous school district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 CFR, §300.301(d)(2) and (e) and §300.304(c)(5). The timelines in subsections (c) and (e) of this section do not apply in such a situation if:
(1) the new school district is making sufficient progress to ensure a prompt completion of the evaluation;
and
(2) the parent and the new school district agree to a specific time when the evaluation will be completed.

(g) For purposes of subsections (b), (c), and (e) of this section, school day does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the
subsequent fall school term.

(h) For purposes of subsections (c)(1) and (e) of this section, a student is considered absent for the school day if the student is not in attendance at the school's official attendance taking time or at the alternate attendance taking time set for that student. A student is considered in attendance if the student is off campus participating in an activity that is approved by the school board and is under the direction of a professional staff member of the school district, or an adjunct staff member who has a minimum of a bachelor's degree and is eligible for participation in the Teacher Retirement System of Texas.

Statutory Authority: The provisions of this §89.1011 issued under the Texas Education Code, §§29.001,
29.003, 29.004, 29.0041, and 30.002, and 34 Code of Federal Regulations, §§300.101, 300.111, 300.129,
300.131, 300.300, 300.301, 300.302, 300.304, and 300.305.

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The Texas Education Agency (TEA) utilizes a secure, online application for the collection of data
related to Indicator 11. Students for whom the evaluation process was completed during the July 1, 2019
to June 30, 2020 school year are included in this data collection. This would also include students for whom parental consent was obtained late in the 2018-19 reporting period and the eligibility process was completed between July 1, 2019 and June 30, 2020.

During FFY 2019, all districts that evaluated students with disabilities submitted aggregate data on
timely initial evaluation. Districts that did not evaluate any students with disabilities submitted a zero count. The application was designed to validate data and to ensure integrity (for example, certain counts could not exceed the totals entered). Technical assistance and associated documents increased the accuracy of the data for Indicator 11. Additional information about the data collection process for Indicator 11 (instructions, collection instrument, etc.) can be found on the TEA LEA Reports and Requirements website.

**Provide additional information about this indicator (optional)**

Impacts from COVID-19 were felt by LEAs in meeting some in-process evaluation timelines when the pandemic required school closures and limited access to students for health and safety purposes. In March 2020 OSEP released a collection of resources including a Q&A, webinar, and fact sheet communicating States requirements for provision of FAPE and LRE during the pandemic. In April, Secretary DeVos declined to seek congressional waivers to FAPE and LRE requirements of IDEA resulting in confirmation to states that FAPE protections under Child Find provisions and compliance monitoring practices would be enforced.

Although no slippage is identified in this indicator, the slight decline in overall State compliance is noted. After review of the reasons for delay included in the data collection information, it is also noted that the primary reason for increased evaluation delay is attributed to COVID-19 related barriers of access to children and evaluation personnel.

The State continues to work with LEAs to ensure all children suspected of having a disability requiring special education and related services are found, evaluated, and provided a free and appropriate public education within the state established timelines.

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 73 | 61 | 5 | 7 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The Texas Education Agency Division of Special Education notified districts of noncompliance with FFY 2018 SPP Indicator 11 in October 2019. TEA required districts to submit a “Corrective Action Plan (CAP).” Every district cited for noncompliance was required to develop and submit a CAP. Staff in the Division of Special Education Monitoring reviewed the CAP, updated data, and documentation to determine whether a district was implementing the appropriate regulations associated with the indicator and corrected the noncompliance.
Actions taken by the TEA:
LEAs policies and procedures are reviewed.
The correspondence where noncompliance was identified is reviewed.
The Special Education Correspondence and Dispute Resolution Management System application is reviewed for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LEA to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system (Prong 2) consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

