From: [redacted]

To: TexasSPED

Subject: Additional comments

Date: Wednesday, March [redacted], 2018 9:36:47 AM

As a parent my child was retained due to lack of instructional time due to her illnesses. She now notice she is mature and wanted to move up with her peers. She had to go thru testing which she had not study the test possible content. She was upset saying " it is not my fault". My health did it. I'm smart I should able to be placed and see how I do...not test me on something I haven't studied.

It hurt uld be. I wouldn't have sign the retention

letter.

From: [redacted]

To: TexasSPED

Subject: Bad Link for the SPED Strategic Plan

Date: Tuesday, March [redacted], 2018 12:54:54 PM

Attachments: 1330E0E9-5822-4663-BA19-8C2CA1B85568[11].png

When attempting to review the strategic plan the the website says “Content Does Not Exist.” Wishing You Well,

[redacted]

[redacted]

[redacted]

[redacted]

Personal Mission Statement: I co-create a world of abundance when I Love, Connect, and Share. Follow me on Twitter [redacted]

MISSION: The mission of the [redacted] ISD is to teach, challenge, and inspire each student in a safe, nurturing environment to succeed in the global community.

VISION: [redacted] will be the world-class district of choice. VALUES:

* We value and respect all students, employees, parents, partners, and our community. * We demonstrate visionary leadership. * We engage in and promote personal and organizational learning. * We make data- driven decisions. * We practice ethical behavior and personal integrity.

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From: [redacted]

To: TexasSPED

Subject: Comment - Special Education Improvement Plan

Date: Monday, March [redacted], 2018 9:33:00 PM

As a taxpayer, policy analyst, and mother of a child with a disability, I am writing to urge you to restrict service provision to nonprofit and public entities. For-profit, private companies have no place profiting off taxpayer dollars intended to maximize investment in children with disabilities. You should be able to achieve sufficient levels of efficiency by allowing these not-for-profit entities to bid against one another in a competitive bidding process.

Inclusion of for-profits in this process would be nothing short of exploitation of the most vulnerable members of our community.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan, Draft #2

Date: Tuesday, March [redacted], 2018 12:31:58 PM

I have drafted and edited this response several times, always deciding that sending it won't make a difference in the end. However, after reading Draft #2, I decided that the time is now.

I have spent hours scouring through the hundreds of pages of responses that were gathered from the focus groups, and ESC interviews. I participated in the educator focus group in Region 5. To describe that as a focus group is a gross misrepresentation. We sat and went through the slides (that are posted on your website) and listened to explanation of why the focus group was convened. We were then given laptop computers and 20 minutes to type our comments and suggestions. Not a single question was fielded. There was zero interaction between TEA and LEA reps. A focus group, by definition, is designed to be a guided discussion about a particular topic and to provide ongoing feedback. There was no discussion. There was no coordination of ideas and suggestions. There was no discussion. We sat at tables and typed. The meeting was concluded with the web address to add more comments to the Padlet and this email address. My special education director and I were wholeheartedly disappointed in this "focus group."

I began my reading with the 40 pages of educator and provider feedback, and the message was clear. As a result of your dereliction of duty through the cap, and the gross dereliction of duty by state law makers, LEAs will be "doing the heavy lifting," while TEA spends 211 million dollars for your agency to restructure and restaff, compensate the families that were harmed, and create more documents, manuals, rules, and regs. Which is the exact converse of your statement in draft #1 to "avoid the bureaucratic tendency to focus solely on compliance." You are creating more staff to conduct onsite visits and audits and review stacks of data. If that is not a bureaucratic focus on compliance, I don't know what is.

As we begged in these comments for funding, your draft plan has more than doubled it's cost. While I understand that as the state agency, you don't allocate funds, this does not resonate well with the LEAs that are doing your heavy lifting. If you can now provide 211 million dollars for a corrective action, why as an agency, would you not have been proactive to prevent such need? 15 million a year in professional development would have especially helpful over the last 10 years that we have been struggling to stay above water and improve student outcomes on state assessments.

You have 10 million dollars to spend on contracted assessment professionals. Do you see a problem here? I know we do. If you refer again to the hundreds of teacher comments, you will see, repeatedly, the need for more assessment professionals within LEAs. This is because they are grossly underpaid for their expert training and skills, and understaffed and many leave districts to work private contract. Your 10 million dollar allocation is a perfect example of why.

In 2004, you made a decision. A decision that saved the state billions, but cost students and families much more. Your decision, no matter what language you use to describe it, or the spin you put on it, forced districts to begin practices that were detrimental to our most vulnerable students. As a special educator, on the ground, in the trenches, I continued to do my job. I continued to fight for services for the students that needed them. I have been lucky enough to work in a district that has taught me we

care about students more than your cap. While districts like [redacted], [redacted], [redacted] [redacted], [redacted], [redacted], H[redacted], [redacted] [redacted], [redacted], [redacted] [redacted], [redacted], [redacted], [redacted] and [redacted] followed your lead to keep their numbers "acceptable" to your agency. Forgive me if I sound jaded, but educator faith in this action plan trickling down to actually provide adequate and appropriate services to students, is poor.

My hope in this correspondence is, even if just a single person reads it, that TEA would realize that we (LEAs) have been charged with insurmountable tasks with no funding as a way to correct your misguided decisions; and that this somehow is going to improve student access to services and post secondary outcomes. There are pages after pages of what LEAs and TEA are going to do and how we are going to monitor it, what staff we are going to hire to carry it out, and what money we are spending on it.

Where are the pages about students? 65 million in a compensatory fund does nothing for the future of special education in Texas. The strategic plan is to prove to OSEP that you accept responsibility and won't do it again. This is not a strategic plan for special education in Texas, by a long shot.

But as you would have it, I will continue to educate my students with disabilities in my self-funded and stocked classroom, using curriculum that I scrounge up, working for them.... everyday.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on draft 2

Date: Tuesday, March [redacted], 2018 7:17:23 PM

Good morning!

I am a retired teacher and parent of two dyslexic children, ages 16 and 18. In the interests of their well being, we were forced to pull both of them out of public school. This was not the fault of any teachers or administrators at our school, all of whom did their best to help our children within the confines of their knowledge, the educational structure, and financial resources of the school. They simply did not have the knowledge and resources to effectively accommodate our kids.

Today I read the second draft. It is impressive. Wow. You are really going after it. Good.

There is only one thing I would change, but I don't think you can change it. The entire system of identifying students takes way too long. Dyslexic kids need accommodations starting in Pre-K. Every moment they are in school and not being accommodated, they are being emotionally damaged. You really can pick dyslexic kids out of the crowd at a pretty young age. They are the children who say "aminals" and "emenies." And they are not picking up the whole thing with letters and words.

I don't know what you can do about this either, but labeling kids as something weird sounding or calling them "special ed" hurts them too. It makes them feel like failures before they even begin.

I wish you could start an experimental charter school as a test . . . open enrollment . . . but no labels. You just offer accommodations for all students for free. They can choose to read a book, or listen to a book. They can write their answers, or record their answers. Let's accommodate another neurological condition as well and not make the introverts do cooperative learning. I think if you could do that, you would fix the whole thing. My kids could go to that school.

Thanks for all of your hard work on this thing! I appreciate it. Kind regards,

[redacted]

From: [redacted]

To: TexasSPED; [redacted]

Subject: Draft of corrective action plan feedback

Date: Tuesday, March [redacted], 2018 2:20:16 PM

On page 11 at the top of the page item 7 covers funding for compensatory services. This item states that LEAs may use the $65 million in funding in any way they see fit.

Obviously the TEA still does not understand the full scope of the problem. If we could trust the LEAs to do the right thing, Texas wouldn't be out of compliance in the first place.

Any money provided for compensatory service must have strict reporting requirements that clearly shows how this money was used and any rules regarding these funds must include a requirement that LEAs ONLY use this money to provide compensatory services.

That said, the TEA should develop guidelines for LEAs to help them understand what kinds of services would qualify for reimbursement using this funding.

Without this guidance LEAs may see fit to balance their budgets once again on the backs of the special education population.

[redacted]

"We cannot solve our problems with the same thinking we used when we created them." - Albert Einstein

From: [redacted]

To: TexasSPED

Subject: Draft request

Date: Tuesday, March [redacted], 2018 11:22:52 AM

Attachments: image001.png

Good morning,

I was wondering if you could send me the draft that had been written up and is available for comment and review?

The link provided says content is not available. Thanks,

[redacted]

Reporter

Waco – Temple – Killeen – Fort Hood Cell: [redacted]

Facebook: [redacted]

From: [redacted]

To: TexasSPED

Subject: Draft Special Education Plan

Date: Wednesday, March [redacted] 2018 10:28:26 PM

Hello-

I am writing on behalf of the Learning Disabilities Association of Texas. We are a state affiliate of the Learning Disabilities Association of America. We are very interested in working to improve services for students with disabilities and would like to be included in the TEA Registry. Our information is below:

Learning Disabilities Association of Texas (LDATX)

Target population: All individuals with diagnosed learning disabilities and attention issues. Funded through membership dues, events and private donors.

The mission of the Learning Disabilities Association of Texas, is to create an environment that supports, informs and empowers individuals with learning disabilities throughout their lifespan.

Thank you.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Draft TEA plan for special education

Date: Tuesday, March [redacted], 2018 12:54:07 PM

Dear TEA,

I was delighted to see that the revised draft plan includes a discussion of 2e students (gifted plus learning disabilities). All the research on 2e students indicates that it is essential to use a strength-based approach while also remediating challenges with these students. This necessitates access to both gifted education and special education, 504 plans, RTI, dyslexia programs, etc., as appropriate for the individual student. As you may know, federal "Dear Colleague" letters have confirmed both that there is no such thing as "too smart" for an IEP and that children cannot be excluded from gifted programming based on a disability. I greatly appreciate TEA's attention to this often misunderstood population!

[redacted]

From: [redacted]

To: TexasSPED

Subject: Dyslexia

Date: Tuesday, March [redacted] 2018 9:48:13 AM

Dyslexia specialists and diagnosticians must have dyslexia training in order to test and qualify or disqualify a student.

IT IS A PROBLEM WHEN A DIAGNOSTICAN PULLS OUT A DYSLEXIA DIAGNOSIS USING A DIFFERENT BATTERY OF TESTS.

From: [redacted]

To: TexasSPED

Subject: Evaluations

Date: Sunday, March [redacted], 2018 10:22:16 AM

Good morning,

I am a principal in [redacted] ISD. The purpose of this email is to note a comment regarding the proposed new system of evaluating all students that are in the RTI process or receiving ESL support.

As you may know, [redacted] does have a population of students living in poverty and who are second language learners. For many of these students, their academic success and/or progress takes several years. As a seasoned principal, I do not believe that automatically evaluating these two groups of students via a "defined time limit" in RTI or an ESL program is valid. Following the RTI process, which includes data collection with fidelity, should be the measure of determining when students should be evaluated for special education services, with the understanding that a parent request would be the exception.

Thank you for your time, [redacted]

--

Dream More,Learn More, Become More

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Feedback - Special Education Improvement plan

Date: Tuesday, March [redacted] 2018 10:21:25 AM

As a recently retired educator, I would like to provide feedback in regard to my experiences with special needs students. I began my career in high school level Special Education/Content Mastery classroom experience. In that classroom, special education students were with us for core subject education, which was tailored to their predetermined levels and were then mainstreamed into regular education classrooms for extra-curricular classes and activities.

This program was very successful for the students. They were able to learn on their level, not feel lost or frustrated trying to function in a higher-level environment and still socialize with peers.

Subsequently, I then spent 11 years as a Kindergarten teacher and saw a much different scenario. As the Special Education programs transitioned into "mainstreaming" students more and more, I saw the benefit to the student decline in many ways. I've had a variety of special needs students in my career, and while I enjoyed and loved each one of them, it was obvious in so many instances that the mainstream classroom was not servicing the student in a "least restrictive" way.

I had one student who was on several "ADHD" drugs, including Lithium, but it was obvious there were more needs that student had than just drugs to change behavior. He learned NOTHING, and I do mean NOTHING in my classroom all year long, except for the capital letter B, which was the first letter in his name! I tried and tried to persuade administrators see that this was NOT benefiting the student. His needs were not being met! He needed a very small group or one-on-one environment that could be targeted to teach him at a pace and in a style that would enable him to learn! The mainstream classroom was too fast-paced, too noisy, too demanding. He literally just sat there and watched. A whole year of his education was WASTED, in my opinion! He most likely could have at least learned the alphabet and some numbers had he been in a special education classroom for the biggest part of his school day.

I have also had several severely Autistic children. Two, in particular, were not benefited to the full potential. One was very high in reading and could read practically anything put in front of her. But, in other areas, she struggled to stay focused, was frequently upset during the day by the loudness of the classroom, especially from the behavior of two other students with

other behavior problems. The second student, also severely Autistic, just sat in the classroom at times, for the socialization, but was very disruptive, had to have a one-on-one aide, and would spontaneously hit other students. How did this environment benefit her?? And what about the regular-education students who had to tolerate being hit on the head, all in the pretext of giving the one student a "least-restrictive" environment??

Another Autistic student, who was very high-functioning, DID benefit from being in the regular classroom. He was very bright, very social, and I would even forget that he was Autistic, until the routine changed and he would get a wide-eyed look. Then, I would just quietly explain what was about to happen that would be different and he was fine. In his case, he totally functioned in the regular-ed classroom and would NOT have benefited at all being in any special class.

One pre-K student was so violent in his reactions, that it would take the Special Ed teacher, the regular ed teacher and an aide (which was me at the time) to restrain him in order to remove him from the classroom and to a place where he could be calmed. In that time, the rest of the class lost instruction time and just had to sit, and witness. I would think that was probably unnerving and/or upsetting to many of them, to say the least.

My point is, Special Education students that are severe or have many needs, would benefit much more being in a classroom where the student-to-teacher ratio is small, the routine can be slower and/or tailored to the class or individual, and the education can be varied to accommodate their needs and learning level, as well as their learning style. In a classroom of an average of 23 students, it is physically impossible for the teacher to accommodate such specific needs and still manage and teach the rest of the class. Many times I have had to watch the rest of my class just sit, sit on the rug and wait.....wait while one student is managed, calmed, and/or even removed from the classroom. This is unfair to ALL the students, and incidentally, the teacher as well! The classroom environment is volatile, disrupted, non-routine, and instruction does not go smoothly and successfully in many instances.

