

# On-Site Investigation Procedures Manual

Program Monitoring and  
Interventions Division  
Texas Education Agency

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# ***Introduction***

## **Authority**

The authority to conduct on-site investigations is found in Texas Education Code (TEC) §39.056, *On-Site Investigations*, TEC §39.057, *Special Accreditation Investigations*, 19 Texas Administrative Code (TAC) §97.1071, *Special Program Performance: Intervention Stages*, 19 TAC §97.1072, *Residential Facility Monitoring: Determinations, Investigations, and Sanctions*, and, if applicable, conditions of the charter school contract and federal statutes and guidelines.

## **Purpose and Scope of On-Site Review**

A targeted on-site investigation by the Texas Education Agency (TEA, or agency) will be conducted to address concerns related to documented substantial, imminent, or ongoing risks as reflected in current and/or longitudinal local education agency (LEA) data. During the visit, agency staff will engage in activities that will lead to determinations of compliance with federal and state requirements, conclusions related to low performance and program effectiveness, and determinations of required actions that will lead to program improvement. The agency reserves the right to use electronic media to create a record of on-site activities.

In conducting the on-site review, the TEA team may engage in activities such as:

- leading focus group discussions;
- interviewing stakeholders, service providers, and administrators; and
- conducting classroom observations, document reviews, and student data reviews, as appropriate.

The official findings of the on-site review will be presented to the LEA in a written report subsequent to the visit. Actions required of LEAs will be tailored to areas of concern and/or correction of noncompliance identified during the visit or after review of documentation obtained, and will be designed to address performance and program effectiveness issues and align with improvement planning processes. Findings of the on-site review may result in the development and implementation of a targeted improvement plan (IP) and/or Corrective Action Plan (CAP), continued implementation of the LEA's current targeted IP and/or CAP, revision of the LEA's current targeted IP and/or CAP, additional LEA intervention activities, escalated agency oversight, and/or sanctions under the provisions of TEC §39.057, §39 Subchapter E, and 19 TAC Chapter 97, Subchapter EE.

## **Selection of LEAs for On-Site Review**

Imminent or substantial concerns may include, but are not limited to, continuous failure to meet state standards as in the Performance-Based Monitoring Analysis System (PBMAS) or other analysis of student and program data systems; failure to successfully complete intervention requirements; failure to implement targeted IP activities or provide verification of such implementation; failure to implement TEA monitoring requirements and requests; failure to conduct data gathering activities as requested by TEA; and/or failure to correct noncompliance within the required timeframe. Selection of LEAs for on-site review also may be based on complaints or reasons authorized by TEC §39.056 or §39.057, or federal statute or guidelines.

An LEA selected for an on-site review may be notified at the time annual interventions are staged for the program areas or may be notified through a separate communication at any time during the monitoring year should an imminent or substantial concern be identified by TEA.

# *Preparing for an On-Site Review*

## **LEA Activities Prior to an On-Site Review**

TEA staff will notify an LEA of its selection for an on-site review and will provide the LEA with a brief overview of the process and activities that may occur.

In preparation for the visit, the LEA will need to make the following arrangements:

- notify focus group and interview participants of their role and the agency's expectations;
- secure facilities appropriate for each of the scheduled proceedings;
- make student documentation available for TEA review during the visit; and
- schedule LEA staff to assist the TEA monitoring team during the visit.

TEA staff may request that the LEA engage in specific activities prior to the on-site review. The LEA also may be asked, prior to an on-site review, to submit documentation relevant to the monitoring process. The LEA must submit all required materials to TEA as soon as possible but in no event later than ten business days prior to the visit. The information requested may include, but is not limited to:

- public meeting sign-in sheets, professional development sign-in sheets, fund allocations, names of district leadership team members, minutes of meetings, and other documentation related to the monitoring process;
- student name(s), teacher name(s), and teacher schedules;
- data related to student participation and performance in assessments;
- LEA self analysis document(s); and
- locally available student performance data.

