

Overview of Data Clarification Period

Pre-finding Demonstration of
Correction Opportunity
State Performance Plan Indicators 11,
12, & 13

Pre-finding Correction Opportunity

- In September 2013, 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:

The LEA does not update/respond. The State will make findings of noncompliance based on the data available in the database on August 30, 2013.



2.

Verify Noncompliance:

The LEA responds by September 30, 2013 with no updates to data entry or documentation of corrections of potential noncompliance. The State will make findings of noncompliance based on the re-certification of data.



3.

Verify Corrections:

The LEA submits updated data to correct data entry errors and/or to document correction of potential noncompliance by September 30, 2013. TEA will review to determine whether the data demonstrates noncompliance, or that the LEA has corrected the noncompliance using Prong 1 and Prong 2 criteria of OSEP Memo 09-02 before any issue of findings of noncompliance. The State will make findings of noncompliance if pre-finding corrections are not demonstrated.



1.

Do Nothing:

The LEA does not update/respond. The State will make findings of noncompliance based on the data available in the database on August 30, 2013.

- Districts may choose to do nothing after entering and certifying data during the data entry period ending August 30, 2013. If districts choose this option, TEA will make findings of noncompliance based on the data available in the database as of August 30, 2013.



2.

Verify Noncompliance:

The LEA responds by September 30, 2013 with no updates to data entry or documentation of corrections of potential noncompliance. The State will make findings of noncompliance based on the re-certification of data.

- 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 re-certifying the application during the clarification period, and the TEA will make findings of noncompliance based on the re-certification of data.



3.

Verify Corrections:

The LEA submits updated data to correct data entry errors and/or to document correction of potential noncompliance by September 30, 2013 for TEA review to determine whether the data demonstrates noncompliance, or that the LEA has corrected the noncompliance using Prong 1 and Prong 2 criteria of OSEP Memo 09-02 before any issue of findings of noncompliance. The State will make findings of noncompliance if pre-finding corrections are not demonstrated.

- 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 (Sept. 30, 2013) for TEA review.

Option 3 cont'd



3.

Verify Corrections:

The LEA submits updated data to correct data entry errors and/or to document correction of potential noncompliance by September 30, 2013 for TEA review to determine whether the data demonstrates noncompliance, or that the LEA has corrected the noncompliance using Prong 1 and Prong 2 criteria of OSEP Memo 09-02 before any issue of findings of noncompliance. The State will make findings of noncompliance if pre-finding corrections are not demonstrated.

- TEA will review re-certified data to determine whether the data demonstrates noncompliance, or whether corrections of potential noncompliance using the 2-prong criteria of OSEP Memo 09-02 have been completed before any issue of findings of noncompliance.

Option 3 cont'd

Prongs 1 & 2

- 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 09-02) based on the State's review of updated data.

Option 3 cont'd



3.

Verify Corrections:

The LEA submits updated data to correct data entry errors and/or to document correction of potential noncompliance by September 30, 2013 for TEA review to determine whether the data demonstrates noncompliance, or that the LEA has corrected the noncompliance using Prong 1 and Prong 2 criteria of OSEP Memo 09-02 before any issue of findings of noncompliance. The State will make findings of noncompliance if pre-finding corrections are not demonstrated.

- 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.

Clarification Process

- 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 1st week of September, 2013.
- Districts who wish to provide clarification should have the District Admin complete the steps contained in the returned application by no later than September 30, 2013.
- Specific instructions for the 2013 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://www.tea.state.tx.us/index2.aspx?id=2147499500>

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-conf-reg.tadnet.org/s4agenda>
- OSEP Memo 09-02
<http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep09-02timelycorrectionmemo.pdf>

Contact Information

- For questions regarding the clarification process or application, contact the SPP team at:

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