The bottom line.....this type of approach to just "across-the-board" MAINSTREAM ALL SPECIAL ED STUDENTS is NOT the most beneficial to those students, or anyone else for that matter. Each case should be evaluated, and determined whether that student can and would benefit the most in the regular classroom, or do they need more specialized instruction in order to succeed AND glean a year's worth of education from the time spent! Also, the regular education students need to be considered! Will THEY equally be served to the best of THEIR education from the choices made?

I think this has been the most frustrating issue as an educator that I have dealt with in my past 19 years. Please, please listen to the ones "in the trenches", the teachers who experience it day-to-day, who SEE what works and what does not.

Thank you for giving us the opportunity to provide feedback, and I pray, for listening.

[redacted] retired educator

[redacted]y ISD, [redacted]ISD, [redacted]ISD

From: [redacted]

To: TexasSPED

Subject: Feedback regarding SPED Corrective Action Plan Date: Tuesday, March [redacted], 2018 5:15:13 AM
Attachments: SPED Corrective Action - feedback.docx

To Whom It May Concern,

Attached are my edits and suggestions regarding the corrective action plan.

As a special educator/researcher/professor for more than 30 years (most recently from Purdue University now dean at [redacted]), I am happy to provide support to the TEA in regards to strategies for meeting the needs of all Texas children with disabilities.

[redacted]

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Fixing special education

Date: Tuesday, March [redacted], 2018 2:01:35 PM

Hello,

I have briefly reviewed the plan and have a real issue with the compensatory strategies giving the districts who refused to address dyslexia in the first place 65 million to use however they want. Since they pretend dyslexia doesn't exist, why would they all the sudden pay us all back for getting help outside of school? We need to have oversight over this process to assure that the child's family gets reimbursed for denying FAPE.

Thank you, [redacted]

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Input on Strategic plan

Date: Tuesday, March [redacted], 2018 2:41:21 PM

To Whom it May Concern,

I have worked as an educational diagnostician in the great State of Texas for the past 11 years. I am in shock at the information that is being presented and the way data is being presented.

I looked at Figure 1: Special Education Enrollment Rates and you can see that there is a considerable drop starting around the 2005-2006 school year. I think it should be stated and considered that it was around that time that the way we identify students with a specific learning disability significantly changed from the 16-point discrepancy model to a more complicated view and consideration of cognitive and academic strengths and weaknesses. This could account for a portion of the drop in students qualifying for services.

Second, Figure 2: Four-year graduation rates show lower rates for special education students. I am curious if this considers that we keep a portion of the special education population in school until age 22 or they have met other requirements. Also, speaking as a realist, the reason students are served by special education is because they have a disability and general some difficulty in school. To expect that these students would graduate at the same rate as other students is a bit unrealistic. Our goal is to educate and graduate them while giving them skills to be functional adults in our world.

This may take longer than the standard four years.

While Figure 4: College Readiness does highlight the gap, I again feel like we need to be realistic and consider that special education students generally are not going to be as college ready as their peers due to their significant difficulties with learning. Many are ready for vocational programs and do better working with their hands and in real world settings.

We need to ensure that as we go through this process and set goals for the state that they are realistic and truly consider that students served by special education often learn slower, struggle to grasp complicated concepts, mature at a slower rate and may not be ready to conquer adult life immediately after high school. There could be more supports from outside agencies like Texas Workforce Commission that could support them as they slowly catch up to their peers. Much of what is proposed is trying to patch a gaping hole, the hole being that the students have disabilities and are not able to work to the standards set forth by the state, if they could then special education services probably are not appropriate.

I also have grave concerns about the amount of requests for testing for school aged and adults that may come out of this plan. It seems like it will open the state and school districts to a whole host of issues. How will it be proven that services were denied? What happens to the school professionals with the necessary experience and training having the freedom to make decisions based on data and what is best for students without pressure from advocates and parents to provide services for students who may not really need them? By putting some of the proposed plans in place, school districts are going to be afraid to say “no” because they are worried about backlash and by doing so,

they will be placing students in special education who may not need services. This is just as bad as denying services in my opinion. By flooding the special education departments with students, services available to students will be watered down and less would be available for students who truly have needs.

Please consider the input from those of us who work in the schools every day verse the very loud voice of parents and advocates who may truly not understand our educational system, qualifying criteria and what the true purpose of special education is for students.

Sincerely,

[redacted]

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From: [redacted]

To: Commissioner

Cc: [redacted]

Subject: Joint Letter from Special Education Advocacy Groups on Public Process Going Forward on Special Education Plan

Date: Tuesday, March [redacted], 2018 4:03:21 PM

Attachments: 180320.Jt Ltr to TEA_CAP public input process_FILED.pdf

Dear Commissioner Morath – Good day. Please find attached correspondence from four advocacy organizations regarding the public process moving forward on the development of the special education corrective action plan.

We will be sharing our comments on the substance of the new draft corrective action plan soon.

Best regards,

[redacted]

Policy Specialist

Disability Rights Texas | 2222 W. Braker Ln. | Austin, TX 78758 512.407.2781 direct | 512.454.4816 main | 512.323.0902 fax

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From: [redacted]

To: TexasSPED

Subject: Link does not work

Date: Tuesday, March [redacted], 2018 8:00:35 AM

The link provided at the bottom of the email about the Special Education Action Plan does not work.

--

[redacted]

From: [redacted]

To: TexasSPED

Date: Monday, March [redacted] 2018 6:31:33 PM

Our students need additional instructional supports than we currently have and can fund. How are students' needs being funded from now on? Local school districts are funding more of the educational dollar while the state lowers their contribution and raises expectations for services/achievement.

Seems the State of Texas is purposefully underfunding schools. I have to ask why? DISCLAIMER: The [redacted] Independent School District does not discriminate on the basis of race, color, religion, age, gender, disability, national origin, military status, genetic

information, or any other basis prohibited by law. CONFIDENTIALITY NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, disclosure, copying, re-distribution or other use of any of this information is strictly prohibited. If you received this email in error, please immediately notify the sender and delete this email and any attachments. Your receipt of this communication does not waive any applicable privilege. [redacted] ISD reserves the right to monitor all electronic communications transmitted by the [redacted] ISD network.

From [redacted]

To: TexasSPED

Subject: Need clarification

Date: Monday, March [redacted], 2018 2:47:21 PM

Hello,

I'm needing clarification and where I can find it.... In a 504 & ARD meeting who can attend those meeting? It's my understanding if a parent wants a PE coach, Instructional aide, specials teacher, therapists, pretty much anyone that parent wants as long they pass a background check?

Also where would I find a clear definition of the Ferpa law? The internet shows several. Thank you for any help you can give,

[redacted]

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: plan

Date: Tuesday, March [redacted], 2018 6:10:26 PM

Tried to access the plan through the link in the TTA letter. Get message "content does not exist". When will it be posted?

--

From: [redacted]

To: TexasSPED

Subject: Proposed Corrective Issues

Date: Wednesday, March [redacted], 2018 11:05:43 AM

I am writing to you as an advocate and parent of a dyslexic public school student. I read your proposed corrective issues and felt VERY disappointed. It is my hope that updates to the Texas dyslexia handbook will address the biggest problems our families face every day.

Use of curriculum not approved for use for dyslexia instruction

It's important that school districts address the unique needs of local students. To that end, the dyslexia handbook does not list specific, TEA-approved curricula. Districts can choose this for themselves, using the research-based guidelines provided in the handbook. Unfortunately, many districts are not using curriculum designed for dyslexic students. Let me give you just two examples in [redacted] County: [redacted] and [redacted] ISD both use SIPPS (Systematic Instruction in Phonological Awareness, Phonics, and Sight Words). The publisher of this curriculum notes that it is not designed for dyslexia instruction.

(I have learned that this company recently began offering an intensive, multisensory module to better address the needs of dyslexic students. It is unlikely that the school districts I've mentioned have access or training in this new module.)

Concerned parents have an uphill battle when they realize their district is offering ineffectual instruction. They must plead with administrators and school boards to get quality intervention for their children and students throughout the local area. Sometimes this results in district-wide change. But more often, nothing happens and the students suffer the consequences. The updated dyslexia handbook must address this disconnect. At the very least, the handbook needs to include direct contact information for a TEA office that can immediately review curriculum when parent suspect it is not meeting students' needs.

More information and support in accessing audiobooks

Currently, audiobooks warrant a single mention in the handbook (page 37). Learning Ally---an indispensable resource---is available (free of charge) to all Texas public school students identified as dyslexic. Yet when parents ask their child's teachers, counselors and administrators about this service, they're often met with blank stares. Parents frequently must jump through unnecessary hoops to gain access to Learning Ally and Bookshare for their kids. Studies show that audiobooks help improve comprehension by 76%. Students can listen and comprehend two grade levels above their reading level. This is so important to dyslexic students who need to build confidence and expand their vocabulary by exposure to quality literature. I urge you to add an appendix to the handbook outlining the benefits of audiobooks, which include specific information on how to access these tools at home and at school.

Need to address the role of dyslexia's interplay with "adaptive learning" computer programs

Adaptive learning positions itself as a technology that interacts with students to offer schoolwork matched to their academic level. (Achieve3000, Knewton or ALEKS, are some examples.) These programs promise a personalized approach. Students with 504 plans and IEPs will tell you they often fall short of

that promise. For dyslexics, if the text-to-speech component isn't enabled, the student's assignments could be way below their learning ability. Further, it's not unusual to encounter general-ed teachers who don't know how to configure the software for these students' needs. The updated dyslexia handbook must address the 21st century phenomenon of adaptive learning programs. School districts need to see---in writing---that accommodations and modifications must be enabled within the software to adapt to the needs of dyslexic students.

Extend and enhance STAAR accommodations

The STAAR assessment is flawed and a does a disservice to all Texas students and teachers. It's

especially punishing to dyslexic students. Reading itself is a huge struggle for these kids. Fulfilling the assessments' expectations is darn near impossible if you must work 10 times harder than your peers to read a passage. Comprehension degrades markedly. It's made worse by poorly worded questions that almost always include a turn-of-phrase, shifting the meaning from what is expected. I realize this goes beyond the scope of handbook revisions. But I can't in good conscience pass up this opportunity to bring this to the attention of the State Board of Education and Texas Education Agency. If high-stakes testing must continue, students with dyslexia (and other learning disabilities) need to have accommodations that include having the passages and questions read aloud to them. (Currently, for reading, it’s just the questions.)

5. Dyslexia, as stated by the IDEA is a learning disability and should therefor be monitored under the special education department, as are all other disabilities. The needs TEA to acknowledge it as such.

I look forward to seeing an updated handbook in the near future. Thank you. Best Regards, [redacted]

From: [redacted]

To: TexasSPED

Subject: RE: Parent Feedback Child Find SN

Date: Wednesday, March [redacted], 2018 1:21:41 PM

Thank you for the opportunity to have a voice in regards to being a parent of a daughter whom has mental health comorbid that interfere in going to school, enrolling in school and once enrolled, to stay in school.

With psychiatrist whom are not diagnosing or giving a personality disorder chart till late adolescence does disallow parents like me to not have documentaion that continues to be the statements I hear from educators that I do not have not will not be given.

This sets up barriers for parents like me because my word alone is not recognized by TEA standards at this time.

Three psychiatric placements did give a "psychosis" diagnosis with little descriptive information in order to protect the privacy if mental health information.

What I am reporting is that with no documents my principals say "they do not see this about our daughter, therefore they do not feel they could qualify her for 504 services".

This has been the message that the educator admin "do not see any concerns or issues" because she has straight A's is a major reason for how public schools failed my child.

Her commorbids are aspergers that went to social anxiety phobia status when in classrooms - are a things at the school windows and distressed signals of high stress and had to leave classrooms when overloaded.

The needs cannot be met by the public educators whom are not trained or experienced in altered states of children that do not disclose to them due to the shame and stigma about mental health.

I was told to not enroll her at [redacted] Junior High School of [redacted] School District " until she has her social anxiety taken care of - and to send her somewhere to get taken care of because the counselor, Mrs. [redacted], said she would not enroll my child.

I reported to the district because I am concerned. The middle school in the prior 8th grade year knew she was enrolled in private homeschool academy yet told her "she will go to their school" and "will do the school 504 evaluations right now".

The special education coordinator in 8th grade placed her hands on our daughter who was in frozen emotioal states and pushed her down the hall to a classroom.

When my daughter got to catatonic states and frozen states in car, unable to get comfortable and go in to do the evaluations the special needs admin ([redacted]) told me she put in an emergency removal to CPS report.

The next day I got a phone call.

I met with CPS with my two daughters and husband.

The report by the school was read outloud with my daughters present.

CPS was able to realize that the [redacted] ISD H[redacted] Middle School Assistant Principal was only forcing our oldest to be put in public, even after seeing her homeschool work put in false claims that mother was not bringing child to school.

These tactics of false reporting are federal crimes and are not showing our children how adults accommodate families in need of support or services by public leaders.

These are not servants.

These are not legal ways to address federal rights and fair educational tactics.

I do need to hear back from a leader in the educational system because these ways cause harm to children and families.

Thank you for your review.

My story is lengthy and I have tried to give correct facts of our history.

I am interested in moving forward but first will look over past mistreatment and do want resolutions and a support I've network of school officials in the future.

Regards,

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Re: Registry for Improving Special Ed.

Date: Wednesday, March [redacted], 2018 10:00:11 PM

Yes, please add my nonprofit organization to your registry.

The professional development that I created is currently under review with TEA's CPE department and I believe that the material will be of great benefit to special education also.

Regards,

[redacted], M.Ed.

Layman's Terms Nonprofit Organization www.laymanstermsnonprofit.org

On Wed, Mar [redacted] 2018, 4:14 PM TexasSPED <TexasSPED@tea.texas.gov> wrote:

Ms. [redacted],

Are you interested in having your organization added to the comprehensive list of groups who work to improve services for students with disabilities? If so, what is the name of your organization?

Thank you

From: [redacted]

Sent: Tuesday, March [redacted], 2018 9:35 AM To: TexasSPED <TexasSPED@tea.texas.gov> Subject: Registry for Improving Special Ed.