## **TEA Activities Prior to an On-Site Review**

### *Selection of On-Site Review Team*

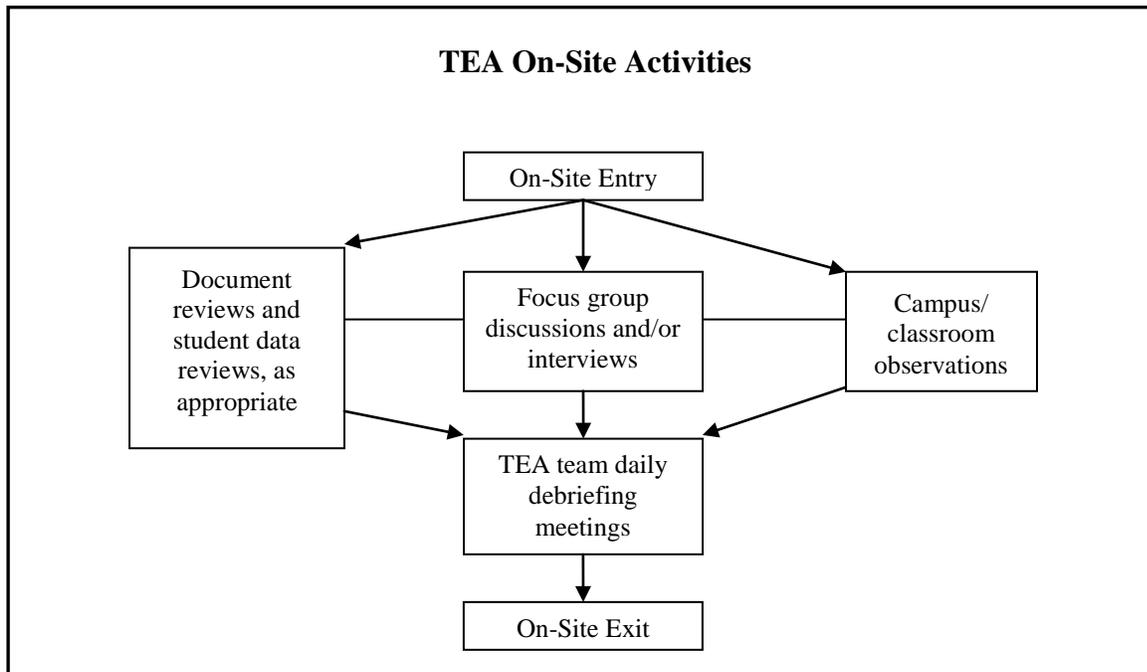
The on-site review team will be composed of staff members from the Division of Program Monitoring and Interventions. Each team will have a chairperson who is responsible for coordinating the visit and acting as team lead during the visit. The actual size of the on-site review team will vary depending on the size of the LEA, the scope of concerns to be examined, and the nature and duration of performance and/or effectiveness concerns.

### *Preparation and Planning Activities*

In preparation for an on-site visit, TEA staff will engage in the following activities:

- Analyze longitudinal data that may include PBMAS reports, Annual Measurable Achievement Objectives (AMAO) results, Texas Academic Performance Reports (TAPRs, formerly AEIS reports), state accountability data tables, federal accountability results, relevant Public Education Information Management (PEIMS) data, Texas English Language Proficiency Assessment System (TELPAS) data, RF Tracker data, teacher certification information, exception and waiver history, substantiated complaints, intervention documents, TEA correspondence, and other relevant information;
- Identify possible systemic issues and programmatic concerns, define the focus of the visit, determine necessary on-site activities and elements of the visit (such as, interview and focus group discussion topics, locations of classroom/student observations, student data reviews to be conducted, and documents to be reviewed); and
- Notify the superintendent of the date and purpose of the visit, providing information about on-site activities, and request additional information as needed.

## *On-Site Activities*



### **Entrance and Exit Meeting**

The team lead will schedule an entrance meeting to introduce TEA team members to LEA personnel and provide an overview of on-site monitoring activities, including focus group discussions, stakeholder interviews, classroom/campus observations, document reviews, and student data reviews as appropriate. The review team will meet daily to discuss findings and observations, which may result in revisions to the initial agenda. At the conclusion of the on-site visit, TEA will share general observations with the LEA in an exit meeting. The official findings of the visit will be presented to the LEA in a written report subsequent to the visit.

### **Document and Data Review**

TEA staff will review LEA documents and data to determine possible patterns or trends related to performance and program effectiveness concerns and compliance with federal and state requirements. The documentation and data review may include, but is not limited to: LEA policies, procedures, and guidelines; approved exceptions and waivers; teacher certification and professional development activities; curriculum and instructional materials; information regarding instructional practices; student assessment data; student eligibility and participation information; and documentation regarding provision of services and resource allocation.

