



Special Education in Texas

STAKEHOLDER AND FOCUS GROUP ENGAGEMENT
US DEPARTMENT OF EDUCATION (ED),
OFFICE OF SPECIAL EDUCATION PROGRAMS (OSEP) MONITORING VISIT
FINDINGS AND CORRECTIVE ACTION OVERVIEW

Agenda

Overview

Small Group Discussions to Solicit Focused Feedback Regarding
Issues Relating to OSEP findings

Adjourn

ED, OSEP Monitoring Activities

- In an [Oct. 3, 2016 letter to Texas Commissioner, Mike Morath](#), OSERS raised concerns regarding Texas' compliance with a number of requirements of *IDEA*.
- The [state responded to the letter on Nov. 2, 2016](#)
- During the week of Dec. 12 OSEP conducted a series of listening sessions in Texas.
- During the week of February 27, 2017, USED/OSEP performed a series of onsite monitoring visits to review Texas' compliance with the Individuals with Disabilities Education Act (IDEA).

Improvement Activities Completed as Described in TEA's November 2, 2016 Letter to OSERS

Activities completed

1. Letter to all school districts (a) reminding them of the child find obligations in IDEA and that Response to Intervention (RTI) strategies may not be used to delay or deny an initial evaluation; and (b) clarifying TEA's monitoring efforts with regard to preventing the over-identification of students with disabilities – [TAA dated November 17, 2016](#)
2. Evaluate whether any additional information should be added to the *Parent's Guide to the Admission, Review, and Dismissal (ARD) Process* as well as what additional training and technical assistance the regional education service centers can provide to school districts regarding the child find process, response to intervention (RTI), and Performance Based Monitoring Accountability System (PBMAS)

Activities completed (continued)

3. Review monitoring activities with regard to specific school districts discussed in the newspaper articles and follow up with those districts, as appropriate
4. Complete the multi-year transition plan for certain PBMAS special education indicators that integrates the four representation indicators into a single indicator to include additional racial/ethnic groups, disaggregation by disability categories, and calculations of significant disproportionality with continued input from stakeholder groups including the Continuing Advisory Committee for Special Education and the Texas Continuous Improvement Steering Committee for Special Education

Activities completed (continued)

5. Expand the amount of technical support available at TEA
 - During the hiring freeze, the Governor's office authorized the hiring of an additional ten staff members in TEA's Division of Special Education.
 - The individuals hired possess a great deal of expertise in various functional areas related to special education. Their primary function is to provide expertise and leadership as it relates to the provision of technical assistance to LEAs directly, through the ESCs, and through improvements to the existing statewide leadership grants projects.

Activities completed (continued)

6. Twenty-eight (28) ESC liaisons employed by the education service centers were added through IDEA-B discretionary funds.
 - The liaisons perform multiple functions with regard to improving outcomes for students with disabilities.
 - work closely with districts to develop innovative ways to address challenges in special education and will be integral to improving professional development practices throughout all 20 ESCs.
 - support implementing best practices to address issues such as significant disproportionality.
 - support implementation of the programmatic components of the Corrective Action Plan

Activities completed (continued)

7. Discontinue the use of PBMAS Indicator 10 for the purposes of interventions staging moving forward
 - Texas Legislature passed, and Governor Abbott signed, S.B. 160 and S.B. 1153
 - S.B. 160 prohibits the commissioner or agency from adopting or implementing a performance indicator in any agency monitoring system, including the PBMAS, that solely measures a school district's or open enrollment charter school's aggregated number or percentage of enrolled students who receive special education services.
 - S.B. 1153 requires districts to notice (defined in the bill) parents of each child, other than a child enrolled in a special education program, who receives assistance from the district for learning difficulties, including through the use of intervention strategies (defined in the bill).

Final OSEP Report of Findings

January 11, 2018

ED, OSEP Monitoring Visit Findings

1. TEA failed to ensure that all children with disabilities in Texas who might need special education services were identified, located, and evaluated, regardless of the severity of their disability.
2. Because of the finding listed in number above, TEA also failed to ensure that all students with disabilities have been provided with a free and appropriate public education.
3. TEA failed in its duty to supervise and monitor that LEAs were appropriately implementing their federal requirements to find all students in the state who should be eligible for special education services and that they were provided with a free and appropriate public education.