A large majority of the students assigned to alternative education programs have cognitive and developmental delays. The American Civil Liberties Union (ACLU) reports that school zero tolerance policies funnel struggling students who would benefit from additional educational and counseling services into the juvenile and criminal justice systems without regard to circumstance or long-term consequence. We have already submitted a workbook for CPE consideration that could aslo be of great benefit to special ed as well.

Group name: Layman's Terms Non-Profit

Target population: Disciplinary Alternative Education Programs (DEAPs)

Relevant funding sources: TBD (City of Houston & Wal-Mart)

Mission: Our mission is to enhance the community by promoting cooperation, compassion, and acceptance among youth, the elderly, the disabled, non-native speakers, and other marginalized populations while also guiding them toward self-sufficiency and service.

Regards,

https://www.laymanstermsnonprofit.org/

From:

To: TexasSPED

Subject: Registry for Improving Special Ed.

Date: Tuesday, March 2018 9:34:54 AM

A large majority of the students assigned to alternative education programs have cognitive and developmental delays. The American Civil Liberties Union (ACLU) reports that school zero tolerance policies funnel struggling students who would benefit from additional educational and counseling services into the juvenile and criminal justice systems without regard to circumstance or long-term consequence. We have already submitted a workbook for CPE consideration that could aslo be of great benefit to special ed as well.

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Regards,

https://www.laymanstermsnonprofit.org/

From:

To: TexasSPED

Cc:

Subject: Request to be Added to Registry

Date: Wednesday, March , 2018 2:11:21 PM

Hello,

I am writing to request that our organization be added to the TEA registry. Below is the required information –

Group name: Military Child Education Coalition

Target population: military-connected children ages 0-23 Relevant funding sources: contract with TEA

Mission: To ensure inclusive, quality educational experiences for all military children affected by mobility, family separation, and transition.

If you have any questions, please feel free to reach out to me. Thank you,

[redacted] JD

Staff Counsel and Director of Contracting

Military Child Education Coalition

909 Mountain Lion Circle • Harker Heights, Texas 76548 P: 254.953.1923 • Ext. 1121

www.MilitaryChild.org

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Special Education Action Plan - request to review and provide feedback

Date: Tuesday, March [redacted], 2018 9:25:26 AM

Please send the Special Education Action Plan - thank you!

From: [redacted]

To: TexasSPED

Subject: Strategic Plan for Special Education

Date: Tuesday, March [redacted], 2018 10:03:45 AM

To whom it may concern:

I am a bilingual teacher in a Title I school. We do not have enough special education teachers to serve the needs of our special education students. We need funding in order to provide additional services to our students. By additional services I mean basic educational needs. This “strategic plan” is not going to actually help our special education population. The students are the most important factor in consideration of placement of funds. The plan does not include how our students are going to be addressed. The root of the problem is not being addressed what so ever. Please ask what benefit is this plan going to actually provide our special education population. How are their needs being met? How is this plan going to directly impact student achievement and future success. If nothing is directly impacting our students and our schools the plan is not effective. I please ask that you think about the physical bodies sitting in my classroom. Think about the students and their future.

Sincerely,

[redacted]

[redacted] Elementary [redacted] ISD

DISCLAIMER: The [redacted] Independent School District does not discriminate on the basis of race, color, religion, age, gender, disability, national origin, military status, genetic information, or any other basis prohibited by law. CONFIDENTIALITY NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, disclosure, copying, re-distribution or other use of any of this information is strictly prohibited. If you received this email in error, please immediately notify the sender and delete this email and any attachments. Your receipt of this communication does not waive any applicable privilege. [redacted] ISD reserves the right to monitor all electronic communications transmitted by the [redacted] ISD network.

From: [redacted]

To: TexasSPED

Subject: The link does not work

Date: Monday, March [redacted], 2018 6:43:32 PM

Attachments: image002.png

Screen Shot 2018-03-19 at 6.42.01 PM.png

This link goes to a page saying there is no content - see attached screen shot.

To review the draft strategic plan, visit the TEA website at https://tea.texas.gov/TexasSPED.

--

[redacted]

This message and any attachment are intended only for addressee(s) and may contain information that is considered sensitive or confidential. If you have received this message in error, please notify the sender immediately and delete the misdirected e-mail. Furthermore, any release or further disclosure of information related to a student without proper legal authority or written consent is

prohibited by law.

From: [redacted]

To: TexasSPED

Subject: Website

Date: Tuesday, March [redacted] 2018 8:38:39 AM

This is the message that I received when trying to connect to the website.

"Content Does Not Exist"

--

[redacted]

This is a staff email account managed by [redacted] Independent School District. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom

they are addressed. If you have received this email in error please notify the sender.

March [redacted], 2018

Via email and U.S. Mail

Mike Morath
Commissioner of Education
Texas Education Agency
1701 North Congress Avenue
Austin, TX 78701-1494

RE: Ensuring a Public Voice in Development of Special Education Corrective Action Plan

Dear Commissioner Morath:

The signatories to this letter are statewide organizations that are dedicated to the education of students with disabilities in Texas public schools. Today, we outline essential steps that must occur following Monday's release of the proposed special education corrective action plan (CAP). We call upon you to immediately ensure that:

1. The public has adequate time for public comment on the proposed plan;
2. TEA holds a formal public hearing on the proposed plan;
3. TEA posts public input on the proposed plan; and
4. TEA accepts public comments on the agency's legislative appropriation request.

Corrective Action Plan

The Texas Education Agency (TEA) is currently in the process of developing a CAP in response to findings by the U.S. Department of Education that it violated the Individuals with Disabilities Education Act (IDEA). In January 2018, TEA released an initial draft of the CAP. The initial draft included four corrective actions as required by the U.S. Department of Education. TEA released the next version of the CAP – a draft special education strategic plan and corrective action response – for public comment on March 19, 2018. TEA will adopt a final version of the plan in April 2018.

Request: 30-Day Public Comment Period

Following the release of the initial draft of the CAP in January 2018, TEA allowed for a month of public forums, online survey participation, and written comments submission. Upon the release of the next version of the CAP, TEA must be consistent and provide for another adequate amount of time for public review and feedback. Input from students with disabilities, parents, teachers and school districts is crucial to the development of the CAP and a priority outlined by Governor Abbott. To achieve this priority and provide an accommodation to individuals who may need time to review the updated CAP, it is our experience that members of the public should be afforded ample time to provide meaningful input. Therefore, **we call upon you to ensure that there is a minimum 30-day period for public comment on the proposed CAP that was released on March 19th**. A 30-day public comment period corresponds to the typical agency comment period when it proposes major changes in policy and rule and invites the public to comment.

Request: Public Hearing

With the release of the proposed version of the CAP on March 19th, TEA must hold a public hearing as required by the Individuals with Disabilities Education Act (IDEA). Therefore, **we call upon you to schedule the public hearing as soon as possible so the public is aware of the date, time and location**. Under 34 C.F.R. § 300.165(a), the agency must conduct a public hearing whenever it proposes any revisions to policies and procedures needed to comply with IDEA. Certainly, aspects of the CAP involve proposed changes in agency policies and procedures, such as monitoring. The spirit of 34 C.F.R. § 300.165 is that when TEA proposes major changes affecting IDEA, the public should be afforded a public hearing to speak to those changes. A public hearing is essential to ensure that all families with students with disabilities (particularly those without reliable access to online comment opportunities) can provide full and meaningful input on the CAP.

Request: Transparency of Public Feedback

Following the close of the public comment period on the initial draft of the CAP in February 2018, TEA posted and shared the various public comments received through focus groups, the online survey, and written comments. We appreciate and applaud how open TEA has been in revealing what the public said about the initial draft. Once the next version of the CAP is available, TEA must be consistent and quickly post feedback on a regular basis. Therefore, **we call upon you to ensure that the agency will not delay sharing the comments that it receives on the proposed CAP**.

Request: Legislative Appropriations Request

No plan will be successful and make a meaningful difference if it is not implemented. TEA, education service centers, school districts, and open-enrollment charter schools will require resources to follow and carry out the final CAP. The agency's legislative appropriations request is a vital mechanism to identify and seek resources for the CAP. Therefore, **we call upon you to ensure that the public has the opportunity to provide comment on TEA's legislative appropriation request**. Without the agency identifying funding for the CAP, the Texas Legislature will not be equipped to weigh spending priorities and Texas will not be able to meet the demands of the CAP set forth by the United State Department of Education.

Signatories

We jointly call upon you to act to continue to support a public voice in the development of the CAP. The following individuals serve as contacts for the signatories to this letter. Respectfully submitted by:

- **The Arc of Texas**. [redacted]
- **Coalition of Texans with Disabilities**. [redacted]
- **Disability Rights Texas**. [redacted].
- **Easterseals Central Texas**. [redacted]

cc:

Office of the Governor

Office of the Lt. Governor

Office of the Speaker of the Texas House of Representatives

Texas Senate Education Committee

Texas House Public Education Committee

Texas Special Education Continuing Advisory Committee

From: [redacted]
To: TexasSPED
Subject: CAP 2018
Date: Wednesday, April [redacted] 2018 9:44:48 AM

Hello-

On both of my campuses, we are 100% compliant for initial timelines and re-evaluations. We have worked hard to ensure all children are receiving services that they are eligible for. I feel like my administration has supported me and our campus to catch any details that needed attention.

Thank you,

[redacted]

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From: [redacted]
To: TexasSPED
Subject: Comment on the Draft SPED Strategic Plan
Date: Monday, April [redacted], 2018 1:13:11 AM

I am providing this feedback as a private citizen, from my personal email and on my own time. However, it is likely you may recognize my name as I am the [redacted] My views and opinions will obviously be framed by that connection and my experience but are no less relevant.

It is obvious TEA has invested a lot of time, energy, and personnel into the creation of this draft. I read the plan in detail and am encouraged TEA intends to go beyond the USDE identified areas of concern and expand the the quality of SEPD services provided in Texas. As a professional involved in SPED for over 35 years, I too am invested in the success of students with disabilities.

I support the proactive, collaborative, and transparent expectations the agency has. Additionally, the focus on application and results and not just compliance is positive.

I do however, have some comments and suggestions:

Data Collection (CA: 2.c.): If PEIMS data collection points are adjusted, it would be helpful to enhance the indicator for Assistive Technology (AT). Currently, the only indicator is whether or not AT devices/services are provided. First, just asking yes or no does not tell one much. It would be nice to be able to know what kind of AT was provided. Second, districts often interpret the indicator to mean only AT provided as a

related service. IDEA indicates it may be provided as part of special education, as a related service, or as a supplementary aid or service. As a state leader, I have often wished I could identify what AT was provided as well as how the AT devices and services were provided- not just that they were provided. It would be even better if there was a way to correlate SPED students who received AT and how they performed on the STAAR.

Training support and development: You state that "Previous models of professional development relied heavily upon facilitator led, lecture-style training sessions that have not proven effective in making the changes in adult behavior and teaching practice that are required to significantly improve outcomes for students with disabilities." It is unclear to which entities you are referring in this statement, but as an employee at an Education Service Center, I can promise you this model is rarely employed. We are well versed in adult learning theory and practice. The biggest barriers to professional development for LEA personnel are release time (especially for learning over time and coaching/job-embedded models) and funding, not the quality of available PD.

Additional Evaluation Capacity: It was suggested the agency would contract with or provide a pre-approved list of possible evaluators from outside LEAs and possibly outside the state. I would encourage you to vet the potential candidates well. My experience is predominantly with Speech Language Pathologists, but I have found many private practitioners do not have an adequate skill set to meet the diverse assessment needs of the public school population. Additionally, Texas will require professionals from other states to be licensed in this state, and standards for evaluators may not meet the minimum Texas state standard. You also use the term school psychologist. In Texas, the term used more often is Licensed Specialist in School

Psychology (LSSP) and carries with it specific licensure. The final plan should reflect language out LEAs and parents/students are familiar with. Also, the ESCs are always supportive of TEA, but do not assume they will all have the immediate infrastructure to support evaluation cooperatives- at least not on a dime- it might take come time to get people hired, acquire office space, etc.

Student, family, and community: TEA provided a lot of documentation that the materials and connections will be provided in multiple languages. I would also encourage you to add language regarding accessibility. Will paper documents also be provided in accessible formats (digital/Braille, accessible pdf, audio, etc.?). Will any videos also include closed captioning and audio described versions? Will face to face and virtual meetings have a sign language interpreter and be closed captioned? Will the website portal be accessible? Will the call center have staffed trained in TTY calls, and sign language video relay services?

Technical Assistance Networks: Though an update of Networks is likely over due, I am concerned there is not an Assistive Technology Network. I understand the intention that AT should be included in all aspects of SPED and noted it was mentioned in Inclusive Strategies, Autism, and Students with Intensive Needs Networks (I would also add AT to Students with Sensory Impairments Network as well). However, I do not see fidelity in practice at a transparent level in the field yet. It is certainly much better than it has been in the past. I would say they are definitely LEAs that have it down, but there is still much work to be done. I think there is still a need for sustained support from a network. Certainly some of the activities the Texas AT Network (TATN) does could be incorporated into one of the other Networks, however some features could be lost with the dissolution of TATN such as some of the current collaborations, supports, and the legacy of networking. I would like to share some specific outcomes that I think have worked particularly well in the [redacted].

Multiple low tech augmentative communication core vocabulary trainings at multiple ESCs supporting students with limited or no oral communication skills. [redacted] staff were originally going to do 6 off site trainings at other ESCs. We ended up doing 19. This has impacted multiple classrooms/LEAs and contributed to many students communicating who did not previously. Staff at [redacted] get weekly emails

from past participants on how they are using the boards and how students who were not successful previously are now.
Texas Technology Access Project (TTAP)-[redacted] for the Tech Act Project in Texas. TTAP underwrites up to $10,000 for presenters at the TATN Conference for sessions supporting transition for SPED students who use AT. This has allowed us to enhance our national presenter offerings. Further, through this collaboration, I was able to connect with the person at the Texas Workforce Commission who coordinates the provision of AT. We have provided them a booth at aa significantly reduced cost for the TATN conference and have provided discount registrations for Texas Workforce Commission staff. Last year 25 staff attended and this year 15 are registered so far. We anticipate more.
We provided subscription to the AT Industry Association (ATIA) assistive technology webinar trainings and archived library for ANY public educator in Texas. At the midpoint of this year, we had already exceeded the total participant count from last year. That is over 500 educators this year that took advantage of just in time learning about AT to support students in their classrooms.
Several TATN members have provided feedback to the TEA assessment team regarding technology, accessibility and STAAR.