In addition to the required CAP, districts were required to submit student-level data specific to each case of noncompliance. TEA staff reviewed the updated data and documentation to determine if each case of noncompliance was corrected and whether systemic corrections were made to ensure districts were implementing the appropriate regulations associated with the indicator.
Actions taken by the TEA:
The LEA’s policy and procedure are reviewed.
Review the correspondence where noncompliance was identified.
Refer to the Special Education Correspondence and Dispute Resolution Management System application for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request student level evidence of correction for each individual case of noncompliance, records showing evidence of IEP correction and compensatory services discussed and/or offered, review documentation to ensure correction at the student level.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LEA to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide, LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence.
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator has completed the required action (e.g., the evaluation), though late, unless the child is no longer within the jurisdiction of the LEA (Prong 1), consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**FFY 2018 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

TEA noticed 12 LEAs in October 2020 regarding their status of continuing noncompliance, providing directives to update LEA corrective action plans, and participation in additional monitoring requirements. Subsequently 5 of 12 LEAs demonstrated correction of identified noncompliance found in the SPP 11 indicator data during FFY 2018. 7 LEAs continue to participate in escalated monitoring activities that include:

 increased direct support from technical assistance providers,
 increased engagement with TEA designated monitors including monthly check-ins
 updated corrective action reporting to ensure all corrective actions result in 100% compliance at both student and systemic levels.

All 7 LEAs have evaluated and made eligibility determinations for the identified students, although late, and are now improving systems to ensure all regulatory requirements are being met. Once TEA is assured through data and other monitoring observations the LEAs are correctly implementing the regulatory requirements, the LEA will be determined as corrected.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 11 - Prior FFY Required Actions

None

## 11 - OSEP Response

## 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining seven uncorrected findings of noncompliance identified in FFY 2018 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 12: Early Childhood Transition

**Instructions and Measurement**

**Monitoring Priorit**y: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

 a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.

 b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.

 c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

 d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.

 e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.

 f. # of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child’s third birthday under 34 CFR §303.211 or a similar State option.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2007 | 77.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 99.48% | 99.82% | 99.50% | 99.92% | 99.47% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 100% |

**FFY 2019 SPP/APR Data**

|  |  |
| --- | --- |
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.  | 10,501 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.  | 1,176 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.  | 8,017 |
| d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.  | 758 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays.  | 324 |
| f. Number of children whose parents chose to continue early intervention services beyond the child’s third birthday through a State’s policy under 34 CFR §303.211 or a similar State option. | 0 |

| **Measure** | **Numerator (c)** | **Denominator (a-b-d-e-f)** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. | 8,017 | 8,243 | 99.47% | 100% | 97.26% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

Impacts from COVID-19 were felt by LEAs in meeting evaluation and IEP development timelines reported in SPP 12, when the pandemic required school closures and limited access to students for health and safety purposes.

After review of the reasons for delay included in the data collection information, it was evident that the primary reason for slippage in this indicator is due to increased evaluation delay is attributed to COVID-19 related barriers of access to children and evaluation personnel.

The State continues to work with LEAs to ensure all children suspected of having a disability requiring special education and related services, including those children receiving Part C services, are evaluated and provided a free and appropriate public education by their third birthday.

**Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

226

**Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.**

LEAs reported a total of 10,501 children who were served in Part C and referred to Part B for Part B eligibility determination. Upon review by the State a total of 226 included in the total count of children in section (a), but not included in sections (b), (c), (d), (e), or (f). Of those children, 90 were determined to be completed 31+ days beyond the timeline requirement and 136 were between 1 to 30 days beyond the third birthday timeline for IEP development.

Subsequent to data collection, the State conducts a 2 week period of clarification with LEAs similar to that which OSEP allows for States in their SPP data submission. During clarification, LEAs are encouraged to submit any clerical error corrections, and submit evidence of correction at both the student and systemic level for pre-finding correction consideration by the State, following guidance included in OSEP memo 09-02 dated October 17, 2008 and subsequent resources. At conclusion of the clarification period, the State determined that correction for 141 of the 226 children using correction requirements found in OSEP memo 09-02 were met. The remaining 85 children with delays beyond the third birthday are included in findings of noncompliance for SPP Indicator 12 issued to 24 LEAs. The number of students per LEA finding ranges from 1 to 12 students.
The primary reason for delays (54%) is attributed to COVID-19 related barriers of access to children and evaluation personnel, followed by LEA scheduling delays (30%) which were determined mostly tied to access issues to parents and children during COVID shutdowns as well. Additionally LEAs reported late notification from Part C ECI for referral ( 7.5%) at least 90 days prior to the child's third birthday, parent delays (5%) not covered under 34 CFR §300.301(d), lack of available evaluation personnel (3%), and delays from contracted evaluation personnel (0.5%)

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The Texas Education Agency (TEA) has developed a secure, online application for the collection of data
related to Indicator 12. Students for whom the IEP is developed and implemented by their third birthday
during the July 1, 2019 to June 30, 2020 school year are included in this data collection.