Corrective Actions

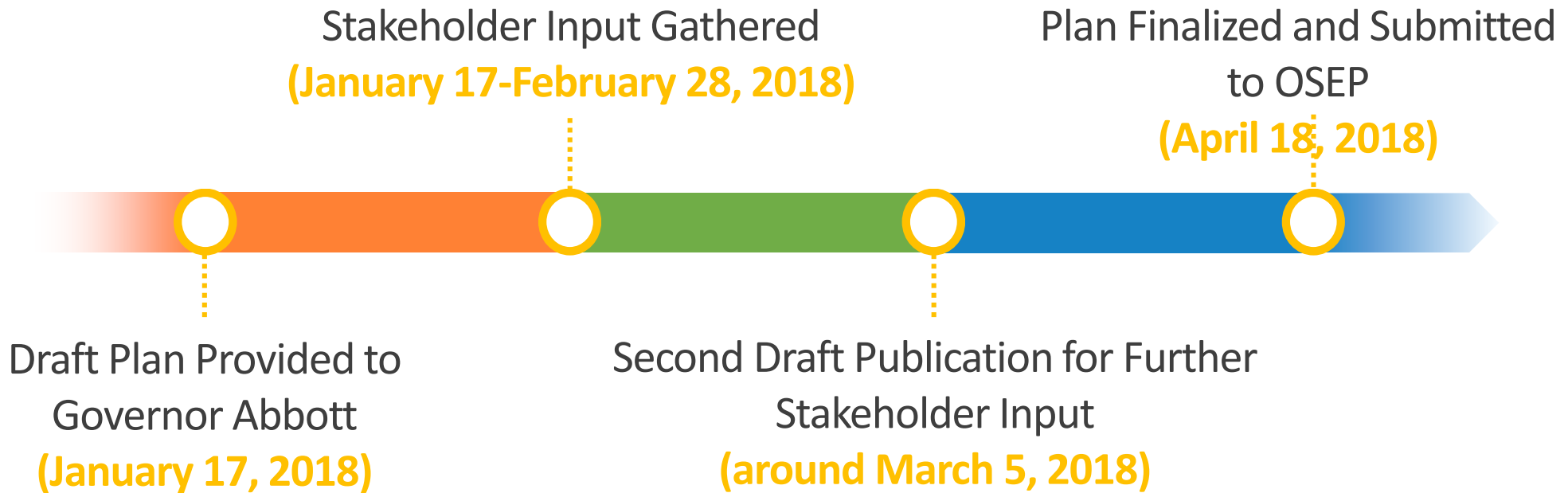
- The findings from that report require TEA to develop plans to address four corrective actions.
- TEA believes an integral part of the plan development process will be the gathering of input from stakeholders and other interested Texans.
 - Face-to-face visits will occur in all 20 Regional ESCs and local schools to solicit input and feedback from administrators, students, parents, and educators.
 - In addition to the face-to-face visits, a survey is available on the TEA website until February 18th, and an email address is available for individual comments.
 - Additionally, TEA staff will be interacting at multiple meetings and conferences at which input and feedback will be sought throughout the plan's development.



United States Department of Education, Office of Special Education Programs

2016-2017 Monitoring Visit Corrective Action Plan Development

OSEP Corrective Actions Development Timeline



Response Request 1

Relating to the OSEP finding that TEA failed to ensure that all children with disabilities in Texas who might need special education services were identified, located, and evaluated, regardless of the severity of their disability, please respond to the following:

- A. What barriers do you see or concerns do you have about TEA addressing this finding?
- B. What ideas or solutions do you suggest for TEA in addressing this finding?
- C. Is there anything else you would like TEA to consider in this area?

Response Request 2

Relating to the OSEP finding that TEA failed to ensure that a free and appropriate public education was made available to all children with disabilities in Texas and that TEA failed to properly supervisor and monitor schools in their implementation of this requirement please respond to the following:

- A. What barriers do you see or concerns do you have about TEA addressing this finding?
- B. What ideas or solutions do you suggest for TEA in addressing this finding?
- C. Is there anything else you would like TEA to consider in this area?

Thank You
for your thoughtful input and feedback!

For continued updates please go to

www.tea.texas.gov/TexasSPED/