[redacted] has opened up our AT loan library to ALL ESCs. They in turn, may lend the technology to local LEAs for assessment, or can use them in training if needed. This is particularly helpful when assessing higher end augmentative communication devices. The TATN Conference brings national level presenters to our own backyard in Texas. To access these presenters otherwise, educators would have to travel to one of the 4 big AT Conferences at much higher cost, usually involving expensive travel and high registration fees.

The TATN Network plan certainly encompasses more than these few examples, but I am sure you have that on file as well as the metric updates. I understand the AT would not be lost if it was incorporated into other Networks, but a continuity and level of support would be lost.

I appreciate the thoughtfulness and extensive work TEA has invested in this plan. I am sure students with disabilities will be served more appropriately as a result it its implementation.

Thank You for accepting feedback, [redacted]

From: [redacted]
To: TexasSPED
Subject: Comments & Feedback - DRAFT Special Education Strategic Plan March 2018
Date: Thursday, April [redacted], 2018 11:54:54 AM

Good morning.
i wish to offer you my feedback regarding Dyslexia Therapy for students in need of intervention.

Dyslexia therapy should be delivered by a person who is a Certified Academic Language Therapist (CALT).

To earn a CALT designation, an individual must have met the following requirements as outlined by the Academic Language Therapy Association (ALTA):
(Reference: www.altaread.org)

earned a bachelor's degree from an accredited university
complete a comprehensive Multisensory Structured Language (MSLE) therapy level training under the the supervision of a Qualified Instructor (QI) that includes:
200 instructional hours
minimum of 700 clinical/teaching hours minimum of 10 demonstrations clinical/teaching documentation proof of the therapist's progress and competency

acceptable performance on a therapy level comprehensive national registration examination administered by Academic Language Therapy Association (ALTA). completion of 10 CEU's annually

Please allow me to share my experience and background.
My daughter is dyslexic. Her public school ignored my written requests for testing and intervention [redacted] As a result, I had a diagnostician test her and I employed a CALT [redacted] to provide her Dyslexia Therapy.

This experience galvanized me to earn my CALT and Texas Licensed Dyslexia Therapist [redacted] credentials. I have been in private practice for nearly 10 years. (My undergraduate degree is in Civil Engineering. I earned my degree from Texas A&M Univeristy. Prior to earning my CALT, I worked for 27 years in the oil industry as an engineer.)

In the past, I observed Dyslexia intervention sessions at a our local public elementary school by sitting in on some group sessions. I found that the Dyslexia Intervention teachers lacked the knowledge and training to effectively deliver the lessons. For example, one of the teacher's pronunciation of certain letter sounds were wrong. I believe the Intervention Teachers were well intentioned but lacked adequate training and experience.
I regularly attend [redacted] annual Dyslexia Conference held in late fall of each year.

I have been surprised at the topics of the break out sessions. For example, one was Syllable Types and how to divide words into syllables. Anyone teaching Dyslexic students should know this basic concept. It was shocking and disappointing to learn that many of our teachers do not know this basic information. This is is just one example of the lack of adequate and proper training for individuals offering Dyslexia Intervention.

Interestingly, we expect our school Counselors and Speech Pathologists to have proper training and credentials/licenses. We do not expect the same of Dyslexia Interventionists in our schools. Many of the Dyslexia Intervention teachers in the greater [redacted] have only taken a 40-hour course at [redacted] ESC.
Thank you for considering my feedback. [redacted]
CALT, Texas Licensed Dyslexia [redacted] Texas Chapter ALT Member
[redacted]

From: [redacted]
To: TexasSPED
Subject: Comments
Date: Wednesday, March [redacted] 2018 3:33:51 PM

I certainly appreciate the commitment by TEA to significantly enhance its services and supports in order to improve student outcomes statewide. My concern continues to be the financial burden that is going to be placed on Local Education Agencies. As a former Special Education Director, I cannot begin to emphasize the budgetary constraints that currently burden LEA's. With the additional amount of responsibility placed on LEA's without the commitment of additional funding…all students will suffer. I would like to see any appropriated funding go directly to LEA's for use in implementing this proposed plan. I certainly agree with Governor Abbott's quite referenced in the plan stating, "At the state and local level, the practices that led to the Department of Education monitoring letter will end." As parents, administrators, consultants we have got to become united to make sure that all students receive a quality education. These are certainly complicated times and complicated issues…we must provide LEA's with the resources they need to make this promise of a quality education to all a reality.

[redacted] LSSP
[redacted]

From: [redacted]
To: TexasSPED
Subject: Comments on CAP
Date: Wednesday, April [redacted], 2018 8:34:20 PM

GENERAL COMMENTS ABOUT THE MARCH 2018 DRAFT SPECIAL EDUCATION STRATEGIC PLAN • The draft indicates that TEA has $45 million currently available in state-level IDEA discretionary funds that it will commit to fund this plan. The draft also indicates that the remaining activities MAY be pulled from these discretionary funds for the next five years at $15 million per year. • TEA cannot appropriate funds; only the Legislature can. • Creating a plan to improve the efficacy of special education while at the same time addressing the USDE's required corrective actions will require a much longer stakeholder engagement and comment period. • The draft plan does not consistently use person-centered language. Using terms like "special education students" is not person-centered. • There are overwhelming instances of statements that TEA MAY do. Some of these possible actions are budgeted for in the funding chart, and some are not. If TEA does not perform the actions that are budgeted, where will that money go?

MONITORING (pp. 8-12) Review and Support Team (pp. 8-10) Areas of Concern: • Are there potential issues with basing the teams in multiple locations? • This team will be paid from IDEA Administration funds, beginning in June 2018, with approximately $3.8 million taken from Admin funds in each of the next five years. The draft budget for this team also includes $1.135 million for travel expenses and $4 million for overhead expenses. Online infrastructure is listed at $2.5 million, but it is not entirely clear what is meant by this. • TEA needs to conduct a thorough examination of information currently collected through PEIMS as well as duplicative information submitted through multiple channels. • The draft describes ONLY the escalation team as special education specialists. What will be the required qualifications of the onsite and desk monitoring team? Review Process Development (pp. 10-
11) Areas of Concern: • What qualifies an organization as a partner organization to TEA? • The internal reviewing mechanism must be designed and executed well. • It remains unclear in this draft whether local education agencies (LEAs) would receive the monitoring report prior to its publication on the TEA website. • Why is providing additional information on corrective action steps listed as a possible opportunity for LEAs and not a guaranteed option? • Why are pre-support and support visits listed as possible actions of TEA? At whose expense would these visits occur? • Stating "will likely" develop an independent review is not an actual commitment to do so. And how does this relate to the "internal reviewing mechanism" mentioned above? In the funding chart, there is a one-time $200,000 expense budgeted for this.

Data Collection (p. 11) Areas of Concern: The additional data to be collected COULD include several listed items and mentions that additional indicators MAY be identified on a rolling basis. TEA needs to thoroughly examine what data is already submitted by LEAs to eliminate duplicative submissions. Other Related Work (p. 12) Areas of Concern: TEA will review and POTENTIALLY REVISE Administrative Code rules over the next 12 months. It's clear that administrative rules will need revision; this needs to be a commitment from TEA to do so with extreme transparency and opportunity for public feedback.

IDENTIFICATION, EVALUATION AND PLACEMENT (CHILD FIND) (pp. 12-15)
Immediate Short-Term Corrective Actions (Child Find) (pp. 12-14) Areas of Concern: • Identification Support (p. 12). This is noted in Appendix C as already having been completed.

Also note the term districts used here and not LEAs; is there a reason open enrollment charter schools would not be included in this required action? • The statement regarding re-enrollment "to age 21" and

the “same funding” is not entirely accurate. This would need to reflect “through age 21” and describe the instances in which funding would not be provided or capped. • Targeted LEA Outreach (pp. 12-13). o What does significant period of time mean? Who will define it? o Not all students in this population are suspected of having a disability needing specially designed instruction under IDEA. o What is meant by “opportunity for a special education evaluation?” Does that mean the LEA must always evaluate on request? o The corrective action directive specifically referred to “enrolled” students; this expands on that directive. By specifically noting in the draft that evaluation has always been and will continue to be the responsibility of the LEAs, how will LEAs be expected to comply with this expansion without additional assistance? o What is meant by TEA’s development of evaluative resources? • Outreach Campaign (p. 13). TEA will execute an outreach campaign to reach all parents. TEA has proposed a one-time cost for this of $3 million, coming from IDEA discretionary (state) funds. It is unclear whether this would cover LEA costs of postage, media ads, staff time for town halls, etc. What specific roles will the LEAs play in this campaign? • TEA Evaluation Support (p. 13). This is another example of TEA stating it MAY perform certain actions. It is unclear if LEAs would incur costs for this support regardless of whether they request it directly from TEA or when they facilitate contract support independently.
However, note that in the funding chart, $3 million is budgeted in 2018 and $7 million is budgeted for the 2018-19 school year. • Compensatory Services Note (p. 13). What is meant by TEA in saying it “may not” provide definitive rules? If not TEA, who will? What type of guidance will be provided? • Compensatory Services Funding (p.14). Note that this $65 million is coming from IDEA allocations for LEAs. This was communicated by TEA to TCASE as monies that have, up to this point, gone unspent by LEAs, were not applied for, or were sent back to TEA as a result of an audit. It was further explained that TEA’s accounting system had not been able to redistribute these funds back to LEAs until very recently. The concern here is that these funds are required to go to LEAs regardless of the corrective action plan.

TRAINING, SUPPORT AND DEVELOPMENT (pp. 15-18) Action Steps for TEA (pp. 15-
18) Areas of Concern: • Additional Evaluation Capacity (pp. 15-16). TEA MAY provide technical assistance and resources to ensure availability of evaluation staff. This should be a priority. Currently, many LEA's have difficulty finding and retaining assessment staff. With a higher load of assessment, how will LEA's be able to maintain staff and complete the task in the CAP?
Professional Development (p. 16). Will the training institutes be required? Who covers the cost to attend? Who are the third parties? Does the term “educators” include administrators? The funding chart estimates this at $90 million. “Best practices” in professional development is also budgeted as a one-time $200,000 expense, but it is not entirely clear what TEA means by this reference. • Child Find Resource Development (p. 16). Is releasing an RFP the most appropriate way to develop and distribute this information? Isn’t this a crucial obligation of the 5 state regulatory agency to develop on its own? This is budgeted as a $1.5 million one- time expense. • Expert Support (p. 16). TEA MAY expand the call center. Who would be included on the list of “state-funded experts?” • Dyslexia Specific Support (p. 17). This is a critical piece that LEAs need from TEA after years of inconsistent guidance, yet it says that TEA MAY provide this support. However, this is budgeted as a $500,000 one-time expense (????) in the funding chart. Is that truly an accurate estimate? • Dyslexia and Related Disorders Reporting Study (pp. 17-18). What is the purpose and goal of this study? It states that this study is already in process; what is the current status? The funding chart in the plan

lists this as a zero-dollar expense – how is that the case?

STUDENT, FAMILY, AND COMMUNITY ENGAGEMENT (pp. 18-19) Action Steps for
TEA (pp. 18-19) Areas of Concern: • Family Support Call Center and Portal (pp. 18-19). How will TEA define and locate process experts to staff the call center? LEAs appreciate the commitment to report calls to them on a monthly basis to assist in process improvement. In the funding chart, this action is estimated at almost $5.7 million. The online resource is estimated at $4 million. • Parent Brochures (p. 19). Most of this describes actions that TEA MAY do.
However, this is budgeted as a $2 million expense. • Ongoing Stakeholder Engagement (p. 19). Another noncommittal action, and more detail is needed regarding the RFP criteria and the structure of the partnership. The projected overall budget for this is $600,000 in the funding chart.

Thank you for allowing us to comment as we try and work through this as a state. [redacted]

[redacted]
To: TexasSPED
Subject: Comments on Draft SPED plan
Date: Wednesday, March [redacted] 2018 7:02:04 PM

I am a parent of a child with special needs and a professional in the field and would like to provide you with feedback on the plan:

The section on Monitoring indicates that TEA would focus on improvements and not just minimal standards. The most recent federal cases on special education specifically state that the school needs to help children in special education reach their full potential. This kind of language needs to be utilized in this report. Improvement is better than meeting minimal standards, but schools need to be able to demonstrate what they are doing to help the children meet their full potential. “Improvement” is extremely vague. It states that they want the monitoring to go beyond legal and processes but guided by practices with a discussion of “holistic practices” and a risk assessment. TEA needs to provide some specifics about what are and are not holistic practices. There needs to be standards around what is holistic. What does this risk assessment look like and why was it not included as an attachment so stakeholders can see it. What risks are they assessment and what tools do you intend to use. Are these tools reliable and valid, if not the schools can push back.

There were zero consequences for schools that did were “demonstrating challenges”. Instead their case would be “escalated.” What is the consequence for being escalated and what is an incentive for doing the right thing other than a “good job” recognition? We know from experience that the schools were motivated to keep kids out of special education because of money, how about using financial consequences and rewards? Money is the main motivator.

Also, schools get closed in Texas if too many kids fail the STAAR test consistently, why not have the same consequences f too many kids who should have kids who were entitled to special education don’t receive it? School ratings need to take into account their work in special education.

Page 13 discusses “compensatory services”. You are providing no rules regarding this, simply “guidance”. No one has to follow a “guidance”. It seems to me that this should be simple-if a child is cheated out of services needed, they get compensated. It is a pay back.

While the IEP team theoretically can identify compensatory services, I am sure if you did a review of records, you would see that some LEAs don’t provide any unless its through mediation or due process and that is not because they don’t owe compensatory services. I think it would be worthwhile and not difficult to obtain this data. The IEP team is not an objected group working in the best interests of the student. 90% of the people on the team are employed by the entity that would be required to pay for the compensatory services. I know for a fact that teachers are threatened by administrators about their input in an ARD. They cannot voice their personal or professional opinion without worrying about consequences. I know teachers who were forced to quit because they voiced their opinion at an ARD meeting. TEA has zero mechanism in place to protect professionals in the ARD process. There is no office of inspector general in the school systems and there are no advocates for educators, nor is there a whistle blowing law to protect

teachers who don’t do as told. Also, since we have a certification process and not licensure for teachers, there is no code of ethics to fall back on when they are pressured. People should lose their certifications and licenses if they are not truthful in these meetings or if they exert pressure on staff. This intimidation and fear is a real issue and it impacts the school atmosphere and leads to dissatisfaction for teachers.