During FFY 2019, all districts that evaluated students with disabilities submitted aggregate data on the transition of children referred by Part C to Part B. Districts that did not evaluate any students with disabilities submitted a zero count. The application was designed to validate data and to ensure integrity (for example, certain counts could not exceed the totals entered). Technical assistance and associated documents increased the accuracy of the data for Indicator 12. Additional information about the data collection process for Indicator 12 (instructions, collection instrument, etc.) can be found on the TEA's LEA Reports and Requirements website.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 13 | 11 | 0 | 2 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The Texas Education Agency Division of Special Education notified districts of noncompliance with FFY 2017 SPP Indicator 12 in October 2019. TEA required districts to submit a “Corrective Action Plan (CAP).” Every district cited for noncompliance was required to develop and submit a CAP. Staff in the Division of Special Education Monitoring reviewed the CAP, updated data, and documentation to determine whether a district was implementing the appropriate regulations associated with the indicator and corrected the noncompliance.
Actions taken by the TEA:
LEAs policies and procedures are reviewed.
The correspondence where noncompliance was identified is reviewed.
The Special Education Correspondence and Dispute Resolution Management System application is reviewed for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LEA to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system (Prong 2) consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

In addition to the required CAP, districts were required to submit student-level data specific to each individual case of noncompliance. TEA staff reviewed the updated data and documentation to determine if each individual case of noncompliance was corrected and whether systemic corrections were made to ensure districts were implementing the appropriate regulations associated with the indicator.
Actions taken by the TEA:
The LEA’s policy and procedure are reviewed.
Review the correspondence where noncompliance was identified.
Refer to the Special Education Correspondence and Dispute Resolution Management System application for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request student level evidence of correction for each individual case of noncompliance, records showing evidence of IEP correction and compensatory services discussed and/or offered, review documentation to ensure correction at the student level.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LEA to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide, LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence.
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator has completed the required action (e.g., the evaluation, IEP developed and implemented), though late, unless the child is no longer within the jurisdiction of the LEA (Prong 1), consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**FFY 2018 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

TEA noticed two LEAs in October 2020 regarding their status of continuing noncompliance, providing directives to update LEA corrective action plans, and participation in additional monitoring requirements. These two LEAs continue to participate in escalated monitoring activities that include:
 increased direct support from technical assistance providers,
 increased engagement with TEA designated monitors including monthly check-ins
 updated corrective action reporting to ensure all corrective actions result in 100% compliance at both student and systemic levels.

Both LEAs have evaluated and made eligibility determinations for the identified students, although late, and are now improving systems to ensure all regulatory requirements are being met. Once TEA is assured through data and other monitoring observations the LEAs are correctly implementing the regulatory requirements, the LEA will be determined as corrected.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 12 - Prior FFY Required Actions

None

## 12 - OSEP Response

## 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining two uncorrected findings of noncompliance identified in FFY 2018 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 13: Secondary Transition

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

**Compliance indicator**: Secondary transition: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

 (20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data to be taken from State monitoring or State data system.

**Measurement**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

If a State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

**Instructions**

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2009 | 97.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 99.84% | 99.58% | 99.79% | 99.52% | 99.29% |

**Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target  | 100% |

**FFY 2019 SPP/APR Data**

| **Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition** | **Number of youth with IEPs aged 16 and above** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 23,631 | 23,694 | 99.29% | 100% | 99.73% | Did Not Meet Target | No Slippage |

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The Texas Education Agency (TEA) utilizes a secure, online application for the collection of data related to Indicator 13. Included in this data collection are students with disabilities who were at least age 16 up through age 21 (age 22 if appropriate) between July 1, 2019 and June 30, 2020 and included students who were age 15 but turned age 16 by June 30, 2020.