### **Campus/Classroom Observations**

Campus/classroom observations will be conducted as necessary to review program implementation, including, but not limited to, methods of instructional delivery, curriculum alignment and implementation, techniques used for monitoring progress, and methods of evaluating the effectiveness of student instruction and implementation of individualized education programs.

## **Student Data Reviews**

TEA staff will utilize a data-informed method of sampling to determine which student folders, if any; will be reviewed as part of the data gathering and analysis process. The specific sample requirements will be determined by the agency's initial review of data available through the, PEIMS submissions, student assessment reports, and other relevant sources. Please be advised that, as agents of TEA, all members of the on-site team have clearance under FERPA to see any and all student data and documents.

## **Focus Group Discussions and Interviews**

TEA staff will conduct focus group discussions and/or individual interviews to gather information and to confirm information gathered through other reviews and observations. Focus group discussions and interview topics may include the LEA's implementation of the continuous improvement planning process; actions taken to correct any identified low performance and program effectiveness concerns; actions taken to correct noncompliance; and the provision of appropriate services through special programs.

Focus group discussions may be conducted with the general groups listed below.

- **administrative focus groups**, central administration, campus administration, and program directors;
- **direct service provider focus group**, including program teachers and service provider(s), general education teacher(s), teacher assistants, guidance counselors, related service providers, and any additional personnel involved in the instruction of the student(s);
- **parent focus group**, including parent(s), surrogate parent(s), and adult student(s); and
- **district leadership team(s) focus group**, as selected by the LEA.

Additionally, individual interviews may be conducted with persons knowledgeable about the programs including parents, guardians, staff members, teachers, counselors, program coordinators/directors, campus and district administrators, and the superintendent.

## ***Concluding Activities Following the On-Site Review***

### **Preliminary On-Site Report**

Following the visit, the on-site review team will organize and analyze the findings from the visit and issue a preliminary on-site report that includes findings, recommendations, required actions, and/or recommended sanctions. Identified issues related to program implementation, program effectiveness, compliance with statute or rule, and/or continuous improvement needs will be reflected in the report. As mentioned earlier, required actions will be tailored to area(s) of concern identified during the review and will be designed to address performance and program effectiveness issues and align with improvement planning processes. Findings of the on-site review may result in development and implementation of a targeted improvement plan (IP) and/or corrective action plan (CAP), continued implementation of the LEA's current targeted IP and/or CAP, revision of the LEA's current targeted IP and/or CAP, additional LEA intervention activities, escalated agency oversight, and/or sanctions under the provisions of TEC §39.057, §39 Subchapter E, and 19 TAC Chapter 97, Subchapter EE.

An LEA that is required to submit an updated targeted IP and/or CAP must include activities that address all areas of concern identified in the on-site report. TEA will review the revised targeted IP to determine whether activities and goals are properly targeted to address the areas of concern and recommendations identified in the on-site report. TEA staff will approve any new or revised targeted IP/CAP, and required modifications. Subsequent to approval of the targeted IP/CAP, TEA will monitor the implementation of

all activities and will continue to follow up with the LEA on an ongoing basis to review data and evidence of change and to verify implementation of the targeted IP and/or CAP.

### **Acceptance of the Preliminary On-Site Report or Request for Reconsideration**

Upon receipt of the preliminary on-site report, the LEA may accept the report or, under 19 TAC §97.1033, request reconsideration of the report's findings, recommendations, required actions, and/or sanctions. The LEA is required to respond to the preliminary on-site report by executing the *Receipt of Report* form and returning it to the Division of Program Monitoring and Interventions within 10 business days from the receipt of the preliminary on-site report. If the LEA accepts the preliminary report, the report becomes final as issued. If the LEA seeks reconsideration, the request for reconsideration must be accompanied by all LEA data and/or documentation available and necessary for the agency's reconsideration of the preliminary findings under 19 Texas Administrative Code (TAC) §97.1033(c). TEA will not consider documentation of corrective actions taken after the on-site visit in its reconsideration of the preliminary report findings. Upon completion of agency review of LEA submissions, a final report will be issued to the LEA.