On page 14 there was a discussion of how parents could be informed about the process for eligibility and how to request an ARD. It seemed that the idea was that TEA would figure this out after checking with others. There are multiple ways schools communicate with parents-newsletters, email updates, parents night, facebook, twitter, website and all of these tools should be employed to educate parents because no 2 parents are alike and sometimes it is all about timing-the message needs to be received when the parent is concerned. Schools do automated calls about football games, it would seem that they could use these means to educate parents about education.

The dispute resolution process needs to be completely revamped. Schools hold all of the cards right now with due process or mediation. This process needs to be completely removed from TEA. TEA is not viewed by parents as neutral. It is really impossible for an individual to go through these processes without an attorney. Organizations such as Disability Rights Texas should be funded to represent parents who have a reasonable complaint so that they can access legal counsel.
Additionally parents need to educated about this opportunity and when the schools lose these cases, they should have to pay damaged that can be used towards this legal fund. Otherwise only wealthy families have this option. Schools know this so unless a family can pay between $3-$6,000 for an attorney, this dispute resolution process is simply on paper. Schools bring attorneys and the playing field needs to be equaled.

The goals used by most schools in an IEP are not clear, concrete or measurable. They also low ball the goals as much as possible. Also, in theory the ARD should convene and revise the plan if kids the are failing or if they don't show significant improvement on their goals. But this doesn't happen and there are zero consequences for the schools if they don't address a kid who is not performing. Often addressing it requires providing more services, and that is a disincentive. Kids often drop out, get in trouble and get no real education. If goals are clear and measurable and the school has clear rules about when an ARD must be convened, it would address much of the underperformance described in the draft. Kids often get the same exact goals for decades.

The transition planning was not discussed in the plan there was some reference to TWC but transition planning needs teeth. I have seen some truly laughable transition plans.

The plan does not discuss, address or even mention disproportionality. This is striking since it is an issue that pervades this system and special education. Much needs to be done to even the playing field for non English speaking parents who may not have any frame of reference for the special education process or system. Special outreach and support needs to be provided to parents who are experiencing homelessness, have disabilities themselves, are economically disadvantaged and work at jobs that don't allow for time off during the day for a meeting. It is shocking that these issues are not addressed in this document. HHSC has a center on Disproportionality that has done amazing work in this area in the child welfare system.

Often kids with disabilities don't have just one. It is a well known fact that kids with ADHD have a high rate of other disabilities; also, kids with IDD have a high rate of co-occurring mental health conditions. There is nothing in the plan that seeks aggressive outreach for identifying more than one disability. This is another way schools try to save money. Even when parents provide documentation of a-co-occurring disability, it is not unusual to have no goals or interventions related to that disability and no assessments done by the school related to the co-occurring disability. It is the neglect of the secondary disability that often leads to failure. The plan does not provide any mention of these issues.

Another important gap in the plan is UIL. Most of the kids in special ed., get kicked out of UIL. In theory, an ARD can address UIL, but parents don't know this and schools don't inform them. If you were to do an analysis of kids who are banned from UIL activities, there is no doubt that you will find that the majority are in special education and/or minorities. These activities are especially important for kids with special

needs. They are often the only opportunities for the kids to be fully integrated. This is another form of discrimination. It not only impacts after school activities, it involves the school day. Kids are given "alternative" assignments, which are more like punishment. Often the assignments are academic and the kids aren't given any academic support since it is not an academic class. They then fail. It is a discriminatory set up for failure. This is part of the school experience and kids with special needs are entitled to have the total school experience. This discrimination is incredibly widespread and technically legal. The school should be required to include addressing UIL in its planning process if the school offers UIL activities.

Thank you for reviewing my long recommendation.

Please feel free to ask me any questions. Thank you. [redacted]

From: [redacted]
To: TexasSPED
Subject: Comments on TEA strategic plan 2018
Date: Tuesday, April [redacted] 2018 12:00:02 PM

Children and teenagers with autism that are in Special Educational in Texas, that are placed in Educational Placement by a school district, they Placement removes related services, even though these services were provided by the same district. The special school is under TEA regulations. How is this possible? Still no protection for our teens and the rights of the kids and their desperately needed therapies are being stripped away. Something has to be done to protect the kids and make the school districts accountable for not providing FAPE.

Sent from my iPhone Aimee Zissa

From: [redacted]
To: TexasSPED
Subject: Comments
Date: Tuesday, Apri[redacted], 2018 12:23:12 PM

I have several thoughts concerning special ed:
All special education students need some type of vocational and/or life skill training to help them be more self-sufficient.
A system needs to be put into place to stop the over identification of special education students. Many times the parent sees it as an incentive since they will receive a disability check for the identification.
Teacher/student ratio is too high and should be examined. General Education teachers need more training on identification.

Thanks,

From: [redacted]
To: TexasSPED
Cc: [redacted]
Subject: Concerns
Date: Tuesday, Apri[redacted], 2018 12:48:39 PM

I have a concern regarding the proposed corrective action that would require School Districts to send letters to parents of students in Section 504, RTI and in Dyslexia Program, informing them of their ability to request a referral for special education testing. This requirement is a duplication of another requirement that already exists, which requires for School Districts to include letters in Student Handbooks (Student Handbook Statement) which outlines a parent's ability to request an evaluation for Special Education referral for any students experiencing learning difficulties. It is unnecessary to have staff spend additional time doing something that is already occurring. Adopting a corrective action that would require additional staff member time, that is already in short supply, is not wise.
Instead TEA should ensure that Districts are complying with established requirements to include the aforementioned Handbook Statement in each student handbook.

Finally, I also have a concern with identifying students who may be entitled to compensatory services. In many cases this could be something that is very subjective. Who would make that determination and what criteria would be used? This proposed corrective action item could place Districts in the position to unnecessarily utilize resources that are already scarce. Thank you for your time and consideration in these matters.

Sent from my iPhone
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[redacted] does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; section 504 of the Rehabilitation Act of 1973, as amended.

From: [redacted]
To: TexasSPED
Subject: Contract Diagnosticians
Date: Tuesday, April [redacted] 2018 1:08:15 PM
Attachments: image001.png

Hello,

I wanted to see if there is someone we can contact regarding the need for contract diagnosticians across the state to help with evaluations as outlined in the TEA Special Education Strategic Plan?

Thank you, [redacted]

From: [redacted]
To: TexasSPED
Subject: corrective action plan
Date: Thursday, March [redacted] 2018 9:05:00 AM

I am a diagnostician and former sped teacher. I feel it is of utmost importance that the concerns of educators be heard regarding the corrective action plan that is being developed. First, I would like to say, that this action plan feels like a punishment to all school districts and educators who were doing what they have been told to do for so many years. Our public school system is already falling apart at the seams to

the detriment of our students. Educators are over worked and underpaid. We are losing great teachers who have so much influence on our youth due to these types of mandates.
Then pendulum has swung several times in my short 15 years in education, and now it swings again. We have gone from too many special education students to now being under-identified. This proposed plan has a number of flaws and has me asking many questions. Where will LEA's come up with the funds to address all of these needs? Many districts are already understaffed! Many districts already don't have enough special education staff to address the current needs on their campuses. Additionally, class sizes are already too large in many places, and with newly identified students, this adds to the already mounds of documentation for both special education and general education teachers, not to mention, how will these teachers be able to provide "specially designed instruction" when they are already spread so thin? Who will be staffing and paying for the mandatory special education training that needs to occur for all educators? When will this occur? General education teachers are already out of their classrooms so much for training. More training means a need for more substitutes, which many districts already don't have enough of, leaving paras to cover classes, which potentially takes away from in class support being covered (I know this to be true from past experience). We already struggle with being understaffed and finding appropriate coverage for all of our students. In many cases we are meeting the bare minimum as it is. Where will the funds come from to hire adequate number of staff? In regard to the older age groups (21-30) who have the potential to be identified, should some of those students be found eligible, how will those compensatory services be addressed? Again, will LEA's be responsible for that? Where will the staff come from? When will that occur? Who is going to pay for it? This feels like a punishment and another way to tear apart our already struggling public school system. Teachers are yet again being micromanaged by a group who has no understanding or recent experience in a public school, or knowledge of the types of students coming in at alarming rates with intense needs. It should be the job of those who are writing this plan to be sensible, reasonable, and insightful regarding the needs of both students, teachers, and districts as a whole.

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From:
To: TexasSPED
Subject: Corrective Action
Date: Tuesday, April , 2018 11:15:14 AM

The draft of the TEA SPED Corrective Action Plan stated that the single greatest response from individuals across the state addressed funding ("As noted at the start of this strategic plan, the agency does not have the authority to appropriate funds. However, regardless of this (or any other) strategic plan – but as a function of federal and state law, it is important to acknowledge that LEAs will incur greater costs associated with the following: o The cost of testing more students o The cost of compensatory services, as applicable (may vary based on individual need) o The cost of providing services • The increase in the state expenditures for the weighted formula as more students are identified")
Although TEA says they will provide contracted services for Diagnosticians, SLP's were most notably absent from any additional help. Not only do the SLP's assess and diagnose and establish IEP's for students and provide the therapy, they are also running ARD meetings independent of the Diagnostician if the student is

a Speech Only student. It is difficult enough to get SLP's in the public schools. Adding this undue burden on them will further alienate opportunities for services to our children. If this corrective action plan goes through please add contracted additional help for the SLP's as well.
Sincerely,

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From: [redacted]
To: TexasSPED
Cc: [redacted]
Subject: CTE and SPED - draft Strategic Plan falls short
Date: Wednesday, April [redacted] 2018 7:55:51 AM

Comment regarding the draft Special Education Strategic Plan:

The phrase “career and technology education” appears only once in the draft Special Education Strategic Plan. The term “Career and Technical Education” is not included at all.

If Career and Technical Education (CTE) is to be an integral aspect of the state’s plan to prepare all students for college, career and/or military readiness, the SpEd strategic plan and any proposed rules need to specifically address and clearly define the nexus of CTE and SpEd.

Career and Technical Education is mandated and well-positioned to serve the needs of all students enrolled in CTE courses – students from any and all special populations. Career and Technical Education should have a more prominent position in the strategic plan, a position that is clearly defined as to expectations, accountability and outcomes and addresses the special education services that must be provided to fully support students with disabilities in the CTE classroom.

Regards,

[redacted]

High Achievement For All Students
High-performing and Engaged Workforce
Effective and Efficient District and Campus Operations

This school district and its Career and Technical Education Program does not discriminate on the basis of sex, disability, race, color, age or national origin in its educational programs, activities, or employment as required by Title IX, Section 504 and Title VI.

Este distrito escolar y su Programa Educacional de Carerra y Technologia no discriminan en base a sexo, disabilidad, raza, color, edad u origen nacional en sus programas educativos,

actividades, o empleo como lo requiere el Titulo IX, Seccion 504 y Titulo VI.

From: [redacted]
To: TexasSPED
Subject: DBMAT
Date: Wednesday, March [redacted], 2018 8:53:59 PM

May I introduce you to The Deaf-blind Multi handicapped Association of Texas "DBMAT". Our website is www.dbmat-TX.org.

The mission of DBMAT is to promote and improve the quality of life for all Texans who are deaf-blind multihandicapped. We support the establishment of educational, rehabilitative, vocational and independent living opportunities of these individuals for all ages.

Our organization has been active since 1973.

Our funding sources is through fundraising, most of which we get from a golf Tournament in the fall. We also host a family weekend retreat conference with the support of Health and Human Services ("HHSC").

We would like to be included in your stakeholders group as we are a non-profit organization supporting and advocating for individuals who are deafblind and their families.

Thank you, [redacted]

Sent from my iPad

From: [redacted]
To: TexasSPED
Subject: Draft Plan
Date: Tuesday, Apri[redacted] 2018 9:43:49 AM
Attachments: Outlook-1483651251.png

In order to facilitate the number of evaluations that need to be completed based the corrective action plan, it would be best practice to allocate funds to LEAs to hire personnel, instead of only providing a short term relief support.

All special education students are reevaluated every three years and now based on the corrective action plan, students in 504 and RtI are going to be revisited as well. So the number of number of evaluations is going to increase and not just for a short period but will be continuous.

Also, allocating funds to LEAs for dyslexia identification and evaluations would be best practices as well.

[redacted]

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[redacted]

From: [redacted]
To: TexasSPED
Subject: Draft Strategic Plan for Special Education
Date: Thursday, April [redacted] 2018 10:16:18 AM
Attachments: image001.png

Good morning,

I would like for the criteria for "students who should had been referred to special education" to be very clear.
This will be a major task and we need to have clear guidelines as to who should be evaluated.

Thank you,
[redacted]

"Read It, Write It, Live It!"

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From: [redacted]
To: TexasSPED
Subject: Feedback on CAP
Date: Wednesday, Apri[redacted] 2018 4:01:00 PM

First, I'm concerned about the language in the plan. Throughout the document, it repeatedly states that TEA "may" do things. Sometimes, it has more definite language, but this is fairly consistent. Is that because it's a draft plan or are that many of the plan elements truly up for discussion?

On page 3, the document states that the purpose of special education is to provide sufficient support to our students with disabilities . . . so that they those students can obtain the same level of academic success typical of their peers. This seems to me not to take into account the Endrew F. decision which clearly recognizes that not all students with disabilities will achieve at the same level of their peers, but that they should make progress in light of their unique circumstances. I'm concerned that the language now in this document will make parents think we are now expecting all students with disabilities to achieve at the same level as their non-disabled peers..

On page 3, it states that TEA cannot legally commit additional funds outside of those that are appropriated by the Texas Legislature and the US Congress. I think it bears pointing out that LEAs cannot commit funds not appropriated by one of the sources mentioned or by the LEA through local taxes.

On page 6, the STAAR results are shown in isolation, rather than in comparison with the performance of special education students nationwide. While I would agree that there is much room for improvement in the success of our students in general including special education students, I think it would be wise to include national special education student performance on assessments such as NAEP so that our students' performance is seen in context – not just in comparison to general education students. Again, I definitely believe we have room for improvement, but we need to paint a true picture.