During FFY 2019, all districts serving students with disabilities receiving special education services ages 16-21 submitted student level data on compliance aspects of the secondary transition process. Districts that did not serve students with disabilities ages 16-21 were required to submit a zero count. Districts with less than 30 students with disabilities ages 16-21 were required to submit data on all students. Districts with more than 30 students with disabilities ages 16-21 were required to follow a sampling procedure to ensure the submission of data reflective of the district's student with disabilities ages 16-21 population. A description of the sample procedures can be found on the TEA LEA Reports and Requirements website.

Data collection and use of an online SPP 13 application is an integral part of the statewide training process for this indicator. The training includes data collection tools including a Data Collection Checklist for measuring SPP Indicator 13 and the Data Collection Checklist Guidance (Student Folder/IEP Review Chart). Additionally, a Data Integrity Checklist is provided to facilitate the review of students' folders.

The Data Collection Checklist for measurement of SPP Indicator 13 is aligned with the National Secondary Transition Technical Assistance Center (NSTTAC) guidance on data collection. The use of these tools ensures that comparable data is collected throughout the state. The reviewer responds either "yes" or "no" to each of the eight compliance items included in the Data Collection Checklist, which addresses key elements of secondary transition reflected in the Individuals with Disabilities Education Act (IDEA).

To report an IEP in compliance with Indicator 13, all eight compliance Data Collection Checklist items must have a "yes" response. Therefore, if there was one "no" response, the IEP did not meet the SPP Indicator 13 measurement requirements. The online SPP 13 application automatically calculates compliance based on the response to the Data Collection Checklist items. Data collection resources can be found on the TEA LEA Reports and Requirements website.

Subsequent to data collection, the State conducts a 2 week period of clarification with LEAs similar to that which OSEP allows for States in their SPP data submission. During clarification, LEAs are encouraged to submit any clerical error corrections, and submit evidence of correction at both the student and systemic level for pre-finding correction consideration by the State, following guidance included in OSEP memo 09-02 dated October 17, 2008 and subsequent resources. At conclusion of the clarification period, the State determined that clerical mistakes in the system was the prevalent issue for corrections. Findings of noncompliance for SPP Indicator 13 were issued to 10 LEAs. The number of students per LEA finding ranges from 1 to 28 students.

| **Question** | **Yes / No** |
| --- | --- |
| Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?  | NO |

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 16 | 14 | 0 | 2 |

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements***

The Texas Education Agency Division of Special Education notified districts of noncompliance with FFY 2017 SPP Indicator 13 in October 2019. TEA required districts to submit a “Corrective Action Plan (CAP).” Every district cited for noncompliance was required to develop and submit a CAP. Staff in the Division of Special Education Monitoring reviewed the CAP, updated data, and documentation to determine whether a district was implementing the appropriate regulations associated with the indicator and corrected the noncompliance.
Actions taken by the TEA:
LEAs policies and procedures are reviewed.
The correspondence where noncompliance was identified is reviewed.
The Special Education Correspondence and Dispute Resolution Management System application is reviewed for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LES to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system (Prong 2) consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State verified that each *individual case* of noncompliance was corrected**

