

Overview of Data Clarification Period

Pre-finding Demonstration of Correction Opportunity State

Performance Plan Indicators 11, 12, & 13

Pre-finding Correction Opportunity

After the SPP close date each year, the Texas Education Agency will offer LEAs the opportunity to submit updated data for Compliance Indicators 11, 12, and 13 to correct data entry errors and/or to document correction of any **potential noncompliance** found in the state's database for these indicators prior to the state issuing a finding of noncompliance.

During this correction period, districts may choose one of the following options:

1. Do Nothing; or
2. Verify Noncompliance; or
3. Verify Correction

Option 1: Do Nothing

- Districts may choose to do nothing after entering and certifying data during the data entry period. If districts choose this option, TEA will make findings of noncompliance based on the data available in the database as of the date of application closing.

Option 2: Verify Noncompliance

- Districts may choose to review submitted data, determine no updates to data entry are needed, and/or determine no documentation of corrections for potential noncompliance are available. The district may verify noncompliance by recertifying the application during the clarification period, and the TEA will make findings of noncompliance based on the re-certification of data.

Option 3: Verify Correction

- Districts may choose to update data to correct any data entry errors and/or document corrections of potential noncompliance by the close of the clarification period for TEA review.
- TEA will review re-certified data to determine whether the data demonstrates noncompliance, or whether corrections of potential noncompliance using the 2prong criteria of OSEP Memo 09-02 have been completed before any issue of findings of noncompliance

Option 3: Verify Correction continued

- The State will verify correction of individual instances of noncompliance (Prong 1 of OSEP Memo 09-02) if the district submits documentation that each compliance requirement not completed within the timelines was completed, although late, and provides documentation using the provided application.
- The State will verify that the district is implementing the regulatory requirements related to Compliance Indicators 11, 12, and 13 (Prong 2 of OSEP Memo 0902) based on the State's review of updated data.
- TEA will make findings of noncompliance if pre-finding corrections are not demonstrated using Prong 1 and Prong 2 criteria.
- If all pre-finding corrections are demonstrated using the 2 prong criteria, LEAs will not be issued a finding of noncompliance, and data compliance percentages will be adjusted to reflect compliance with the indicator.
- Districts who appear to have less than 100% compliance in Indicators 11, 12 and/or 13 will have their application(s) returned to them the after the submission due date in August.
- Districts who wish to provide clarification should have the District Admin complete the steps contained in the returned application by the clarification due date.
- Specific instructions for the current Clarification Process for State Performance Plan Indicators 11, 12, and 13 can be found on the TEA website for Local Education Data Collection at http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/Data_and_Reports/Local_Educational_Agency_Reports_and_Requirements/

References

- 2010 OSEP Leadership Mega Conference: PowerPoint presentation entitled “OSEP Update on Identification and Correction of Noncompliance Part B”, presented by Dan Schreier, Gregg Corr, Jill Harris, Ken Kienas, Kate Moran, Larry Ringer
<http://leadershipmega-confreg.tadnet.org/s4agenda>
- OSEP Memo 09-02
<http://www2.ed.gov/policy/apeced/guid/idea/memosdcltrs/osep0902timelycorrectionmemo.pdf>

Contact Information

For questions regarding the clarification process or application, contact the SPP team at: 512-463-9414 or spp@tea.state.tx.us