As far as the training for general and special education teachers, I don't understand why there is a specific requirement for teachers who serve gifted students in a general education setting (30 hours initial, 6 hours annual) yet no such requirement for teachers serving students with disabilities, who are some of the most at risk students in our schools. I am in favor of the institutes mentioned; however, I am not sure this goes far enough in equipping our teachers to serve students with disabilities.

On page 38, appendix D, the actual draft plan says the scope and sequence of the Review & Support Team in Special Education may include reviews of programs such as RTI, 504 and dyslexia. Since these are not special education programs, it seems that this would not be the appropriate team to evaluate those programs.

Thank you for the opportunity to respond to the proposed CAP.

[redacted]

[redacted]

From: [redacted]
To: TexasSPED
Subject: Feedback on Sped Strategic Plan/CAP
Date: Monday, April [redacted] 2018 12:49:26 PM
Attachments: Feedback on Special Education Strategic Plan.pdf

Thank you for soliciting feedback on the Strategic Plan/CAP. I have attached a document with my comments.
Sincerely, [redacted]
--
[redacted]

Feedback on Special Education Strategic Plan/CAP

1) There are things in the Plan that are not in the CAP and vice versa. Are these two documents to now be viewed at one? Are they both going to OSEP? This is very confusing and hard to delineate the two pieces.
2) In any and all areas where it is indicated that TEA MAY, MIGHTor COULD perform some action – change that to WILL or SHALL. This is a technical document with an action plan. OSEP should not accept a plan that uses language such as MAY or MIGHT. TEA would not accept that in an IEP or a CAP from an LEA.

3) Ensure that in the Plan or CAP laws or regulations that exceed federal requirements are not being established. We are not meeting all federal requirements as a state, and going beyond that – such as elements like the AU supplement or changing transition age - is not necessary.
4) Monitoring visits – Making monitoring visits unannounced is counter to the original intent outlined in the CAP which is to support LEAs to help them improve to help improve outcomes for students. An unannounced visit is nothing more than a "gotcha." It feels very punitive and very negative. Regardless of how organized or in order paperwork is in a district, someone must be available to provide TEA access, and that should be the Director of Special Education. Is TEA just going to show up one day when I have professional learning, an ARD, a parent meeting, or one of the other 100 things I do every day and expect me to drop what I am doing? If something is systemically wrong in a district, giving them a month heads up with not allow them to fix a serious problem. And if a problem can give fixed in a month – then great. It is no longer a problem. Monitoring visits should not be unannounced. And, what is expected/required during these monitoring visits needs to be explicitly stated. The plan seems to call for building a model of monitoring while simultaneously monitoring.
5) Allocation of funds - The entire plan pours money into monitoring, call centers, compensatory services, training, etc. There is no money allocated to districts to serve current students. This is a major flaw in the plan/
6) Monitoring – Please clarify what a risk-assessment index is and what are holistic student-centered practices.
7) New positions – Please provide qualifications for special education specialists and process experts.
8) Monitoring reports. Please clarify if LEAs are going to be able to provide input to the report PRIOR to publishing. It indicates that the LEA MAY have an opportunity to provide additional information at the end of the report. Best practice would allow an LEA to review for accuracy or make sure nothing was left out. This aligns with best practices when presenting an FIE. The parent is provided an opportunity to review and respond before it goes before the ARD committee.
9) Compensatory services: Please provide clarity on what ages LEA are responsible for serving through compensatory services. It would seem most appropriate to match IDEA in this circumstance - prior to 22nd birthday.
10) Compensatory services – Please clarify "significant amount of time" for RTI and only students who had a 504 plan. Many students have only had 504 plans for very valid reasons, peanut allergies, asthma, etc. There is no need for specially designed instruction in
many of these instances. Are we offering those families an FIE and opportunity for compensatory services?
11) Compensator services – How is the $65 million being allocated?
12) Hearing Officer Support – Please keep this in the plan as a "WILL" and not a "MAY."
13) Additional Evaluation Capacity – Please keep in the plan the idea of developing a list of evaluators at a negotiated price through the ESCs.
14) Texas Dyslexia Handbook – There are two different dates in the report for when this will be accomplished. September 2018 (p.17) and November 2018 (p. 36). Please align these dates.
15) Texas Dyslexia Handbook – There is a reporting student that is currently in the contracting stage. However, if this study is just now in the contract phase, will it be ready for the rewrite of the Dyslexia Handbook in September or November? Might this information inform some of the Dyslexia Handbook? It seems counter-productive to rewrite the handbook and then conduct a study.
16) Training and Support – Appreciate the willingness to engage institutions of higher education and TWC. Please keep this in the plan.
17) Call center – Please leave in that calls are documented and send to LEAs. This may prove very helpful to an LEA/
18) Network 3 Activities – Include expand guidance and support for general education teachers.
19) Appreciate seeing UDL and Restorative Practices in the document. Technical issues with plan:
1) On page 3, the colloquialism "most of the heavy lifting" is used. This is not a technical

term and should not be used in a state document such as this.
2) Graphs were only a small percentage of the y axis are shown are misleading. Each graph should start at 0%. The graph on page 4 is especially misleading. Please fix these graphs.
3) There are 2 number 4's on page 17 under item 7.

From: [redacted]
To: TexasSPED
Date: Thursday, April [redacted] 2018 6:14:24 AM

清茶一杯,诉说八仙故事; 淡淡一盏,安知入世之道 曲高和寡,自是人间浮沉意;幽雅茗香,仙骨柔情杯中来

发自我的华为手机

From: [redacted]
To: TexasSPED
Cc: [redacted]
Subject: Please add AVIT as a stakeholder for Special Ed
Date: Thursday, March [redacted], 2018 6:27:16 PM

Please add the Alliance of and for Visually Impaired Texans to the TEA registry of stakeholders.

The Alliance of and for Visually Impaired Texans is an inter-organizational coalition committed to speak on behalf of Texas' children and adults with visual impairments. AVIT is supported by membereship dues and is organized for charitable and educational purposes as provided for in the Internal Revenue Code. AVIT works to accomplish the following for individuals with visual impairments:

the advancement and protection of their human and civil rights, the improvement of their social welfare and economic conditions,
the education of the public with respect to their special concerns, and
the promotion of inter-organizational cooperation, support, and communication on issues impacting them.

The Alliance website: http://alliancevitexans.org/ provides more information. I would be happy to answer any questions, or you can direct them to [redacted], AVIT Chair.

[redacted]

[redacted]

[redacted]
To: TexasSPED
Subject: Proposed Draft Special Education Improvement Plan
Date: Thursday, March [redacted] 2018 8:03:32 PM

professional development for inclusion and co-teaching for both teachers and paraprofessionals should be made available at each of the regional service centers in order to make it more available for smaller districts.
dyslexia assessments at a younger age is necessary - a more streamline approach to provide a quick assessment early on would be appreciated.

comprehensive evaluations for students with sensory impairments are necessary as early as possible as interventions are more successful when they begin early in life. Evaluations completed by specialized personnel are necessary for proper identification.

[redacted]

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From: [redacted]
To: TexasSPED
Subject: RE: Registry
Date: Tuesday, April [redacted], 2018 3:03:03 PM

Thanks. How do I get a list of whoes on the registry?
Sent from Yahoo Mail on Android

From: [redacted]
Sent: Thursday, March [redacted], 2018 6:12 PM
To: TexasSPED <TexasSPED@tea.texas.gov>
Subject: Registry

Special Education Compliance and Training LLC 6200 Savoy Drive, Suite 1202
Houston, Texas 77036

Telephone: ([redacted]

Fax: [redacted]

[redacted]

Contact person:

[redacted]

Sent from Yahoo Mail on Android

From: [redacted]
To: TexasSPED
Subject: Re: Special Ed Strategic Plan Draft
Date: Tuesday, April [redacted] 2018 3:18:32 PM

Thanks for the follow up. I understand that it is a draft. My questions are through the lense of “what is the intent of the draft”. The intent is to understand the draft, not to make any assumptions about what the final looks like. Such questions may help refine the draft which I believe is the reason why questions and input have been encouraged.

From: [redacted]
Sent: Tuesday, April [redacted] 2018 1:58 PM
To: TexasSPED <TexasSPED@tea.texas.gov>
Subject: Special Ed Strategic Plan Draft

I am a member of the public with an interest in the special education strategic plan which is currently open for public comment. I have a number of questions regarding the "compensatory services funding" which will allocate $65 million to LEAs:

When would funds be distributed to LEAs?

On what basis would the be allocated?

Will LEAs be required to spend the funds over a specific timeframe and if so what?

The strategic plan indicates that the funds can be used by LEAs in any way they choose, but TEA "strongly suggests" that they be used for compensatory services. If an LEA chooses to use the funds for other purposes, are there any limitations? Will they be required to report to TEA how those funds were used? Is "compensatory services funding" part of the Texas Comoensatory Education allotment? Thank you

From: [redacted]
To: TexasSPED
Subject: Re: Special Education-Interested Parent Mtg
Date: Tuesday, March [redacted], 2018 6:50:53 PM

Thank you for your response. Will you please identify who I am communicating with in this email?

Thanks,

[redacted]

From: [redacted]
Sent: Tuesday, March [redacted], 2018 7:42 AM
To: TexasSPED <TexasSPED@tea.texas.gov>
Cc: [redacted]
Subject: Fwd: Special Education-Interested Parent Mtg

To Whom This May Concern:

The [redacted] sent this email to me the day after thetegistration, general comments, and feedback deadline had passed. When I attempted to sign up for a meeting or the make general comments, I received a message stating that the sign up/comments was closed. Please investigate why I was deprived of this opportunity. Please see below.

Thank you,

[redacted]

Parent of a Special Needs Child in [redacted]

---------- Forwarded message ---------
From: [redacted]

Subject: Special Education-Interested Parent Mtg To: [redacted]

Dear Parent:

During the 2016-2017 school year, the United States Department of Education, Office of Special Education Programs (OSEP) performed a series of onsite monitoring visits to review Texas' compliance with the Individuals with Disabilities Education Act (IDEA). The final report was provided to TEA on January 10, 2018.

The findings from that report require TEA to develop a plan to address four corrective actions. An integral part of the plan development process will be the gathering of input from stakeholders and other interested Texans.

TEA will be conducting a series of focus group meetings targeting district leaders, families, teachers and service providers, and students. These meetings will be held in all 20 Education Service Center (ESC) regions in the state prior to the final plan being submitted to OSEP on April 18, 2018.

[redacted] is assisting TEA in providing notice to interested parents of the following meeting opportunity(s) and registration directions. Each one hour meeting will be structured to solicit targeted feedback from participants regarding TEA's initial draft plan. These meetings are closed to media and the general public to protect the privacy of students and families.

Focus Group Membership Requirements
Interested participants may only register/attend one identified focus group session.
Parents of students with disabilities across age/grade levels residing in and receiving services in a public school district or charter school located within the region where the meeting is being held (parent is defined in 34 CFR §300.30)

Selection and Registration	Register at [redacted]	Meetings will include up to 50 participants each. Additional meetings may need to be scheduled at a later time to accommodate all registrants.

TEA Parent Focus Group Meeting Agenda		

Location(s)	Date(s)	Time(s)
[redacted]	[redacted]	[redacted] [redacted] [redacted] [redacted]* ** second meeting will be added if initial meeting registration exceeds 50

Agenda	Time	Purpose/Outputs
Welcome and Overview	15 minutes	Concise information given to group to understand of areas cited and requirements for corrective actions
Small Group Targeted Discussions	30 minutes	Targeted questions that will result in formalized written feedback idea consensus into formalized written feedback
Closing Remarks	15 minutes	Close conversations and communicate next steps

Parents and members of the community are invited to provide general comments and feedback on the plan the USDE Corrective Action Draft Plan Online Survey by February 18, 2018 or by emailing TEA at TexasSPED@tea.texas.gov .

SpEd Parent Meeting Notice.jp.pdf

[redacted] would like to continue connecting with you via email. If you prefer to be removed from our list, please contact [redacted] directly. To stop receiving all email messages distributed through our SchoolMessenger service, follow this link and confirm: [redacted]

SchoolMessenger is a notification service used by the nation's leading school systems to connect with parents, students and staff through voice, SMS text, email, and social media.

From: [redacted]
To: TexasSPED
Subject: Registry
Date: Thursday, March [redacted] 2018 6:11:45 PM

Special Education Compliance and Training LLC 6200 Savoy Drive, Suite 1202
Houston, Texas 77036

Telephone: [redacted]
Fax: [redacted]
[redacted]

Contact person:

[redacted]

Sent from Yahoo Mail on Android

From: [redacted]
To: TexasSPED
Subject: Special Ed - SLP concerns
Date: Friday, March [redacted], 2018 4:27:50 PM

Dear TEA,

I am a Speech-Language Pathologist, and I hope to get help for students across Texas that are experiencing the same denial of FAPE that many of the students on my caseload are experiencing in the public school. I am currently carrying students on my caseload who have multiple disabilities; yet, they are labeled as speech students only.
Other evaluators either wait for years to evaluate students for additional disabilities which keeps the students from receiving comprehensive supports or deny additional services for the students all together. I have carried a medically fragile, emotionally disturbed, and cognitively impaired students on my caseload as a walk in speech student when they are young. Many of these student continues to be a speech only even though there are significant problems. I have several other children with significant problems on my caseload that are labeled as speech only. Many of them move to other districts. I cannot go into detail, because student information is confidential. Over the years I have advocated for my students. ECI, Head Start , and parents have attempted to get an appropriate education for these students only to be ignored and silenced. The problem is not just isolated to the school district, but to evaluators in the Region support center as well.

I have watched parent after parent be minimized in ARDs. When they ask for additional services, the district has told them that they need to go through their own doctor and pay for it themselves. Some of the poverty stricken families I serve, have scraped up the money to get outside evaluations only to later be told that the district does not accept the evaluation results.

My district and others have hired powerful lawyers to protect the interest of the school district. Recently my district decided to add additional staff to the special education team as a result of the audits that are certain in the future for all schools in Texas. Unfortunately, additional staff is not hired to provide additional supports for the students, but to make sure that our future documentation does not have a hint that the students have been denied appropriate services.