In addition to the required CAP, districts were required to submit student level data specific to each individual case of noncompliance. TEA staff reviewed the updated data and documentation to determine if each individual case of noncompliance was corrected and whether systemic corrections were made to ensure districts were implementing the appropriate regulations associated with the indicator.
Actions taken by the TEA:
The LEA’s policy and procedure are reviewed.
Review the correspondence where noncompliance was identified.
Refer to the Special Education Correspondence and Dispute Resolution Management System application for any substantiated findings that should be considered when reviewing information for the LEA.
Schedule a phone conference with the LEA.
Request student level evidence of correction for each individual case of noncompliance, records showing evidence of IEP correction and compensatory services discussed and/or offered, review documentation to ensure correction at the student level.
Request evidence of training by requiring the LEA to submit agendas and sign in sheets for each individual case of noncompliance.
Progress Check Ins (quarterly at a minimum) with the LEA to discuss progress towards meeting noncompliance goals and offer assistance where appropriate and available. Create a timeline for submissions and plan out the process based on their needs, as well as, meeting the federal one-year timeline.
Follow up with two modes of communication with the LEA via email summarizing the conversation and provide, LEA Steps Required to Correct Noncompliance, Noncompliance Verification Rubric, and provide an opportunity for questions and support if requested.
Collect and organize all documentation as evidence.
After receiving all the requested documentation for the citation(s), review and make a determination whether compliance has been met.

The State has verified that each LEA with corrected noncompliance reflected in the data the State reported for this indicator has completed the required action (e.g., IEP developed and implemented), though late, unless the child is no longer within the jurisdiction of the LEA (Prong 1), consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**FFY 2018 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

TEA noticed two LEAs in October 2020 regarding their status of continuing noncompliance, providing directives to update LEA corrective action plans, and participation in additional monitoring requirements. These two LEAs continue to participate in escalated monitoring activities that include:
 increased direct support from technical assistance providers,
 increased engagement with TEA designated monitors including monthly check-ins
 updated corrective action reporting to ensure all corrective actions result in 100% compliance at both student and systemic levels.

Both LEAs have made corrections for the identified students, although late, and are now improving systems to ensure all regulatory requirements are being met. Once TEA is assured through data and other monitoring observations the LEAs are correctly implementing the regulatory requirements, the LEA will be determined as corrected.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 13 - Prior FFY Required Actions

None

## 13 - OSEP Response

## 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining two uncorrected findings of noncompliance identified in FFY 2018 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

# Indicator 14: Post-School Outcomes

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / Effective Transition

**Results indicator:** Post-school outcomes: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

Enrolled in higher education within one year of leaving high school.

Enrolled in higher education or competitively employed within one year of leaving high school.

Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

**Data Source**

State selected data source.

**Measurement**

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

**Instructions**

*Sampling****of youth who had IEPs and are no longer in secondary school****is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See General Instructions on page 2 for additional instructions on sampling.)*

Collect data by September 2020 on students who left school during 2018-2019, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2018-2019 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

**I. *Definitions***

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment” in the FFY 2019 SPP/APR, due February 2021:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

**II. *Data Reporting***

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

 1. Enrolled in higher education within one year of leaving high school;

 2. Competitively employed within one year of leaving high school (but not enrolled in higher education);

 3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);

 4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

**III. *Reporting on the Measures/Indicators***

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Include the State’s analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States should consider categories such as race and ethnicity, disability category, and geographic location in the State.

If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline**  | **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| A | 2009 | Target >= | 28.00% | 28.00% | 29.00% | 29.00% | 30.00% |
| A | 26.00% | Data | 24.97% | 24.39% | 21.41% | 18.31% | 16.36% |
| B | 2009 | Target >= | 61.00% | 61.00% | 62.00% | 62.00% | 63.00% |
| B | 59.00% | Data | 54.21% | 57.38% | 53.69% | 50.88% | 51.10% |
| C | 2009 | Target >= | 73.00% | 74.00% | 76.00% | 78.00% | 80.00% |
| C | 72.00% | Data | 67.36% | 68.52% | 66.67% | 64.78% | 93.31% |

**FFY 2019 Targets**

|  |  |
| --- | --- |
| **FFY** | **2019** |
| Target A >= | 30.00% |
| Target B >= | 63.00% |
| Target C >= | 80.00% |