Over the years I have observed that parents are treated better at ARDs if the parent makes it known that they making an audio recording of the ARD meeting. More observance to the law and professional communication is present at these ARDs. Parents who bring advocates to the ARD meetings are generally able to get a more appropriate education for the student.

School districts that systematically deny students services need to be held accountable; however, paper-based audits will likely not reveal a thorough picture of what is happening. School staff completes the documentation, and are often instructed by special education directors and school attorneys as to how to document. I have in the past been instructed to change the way I wrote two different reports, because I document other suspected disabilities that were present. I document parent concerns without censoring them.

Solution 1: Make it a requirement that all ARDs are recorded with audio recordings. These sound files will be sent to TEA. TEA can audit these files via computer without having teams that travel. This will correct many problems. School districts are less likely to deny FAPE if they are being recorded.

Solution 2: Provide advocates or court reporters for ARDs, instead of having paper auditor teams that review partial documentation from the perspective of the school.

Solution 3: Provide a confidential way for school staff, parents, and other agencies to report suspected denial of FAPE.

Solution 4: Enforce current law that students should be assessed in all suspected areas of disabilities. This can be accomplished by requiring a team approach to testing that requires diagnosticians, school psychologists, SLPs, and

dyslexia staff to evaluate together instead of a piece meal approach which leads to speech only students with multiple disabilities. Requires these teams to evaluate in younger grades rather than STAAR test age.

I would like to thank you for your time and your considerations of these requests. There are many other concerns that are specific to the office of Speech-Language Pathology; however, I will not address them at this time.

Sincerely,
School based SLP

From: [redacted]
To: TexasSPED
Subject: Special Ed Strategic Plan Draft
Date: Tuesday, [redacted] 2018 1:58:57 PM

I am a member of the public with an interest in the special education strategic plan which is currently open for public comment. I have a number of questions regarding the "compensatory services funding" which will allocate $65 million to LEAs:
When would funds be distributed to LEAs?
On what basis would the be allocated?
Will LEAs be required to spend the funds over a specific timeframe and if so what?
The strategic plan indicates that the funds can be used by LEAs in any way they choose, but TEA "strongly suggests" that they be used for compensatory services. If an LEA chooses to use the funds for other purposes, are there any limitations? Will they be required to report to TEA how those funds were used?
Is "compensatory services funding" part of the Texas Comoensatory Education allotment? Thank you

From: [redacted]
To: TexasSPED
Subject: Special education plan
Date: Sunday, April [redacted], 2018 3:51:27 PM

FYI, I'm a life skills teacher with fourteen kids and ONE paraprofessional. You'd better throw some money at this problem you've created. We are understaffed. Your plan claims to fix this problem, but you won't offer additional funds. I don't get it.
My two cents: we need more resources and staff!!! Support staff Sent from my iPhone

From: [redacted]
To: TexasSPED
Subject: Special Education Strategic Plan
Date: Wednesday, April [redacted], 2018 4:16:12 PM

The strategic plan specifically ignores the statute of limitations in the law for access to due process hearings and compensatory services. Parents have always had access to their due process rights to access

an evaluation for their children. The strategic plan should not circumvent the one year statute of limitations of due process hearings as indicated in the strategic plan. Current state statutes should remain in place.

--

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From:
To: TexasSPED
Subject: Stakeholder info for COPAA
Date: Tuesday, April , 2018 1:17:48 PM

I sent information regarding having COPAA listed as a stakeholder for the TEA discussions for Corrective Action Plan. However, I have not received any information regarding meetings.

My contact information is Please add me to the list. I am a parent of a child with dyslexia and a member of COPAA (Council of Parent Attorneys and Advocates)

Thank you,

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

From:
To: TexasSPED
Subject: strategic plan
Date: Tuesday, April , 2018 2:33:07 PM

I have the following comments concerning your draft of the plan concerning Special Education:

It would be so much more beneficial if TEA gave the money to local school districts to HIRE their own diagnosticians, speech therapists, and/or LSSPs, rather than TEA contracting these personnel to "loan" to school districts. This money should be given directly to school districts so that we can use this money to choose our own personnel, with people we know and trust. The added workload to school districts due to this plan may be very costly, and TEA should consider this.

Please define RTI. We have never received a clear definition. I have worked with numerous school districts, and I have seen so much confusion over what RTI should consist of. Due to this uncertainty, many schools

use simple tutoring, ineffective outdated means of interventions, or nothing at all. We need clear guidelines, and a mandate of how it should be used before SE referrals take place.

Please send school districts a listing of TEA approved scientifically, research-based RTI programs. This would greatly benefit the confusion over RTI, and what needs to be in place prior to a referral.

Thank you so much for your attention to these proposals.

Sincerely,

--

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From:
To: TexasSPED
Subject: TEA 2nd Draft Strategic Plan - Feedback
Date: Wednesday, March 2018 9:43:23 PM

It is so very important to identify children with a dual sensory impairment early on. It is imperative that they to start focused training, communication, orientation and mobility techniques at a young age. Any child with both a hearing loss and a vision impairment are considered “deaf-blind” which entitles them to funds for education. This is due to the fact that they are at risk of losing more hearing and vision losses as they get older. Therefore they need to get as much training and learning in before their impairments worsen. Getting access to specialized training is important and the younger the better!

The lack of good and thorough evaluations for individuals who have been identified as deaf-blind also needs improvement. There is such a wide spectrum and due to the dual sensory loss it is easy to misunderstand their responses to an untrained eye. They really need a comprehensive evaluation by personnel knowledgeable about their unique needs, as it could really make an impact!

Please consider improving both the identification as well as the ongoing evaluations, which the Deaf-Blind Outreach Team at TSBVI could likely help you with.

Regards,

Cell: 713-231-7508

Sent from my iPhone

From:
To: TexasSPED
Subject: TEA Corrective Action plan response

Date: Tuesday, April [redacted], 2018 9:49:51 AM

While I recognize that this is a plan for TEA, there are clearly expectations for LEA's. There are places where the narrative indicates actions by the LEA that are not covered with any specificity in the chart of actions. For example:
The narrative indicates that LEAs will have to notify parents of targeted groups (dyslexia, 504, RTI) of the TEA Cap and their right to an evaluation by December 2018. It does not however provide any direction related to how long or what tier of RTI the student should be on. It also does not address whether this applies to students who are actively receiving Dyslexia services, or those who have completed services and are being provided accommodations and being monitored under
504. Will districts be provided with clarification on this or will we be expected to determine our own process.

As LEA's provide this notice, it should be anticipated that we will have a higher than usual referral rate. In order to avoid potential problems with meeting the 45 day timeline, our district is planning to do a comprehensive review of targeted students by campus to allow us to stagger these notifications and the resulting timelines. In order to accomplish this, we will need information from TEA by May to ensure that our notifications include all of the appropriate information. Will this be available to LEAs ASAP?

Please ensure that TEA timelines allow sufficient time and clear instructions for LEAs to carry out our responsibilities.

[redacted]

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From: [redacted]
To: TexasSPED
Cc: [redacted]
Subject: TEA Stakeholder Group
Date: Thursday, March [redacted], 2018 8:11:02 AM
Please register the below organization to the TEA Special Education stakeholders group.
Group Name: Texas Parents of Blind Children (TPOBC)

Target Population: Families of children who are blind or low vision, Teachers, Professionals Funding Sources: 501C3 *We hold an annual 5K to fund programs
Mission Statement:
A non-profit membership organization of parents and friends of blind children and youth working together to ensure the best possible future for our blind youth by: promoting blindness skills, fostering self-esteem, and utilizing blind adult role models to build a solid foundation for a productive life with the maximum independence.
Thank you,

[redacted]

Texas Parents of Blind Children, tpobc

Texas Parents of Blind Children, tpobc

Texas Parents of Blind Children, tpobc

[redacted]

78 individuals submitted the letter below:

Dear Texas Education Agency,

I am a special education coordinator in Texas public schools. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:
-Commit to the activities. Throughout the plan, there is an inordinate number of activities and efforts that TEA may do. Alternatively, there are an inordinate number of activities that the Agency has committed local education agencies to perform. To implement a meaningful plan, and frankly to address the responsibility placed by the Department of Education on TEA's failures, this strategic plan must describe, at minimum, the activities and efforts that TEA commits to performing.
-Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far beyond simply an increase in the number of students pulling the draw-down weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.
-Prioritize public school special education experience when hiring staff. The plan involves TEA hiring a large number of staff. Candidates with special education experience in the public school setting should be prioritized for all of these positions, and the pay for these positions should be commensurate with the required expertise.
-Consider the Agency's obligation to reduce paperwork burdens. The draft plan includes many new and some possibly duplicative items that the Agency may require local education agencies to collect and report. It is critical that TEA analyze what data is already collected through current reporting systems and assist in easing the burdens of submitting new data, including the creation of templates and spreadsheets.
-Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local education agency types and sizes and other education association representatives must be included in this process.
-Any required targeted outreach to certain student populations must be aligned with the needs and disabilities defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan under Section 504, and who received instruction through the dyslexia program under state law.
If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation would be required. The requirement to evaluate should be only

for those students in these populations who are thought to have a disability as defined by federal and state law and who are thought to need special education and related services.
-Provide a timeline for Child Find resource development and guidance in the interim. In addition to the commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources will be developed and published. Local education agencies also need immediate guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published its resources.
-Provide evaluation guidance now. Some local education agencies are currently seeing many requests for initial evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before the beginning of the 2018-19 school year.
-Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.
-Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the technical assistance it is required to provide. Several statements described in the evidence of progress column in Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children..., TEA uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful actions as proof.

18 individuals submitted the following letter:

I am writing in response to the TEA Corrective Action Plan Draft 2.

The following priorities are important to me in how dyslexic students are served:

Specific language will be needed to combat the widespread belief that “Dyslexia is only served under 504 in Texas.” All students who are suspected of having reading and writing problems and because of this either the parent or school is requesting further evaluations should be given Full Initial Individual Evaluations (FIIEs) under the ChildFind Process 34 C.F.R.300.300-300.311 including Specific Learning Difference (SLD) and dyslexia. Evaluators, special education staff, and dyslexia staff need retraining in current research regarding best practices for identification of Specific Learning Disabilities. The relationship between the dyslexia handbook and Texas education law / code should be strengthened so that schools are accountable to follow the handbook guidelines. Also, language in the dyslexia handbook should be strengthened so that schools do not view compliance as optional. In the updated dyslexia handbook and additionally in the Corrective Action Plan, please address the following issues:

* Identification - Schools should be more accepting of professional private evaluations for learning differences.

* Placement - Allow decisions about student placement in 504 or Special Education to be made through local ARD/504 committees vs. assuming most dyslexic students should be served in 504 plans.

* Curriculum - Require schools to use evidence-based curriculum designed for dyslexia instruction. Provide contact information for a TEA office that can review curriculum for schools and concerned parents. Require implementation with fidelity based on research (frequency, duration, grade level, group size etc)

* Instructor training - Provide guidelines on appropriate certifications/training to ensure highly-trained professionals are delivering dyslexia instruction. Ask districts to provide information to parents about the credentials of the educator providing instruction.

* Parent info - At diagnosis, provide the Texas Dyslexia Handbook to parents, even if electronically.

* Progress monitoring - Require schools to provide specific, individualized progress monitoring regardless of where a student is served. Progress monitoring should assess both a student's progress in the dyslexia curriculum and progress in transferring those skills across the school day through gains in standardized measurements. Provide guidance for additional support after remediation is complete (and when classes become more challenging and complex).

* Assistive technology - Provide more specific re: audiobooks via Learning Ally and Bookshare such as the benefits of audiobooks and how to access at home & school. Also, integrate the "Technology Integration for Students with Dyslexia" plan into the handbook so that parents are aware of it and schools are accountable for it, especially for 504 students who don't have access to district assistive technology personnel.

* Adaptive / personalized learning - Direct schools to research and enable accommodations and modifications within software used in classrooms so that the needs of dyslexic students are met when adaptive technology is used.

* Exit criteria - Require schools to develop exit criteria that must be met before ending dyslexia instruction and to communicate these criteria to parents.

April 18, 2018

The Honorable Mike Morath

Commissioner

Texas Education Agency

1701 N. Congress Avenue

Austin, Texas, 78701-1494

Commissioner@tea.texas.gov

VIA ELECTRONIC MAIL

RE: Special Education Corrective Action Plan

Dear Commissioner Morath:

Thank you for this opportunity to provide input on the Corrective Action Plan; please include these comments as part of the public record. As the author of Senate Bill 160, I felt it was important to provide public comments on how we got here and ways that we can improve the proposed corrective action plan. Special education (SPED) opportunities are essential to children and families for two reasons. First, SPED services provide students with the supports they need to succeed. Second, eligibility for the Individuals with Disabilities Education Act (IDEA) means that vulnerable children can benefit from legal protections (e.g., procedural safeguards and parental involvement mandates) that shield them from harm.

The impact of the Texas Education Agency (TEA) policy, implemented as part of its Performance-Based Monitoring Analysis System, that set an 8.5 percent performance target for the total number of children receiving special education services in a school district continues today. Numerous parents, advocates, and school districts say the policy effectively served as a cap, drastically lowering the amount of students receiving special education services. When the target was implemented in 2004, the national special education average was over 13 percent and Texas' statewide average was about 12 percent.1 By 2015, Texas' average dropped to 8.5 percent,

1 Agency Defends Policy, Offers No Plan to Help Kids Who May Been Shut Out, Houston Chronicle, Nov. 2, 2016,

http://bit.ly/2jXLRCb.

the lowest of any state, while the national average remained steady.2 This decrease came at the same time that more than a million new students enrolled in Texas schools.3

TEA ensured compliance with the performance target by requiring districts to take specific actions to reduce their special education enrollment rate,4 as has been substantiated by media

reports of numerous educators attesting to feeling pressured to deny or remove students from special education services.5 Here's how it worked: If a school district enrolled more than 8.5 percent of its student body in SPED, then the district received a bad score on the SPED Representation Indicator. The higher a district's SPED enrollment rate, the worse score that district received from TEA. As a result, that district could have faced sanctions, such as audits or orders from the state to lower their SPED rate.

In contrast, if a district enrolled 8.5 percent or less of its student body in SPED, then that district received the best score possible on the indicator, and was left alone. The Houston ISD special education administrator resigned in March of 2017 after reporting the district artificially kept enrollment at 7.3 percent. HISD eliminated hundreds of positions from their special education department, allegedly delayed evaluators from diagnosing disabilities, and created a list of "exclusionary factors" that would disqualify students from getting services.