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**FFY 2019 SPP/APR Data**

|  |  |
| --- | --- |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 6,257 |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school  | 1,223 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school  | 1,958 |
| 3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed) | 370 |
| 4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). | 449 |

| **Measure** | **Number of respondent youth** | **Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school** | **FFY 2018 Data** | **FFY 2019 Target** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 1,223 | 6,257 | 16.36% | 30.00% | 19.55% | Did Not Meet Target | No Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 3,181 | 6,257 | 51.10% | 63.00% | 50.84% | Did Not Meet Target | No Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 4,000 | 6,257 | 93.31% | 80.00% | 63.93% | Did Not Meet Target | Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **C** | Several factors may be attributed to the overall slippage for 14C. Surveys can only serve as a representative sample of the group relevant to the intended indicator measurement population. One factor that the State monitors and has historically attributed to differences in the statewide survey sample demographics and contact results. Advances in data collection systems to provide the survey vendor with complete leaver records with contact information is in place for the upcoming survey for FFY 2020. All persons across the State endured unprecedented economic impact and access barriers as a result of the COVID-19 pandemic higher education closures, industry shutdowns and lay-offs. To discount that impact on post-secondary students with disabilities as it relates to this outcomes indicator would not allow the state to fully understand the continuing needs for student outcomes and success.The State will continue to further investigate data trends and impacts from these factors and how it relates to success measurements included in this indicator. |

**Please select the reporting option your State is using:**

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | YES |
| If yes, has your previously-approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

With more than 585,000 students enrolled and receiving special education services in over 8,800 campuses in Texas, a sampling approach is essential to examine indicators within the SPP. Texas embodies extreme variance in the district and student characteristics that change from region to region and by age grouping. For Indicator 14 in FFY 2019, purposive sampling (selected based on the knowledge of a population and the purpose of the study), in addition to a stratified random sampling approach (divides a population by characteristic into smaller groups then sampled), was applied to increase the validity of the sample.

Through a grant leveraged by TEA, the Student-Centered Transitions Network (SCTN) contracted with a third-party vendor to conduct the
statewide survey administered during the summer of 2020. The survey included a total of twelve questions: eleven questions needed for the State Performance Plan (SPP) Indicator 14 reporting and one question to address statewide and district high school program improvement.

More than 30,000 unique sample records were included to conduct this year’s study, and more than 85,000 calls were made to find qualified respondents. Additionally, attempts to contact former students via email and postcard were made. Additional information regarding the data collection and sample management can be found in the publicly available State Performance Plan Indicator 14: Student-Centered Transitions Network Survey (2019–2020) located on the SCTN website at https://www.texastransition.org/upload/page/0245/docs/TEA2020\_State%20Report\_Final%20Revised.pdf .

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used?  | YES |
| If yes, is it a new or revised survey? | NO |

**Include the State’s analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

Demographic analysis is considered as representative within a reasonable statistical variance of +/- 3% for all categories analyzed with exception to over representation (+6%) of Hispanic/Latino respondents to the survey. (NOTE – Disability comparisons are not available at the time of reporting due to a file corruption. The State is working to repair and recreate to update this data, if allowed, during clarification held April 2021)

The following data includes Response data % / Total set of youth who had IEPs in effect at time of exit, no longer in secondary school %.
Gender:
Male - 62% / 65%
Female – 38% / 35%
Race/Ethnicity:
Asian and Pacific Islander (combined) – 2% / 2%
Black or African American – 16% / 19%
Hispanic/Latino – 56% / 50%
Two or More Races – 3% / 2%
White – 23% / 26%
American Indian or Alaska Native – 0% /0.4%

Due to a file corruption currently being rebuilt, the State is unable to report on the representativeness of the following disabilities on the respondent survey data set, but presents the data available as of reporting date for the total set of youth at time of exit:
Auditory Impairment – TBD / 2%
Emotional Disturbance – TBD / 8%
Intellectual Disability – TBD / 11%
Specific Learning Disability – TBD / 51%
Orthopedic Impairment – TBD / 0.8%
Other Health Impairment – TBD / 8%
Speech Impairment – TBD / 0.6%
Visual Impairment – TBD / 0.7%
Autism – TBD / 9%
Traumatic Brain Injury – TBD / 0.4%
Deaf Blind – TBD / 0.03%
Multiple Disability – TBD / 2%

| **Question** | **Yes / No** |
| --- | --- |
| Are the response data representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school?  | YES |

**Provide additional information about this indicator (optional)**

The State will present the survey respondent data for disability for the representative comparison during the clarification period, if allowed, once the file has been recovered and rebuilt.

## 14 - Prior FFY Required Actions

In the FFY 2019 SPP/APR, the State must report whether the FFY 2019 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

**Response to actions required in FFY 2018 SPP/APR**

## 14 - OSEP Response

## 14 - Required Actions

# Indicator 15: Resolution Sessions

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

 (20 U.S.C. 1416(a)(3)(B))

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (3.1(a) divided by 3.1) times 100.

**Instructions**

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 15 - Indicator Data

Select yes to use target ranges

Target Range is used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/04/2020 | 3.1 Number of resolution sessions | 113 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/04/2020 | 3.1(a) Number resolution sessions resolved through settlement agreements | 41 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 20.40% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 25.00% |  |  | 25.00% - 30.00% | 25.00% - 30.00% |
| Data | 46.85% | 47.89% | 35.63% | 31.78% | 31.65% |

**Targets**

| **FFY** | **2019 (low)** | **2019 (high)** |
| --- | --- | --- |
| Target | 25.00% | 30.00% |

**FFY 2019 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2018 Data** | **FFY 2019 Target (low)** | **FFY 2019 Target (high)** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 41 | 113 | 31.65% | 25.00% | 30.00% | 36.28% | Met Target | No Slippage |

**Provide additional information about this indicator (optional)**

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

## 15 - Required Actions

# Indicator 16: Mediation

**Instructions and Measurement**

**Monitoring Priority**: Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3(B))

**Data Source**

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (E*MAPS*)).

**Measurement**

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by 2.1) times 100.

**Instructions**

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

**Select yes to use target ranges**

Target Range is used

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1 Mediations held | 261 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1.a.i Mediations agreements related to due process complaints | 103 |
| SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/04/2020 | 2.1.b.i Mediations agreements not related to due process complaints | 82 |

**Select yes if the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA.**

NO

**Targets: Description of Stakeholder Input**

Historically, Texas has solicited broad stakeholder input using the TCIP model. This input is gathered through a variety of methods including surveys, public forums, public hearings, and stakeholder meetings. A systematic approach for obtaining stakeholder participation is used to ensure feedback that is truly representative of the state’s geographic and ethnic diversity. This systematic approach includes a recruitment plan designed to ensure that stakeholders from diverse roles provide input representative to the state. The diverse roles included in all advisory or informal stakeholder groups are typically parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, ESCs, related service and support staff, and other state agencies.
The technical assistance networks and initiatives also support stakeholder involvement as part of their included project metrics to continuously inform and drive technical assistance needs in the State.
All 20 regions are represented within the various advisory and workgroups that constitute broad stakeholder input. TEA routinely reviews group memberships to keep current and contacts various internal and external entities seeking recommendations to fill vacancies.
TEA continues to employ the TCIP model and expand opportunities for stakeholder engagement based on the priorities and the needs of the State.
Specific to target setting, continued review and evaluation against targets, and the development of the SPP, the Texas Continuous Improvement Steering Committee (TCISC) serves as the external workgroup tasked with advisement on topics such as general supervision, monitoring, infrastructure, intervention, and improvement activities relating to the improvement plan. This group, formed in the spring of 2014, combined two former stakeholder groups that separately provided perspectives on state supervision, monitoring, target setting, and improvement planning, and includes approximately 30 members representing key perspectives or roles. Members represent parents, teachers, related service providers, evaluation personnel, special education directors, district and campus administrators, ESCs, higher education institutes, multiple advocacy agencies and professional groups, other related state agencies, and other established stakeholder groups. By combining membership and bringing forward individuals with a historical perspective to the TCIP process, the continuing conversation in Texas has sustained. New members are added to fill voids in certain key perspectives. The TCISC has engaged in multiple face-to-face and other meeting modalities to provide thoughtful input to the important work that has focused on improving results for children and youth with disabilities and their families.
The Texas Continuing Advisory Committee (CAC) consists of 17 governor-appointed members from around the state representing parents, general and special educators, consumers, and other special education liaisons. Many members must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms with the terms of eight or nine members expiring on February 1 of each odd-numbered year. This group specifically advises TEA of unmet needs; comments publicly on any rules or regulations proposed by the state; advises TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of the IDEA 20 U.S.C. §1418; advises TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA and advises TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

TEA is committed to using input and feedback to better inform state practices and policies by engaging diverse stakeholders and building relationships. To support this effort, TEA launched its Stakeholder Engagement Initiative during the 2019-2020 school year. The purpose of this initiative is to establish strong universal processes with strategic and timely communication plans to improve the stakeholder engagement practices and to facilitate opportunities that will optimize agency resources toward achieving meaningful interaction and critical feedback. The initiative is charged with the following three goals:
1) Enhance website & database interaction to allow for specific communication so that all stakeholders can receive information that is relevant to them;
2) Agency special education staff will receive targeted training and tools to improve stakeholder engagement skills (templates regarding best practices for stakeholder engagement meetings to address recommended activities for pre, during, and post stakeholder meetings); and
3) Creation of a master calendar with all stakeholder engagement touchpoints.

As with other person access tasked systems, stakeholder involvement activities were impacted by COVID-19 related barriers. The State made quick action to accommodate stakeholder access for purpose of required rule-making processes, provision of information relating to COVID-19 impacts, and State resources and guidance including critical tools for IEP teams to support continued services to students receiving special education in the State. These resources continue to be available on the TEA website at https://tea.texas.gov/texas-schools/health-safety-discipline/covid/parent-resources-for-students-in-special-education .

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 | 79.60% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2014** | **2015** | **2016** | **2017** | **2018** |
| Target >= | 75.00% |  |  | 75.00% - 80.00% | 75.00% - 80.00% |
| Data | 79.55% | 75.22% | 76.50% | 75.81% | 75.78% |

**Targets**

| **FFY** | **2019 (low)** | **2019 (high)** |
| --- | --- | --- |
| Target | 75.00% | 80.00% |

**FFY 2019 SPP/APR Data**

| **2.1.a.i Mediation agreements related to due process complaints** | **2.1.b.i Mediation agreements not related to due process complaints** | **2.1 Number of mediations held** | **FFY 2018 Data** | **FFY 2019 Target (low)** | **FFY 2019 Target (high)** | **FFY 2019 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 103 | 82 | 261 | 75.78% | 75.00% | 80.00% | 70.88% | Did Not Meet Target | Slippage |

**Provide reasons for slippage, if applicable**

Although the State has seen an increase in the number of mediations held from prior years (215 in FFY 2017; 223 in FFY 2018; 261 in FFY 2019), and an increase in the number of mediation agreements each year as well (163 in FFY 2017; 169 in FFY 2018; 185 in FFY 2019), the overall percentage (gap) between agreements and mediations held has widened a bit. There are no clear patterns in the data to evidence a particular reason for this slight overall percentage drop or gap. However, during the 4th quarter of data collection, the COVID-19 pandemic impacted schools, children, and families on a wide range of issues including Child Find, FAPE, and other regulatory requirements for delivery of services to children with disabilities. Due process complaints saw an overall decrease which may attribute to the rise in the number of mediations held, as parents sought to quickly remedy individual student access and service delivery issues related to the pandemic. TEA will continue to examine mediation data and processes to ensure optimal outcomes for students through mediation agreements where appropriate and purposed.

**Provide additional information about this indicator (optional)**

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

## 16 - Required Actions

# Certification

**Instructions**

**Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.**

**Certify**

**I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.**

**Select the certifier’s role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

**Name:**

Tammy Pearcy

**Title:**

Division Director, Special Education Program Reporting

**Email:**

tammy.pearcy@tea.texas.gov

**Phone:**

512-463-9414

**Submitted on:**

04/27/21 9:26:38 PM

# ED Attachments

  

1. Data suppressed due to privacy protection [↑](#footnote-ref-2)
2. Percentage blurred due to privacy protection [↑](#footnote-ref-3)