Across the state, unidentified students with disabilities might have been receiving general education interventions that did not adequately fit their needs. Without a free and appropriate public education, these students could be falling behind, acting out, developing mental health conditions, and even dropping out of school entirely. Advocates say more than a quarter of a million children may have gone without services because of this policy.6

The 8.5 percent performance target has subjected the state to ongoing scrutiny from the U.S. Department of Education (DOE), which continues to have "serious concerns" about the state's compliance with the federal law under IDEA after hosting a series of listening session attended by hundreds of Texans.7 Multiple school districts called for an end to the target,8 and advocates threatened to sue the state unless it was eliminated.9

2 Id. See also U.S. Dept. of Education IDEA Child Count Rates, found at Texas Listening Sessions website, http://bit.ly/2jXxL3F.

3 Id.

4 See Disability Rights Texas Nov. 8, 2016 letter to U.S. Dept. of Education, at page 4.

5 See Schools Push Students Out of Special Education to Meet State Limit, Houston Chronicle, http://www.houstonchronicle.com/denied/2/

6 See Disability Rights Texas Nov. 8, 2016 letter to U.S. Dept. of Education, at page 6. See also Denied: How Texas

Drives Thousands of Children from Special Education Services, Houston Chronicle, Sept. 10, 2016,

http://bit.ly/2jXy6na.

7 Feds Plan to Devote More Resources to Investigating Special Ed in Texas, Houston Chronicle, Jan. 19, 2017,

http://bit.ly/2jXJyPI

8 Dallas, San Antonio Superintendents Call for End to State's Special Education Enrollment Target, Houston

Chronicle, Sept. 28, 2016, http://bit.ly/2k1sn2d.

9 Disability Advocates Threaten to Sue Texas Over Special Education Cap, Houston Chronicle, Jan. 30, 2017,

http://bit.ly/2jXJQpx.

Senate Bill 160, which became effective on May 22, 2017, prohibited TEA from adopting a policy evaluating school districts based on the total number of students in that district receiving special education services. The law also makes clear, however, that TEA is not impaired in its ability to monitor disproportionality or comply with any other state or federal reporting requirements. As stated by Rachel Gandy, policy fellow with Disability Rights Texas:

The Texas Legislature sent a clear message that students with disabilities in Texas public schools cannot be denied access to full educational opportunity by arbitrary agency action. SB 160 keeps the Texas Education Agency from ever imposing a monitoring standard on school districts that limits the number of students who may be identified as a child in need of special education services.

As a result, there's already been a three percent increase of students statewide with disabilities according to TEA Snapshot data from last fall. While the passage of Senate Bill 160 was an important step towards addressing the problem, it did not address all of the underlying harms to unidentified students. The Office of Special Education and Rehabilitation Services subsequently

found that TEA did not ensure that all school districts in the state properly identified, located, and evaluated all children with disabilities residing in the State who were in need of special education and related services, as required by 34 CFR §300.111. Consequently, TEA failed to make a free appropriate public education available to all eligible children with disabilities residing in the state, as required by 34 CFR §300.101. Specifically, TEA failed to:

1. ensure Child Find for students suspected of having a disability and need for special education,
2. ensure availability of free appropriate public education, and
3. exercise its responsibility to supervise and monitor school districts and open enrollment charter schools.

To address the harms and issues identified by the DOE, I encourage TEA to look at the concepts in Senate Bill 927, which unfortunately did not ultimately pass. I filed Senate Bill 927 to ensure that students who may have been wrongly denied special education services were given a second chance to be appropriately evaluated. S.B. 927 would require parents of students attending schools with the largest drop in special education enrollment to receive notice that their children are entitled to a new evaluation for special education services. The bill would have applied only to students denied special education services since 2004 (when TEA adopted the 8.5 percent indicator), and for students still under age 21, which is when they would transition out of special education services in Texas public schools.

S.B. 927, as filed, used a mixed methodology to determine which districts are subject to this recovery program. First, it would have applied to school districts that decreased their special education enrollment rate by at least 75 percent since 2004. This metric is intended to mostly capture smaller districts. Second, it would have applied to school districts that decreased their special education enrollment by a minimum of 200 students since 2004. This metric is intended to capture some of the state's largest districts. Finally, using federal funds available to TEA for statewide special education activities, TEA would have been directed to set aside funding for

districts who experience a significant increase in requests for special education evaluations. The Texas Association of School Boards, Disability Rights Texas, Coalition of Texans with Disabilities, Down Syndrome Association of Central Texas, Texas State Teachers Association, Texas Classroom Teachers Association, Texas American Federation of Teachers, and the Easter Seals of Central Texas all supported this legislative approach.

Most crucial to the success of the Corrective Action Plan and its implementation is having the resources for TEA to conduct proper monitoring and for school districts to perform outreach; student recovery; evaluations; remediation; and training of teachers, administrators, and staff.

This statement on page 3 of the Strategic Plan/Corrective Action Plan is problematic:

Lastly, TEA cannot legally commit additional funds outside of those that are appropriated by the Texas Legislature and the U.S. Congress. A sizeable amount of stakeholder feedback is related to funding. While that feedback may warrant additional action, any recommendations for action are most appropriately heard by state and federal legislators.

For federal and state legislative bodies to appropriate sufficient resources, we need TEA's input on how much funding is needed to fully and successfully implement the plan statewide. I strongly agree with the advocates calling for TEA to commit to creating a new funding goal, objective, and strategy that focuses on implementation of the long-range goals of the Corrective Action Plan. It is imperative that TEA make the goals of the Corrective Action Plan a permanent and persistent effort that will receive consistent and stable funding to ensure students with disabilities receive the proper supports and services. A multifaceted funding structure will successfully meet the needs of children in special education and will provide opportunity for the disability community to support these requests during the 86th Texas Legislature’s Regular Session. Without clear funding requests from relevant state agencies, it is very difficult for legislators to understand and appreciate the importance of the programs and steps outlined in the Corrective Action Plan.

In addition to the comments outlined above, I ask TEA to consider the following suggestions:

1. TEA should utilize elements from Senate Bill 529 as a template for teacher training at the LEA and University levels, which would be helpful in ongoing efforts to provide special

education training and the required certification guidelines for current and future teachers. This model could be particularly helpful considering the costs of training, teacher availability and demands, and the demand on trainers. This could begin with general education teachers and aides who currently serve an IEP being trained first, then anyone who works with a student with an IEP, until all teachers and aides have received training. Training topics should include behavioral training, and focused intervention on students with IDD, autism, dyslexia and related disorders. Locally, I have received feedback indicating that administrators who oversee special population programs also could benefit from additional training.

2. The English Language Learners (ELL) who also receive SPED, 504 or RTI (Response to Intervention) services need significant focus and procedural changes throughout the entire public education system. TEA should consider the implementation of a Spanish STAAR Alternate test. In addition, PBMAS incorrectly aggregates ELL students with disabilities in several areas. A comprehensive restructuring of how non-English speaking students with disabilities are regarded, accounted for, and served is in order.

3. Remediation through after school tutoring and summer school would be a useful tool for those who are eventually recognized as unidentified or received inadequate services due to the 8.5 percent enrollment cap.

4. TEA should develop a new trigger for onsite monitoring to address under identification. Prior to S.B. 160, the accountability system was designed to raise flags for too many SPED students. We now need to develop a system to raise flags for underreporting of SPED students. In my Senate District 29, there are large discrepancies between neighboring school districts in SPED student populations that do not have any logical explanation.

5. In establishing a student recovery program, I recommend looking at my S.B. 119 from the 83rd Regular Session, which required a school district to operate a special student

recovery program if the superintendent or assistant superintendent of the district or a principal or assistant principal of a campus in the district committed certain offenses. The law was directed at a specific school district, but includes a number of principles that TEA should consider in this context, including:

- identification of students with an emphasis on identifying and obtaining current addresses for students who dropped out of school after the conduct;
- notification of students identified of the availability of educational services provided through the program;
- provision of appropriate compensatory, intensive, and accelerated instructional services for students identified including services designed to enable students to obtain high school equivalency certificates under Section 7.111 (High School Equivalency Examinations); and
- for students who are at least 21 years of age and under 26 years of age, the offer of admission to the schools of the district for the purpose of completing the requirements for a high school diploma, as authorized by Section 25.001 (Admission).

6. TEA should set up IDEA discretionary fund grant pools to provide for:

- anticipated increases in assessments, evaluations, screenings;
- increases in special education staff time to perform the assessments;
- additional staff time for IEP Team Meetings (ARD); and
- compensatory services for students with disabilities who were denied services or are not on grade due to the lack of services.

In closing, we may never fully realize the lasting damage that has been done to young Texans during the past 15 years. Special education supports help children enjoy the same success in learning as their peers, which ultimately provide them the tools and opportunity to have productive lives. Without these supports, students become frustrated and depressed, often hating

and resenting school, and even dropping out. Parents often become frustrated themselves, and some move their children to private or home schooling. We must do better for these Texas families.

Ultimately, this is about civil rights. Every student is entitled to a free appropriate public education. Just as important, parents have a legal right to have their child evaluated for special education services, and to have a place at the table when schools design appropriate accommodations. All children deserve our care, and I hope we can work collaboratively to start the process of mitigating the damage that has been done.

Sincerely,

José Rodríguez

From: [redacted]

To: TexasSPED

Subject: TEA Corrective Action Plan

Date: Wednesday, April 11, 2018 2:35:35 PM

To: Texas Education Agency

From: [redacted], Director of Special Education, [redacted] ISD

Date: April 10, 2018

Comments Regarding the Draft Special Education Strategic Plan

· I appreciate that TEA is focusing on supports to districts and improved outcomes for students in Special Education.

· There are overwhelming instances of statements that TEA may engage in certain actions. I am unclear as to which items TEA will be required to do and which ones are optional. I believe there should be more specificity on what TEA will actually do.

· There are many action items that TEA may do that are budgeted for. What happens to that money if TEA decides not to implement that item?

· There are many action items that will require districts to submit items, prepare for audits, etc.; however, it concerns us that there is no additional funding for districts.

· I have concerns regarding the special education escalation team and the qualifications of those employees.

· I have concerns/questions regarding the statements on #3 (p. 12-13) of the plan. “TEA is updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a section 504 plan, or were exclusively in a dyslexia or dyslexiarelated program. Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation.” First, there are some students who are in RtI, 504 and/or dyslexia and are making progress. It may not be appropriate for the student to be evaluated for a disability. Districts need guidance on what is meant by an opportunity for a special education evaluation. Does this mean that we will need to evaluate every student whose parent requests an evaluation?

· When discussing compensatory services (p. 13), TEA states they will not provide definitive rules; however, LEAs will be monitored and possibly cited through a TEA Complaint regarding Compensatory services without guidance from TEA. This is a concern.

· We need clarification on compensatory services. Are we able to use Federal Funds? Will TEA monies be available for this use? If not, it will take away services from students who are currently in Special Education.

· TEA may provide clarification on the requirements for RtI, Section 504 and dyslexia. I believe these are necessary to LEAs.

· TEA may dedicate resources to ensure the availability of evaluators (p. 15). I anticipate that the LEAs will not be able to meet the timelines for all requested evaluations.

· We need clarification on the statement in the plan, “LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services.” (p. 16) Our LEA needs guidance on what that means for a student with a Learning Disability and also has dyslexia. Is TEA meaning they would get both dyslexia and special education services? Are the dyslexia services included as part of the ARD? Please clarify what is meant in #6 Dyslexia-Specific Support (p. 17).

· Professional development may be conducted. This needs to be clarified. Who will be given the professional development? Will it be required? Who will provide the staff development? It also needs to be clarified who would be responsible for this expense.

[redacted]

Director of Special Education

[redacted] ISD

[redacted]

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From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Tool Kit for Parents

Date: Wednesday, April 11, 2018 4:18:48 PM

Attachments: image001.png

This idea has been churning in my mind for several weeks. Please pardon the brevity, I just wanted to communicate the concept quickly as we move forward to improve Special Education Services in our state.

It would be great to see a Tool Kit developed across disciplines for parents of students with learning difficulties and who are currently in Special Education or are inquiring about it.

The Special Education process has become such a large “machine” that many professionals are skipping the most critical steps in making important connections with parents and ensuring they understand the multitude of informational pieces inherent to the process.

Developing online resources for parents would be a way to “close the gap” and help parents “fully” understand Special Education. Parents are our most important partners in striving for excellence for “our” children. Let’s put them first and show them the respect by “fully” educating them in a simple way.

Collaborators across this great state could make this project a reality by bringing parents the information and knowledge they need to be “informed decision-makers” and our most important partners.

Tool Kits for – SI, AU, OT, PT, AI, AT, OHI, SLD, ELLs in Special Education,

Dyslexia and more

Speech Therapy Services Tool Kit for Parents

1. Explain Speech Therapy and what a Speech Language Pathologist does in the schools
2. Why does my child need speech therapy
3. Examples of Communication Disorders and how they may be impacting your child
4. How does my child qualify for Special Education Services
5. What do I need to do to get my child tested
6. Explain the purpose of the ARD and key committee members
7. Explain my role in the ARD
8. Explain the assessment procedure and the various individuals involved in assessment
9. Explain what the FIE is and its purpose
10. Have a video link to an ARD meeting so parents know what to expect
11. Explain accountability and progress reporting
12. Explain the cycles of ARDS, RE-EVALS and DISMISSALS
13. Provide a robust FAQ document about Special Education and Speech Therapy Services
14. Provide a resource to parents who have additional questions regarding Tool Kit – (i.e. Sped Tex web site and phone number)
15. Familiarize Sped Tex and other key players to Tool Kit so there is a consistent knowledge statewide
16. Make the Tool Kits easily accessible to all parents

Let me know if I can answer any questions regarding this idea!

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comment on Proposed Draft Special Education Improvement Plan

Date: Wednesday, April 11, 2018 9:38:47 PM

I am writing today as a parent of a child with special needs who has moved between three school districts and met with many parents and teachers along the way.

The draft SPED Strategic Plan includes several sections that simply do not stand up to a simple application of logic. For example, the “Immediate Short-Term Corrective Actions (Child Find)” items 6 and 7 are either an outright fraud or an extreme, if not willful, ignorance that Local Education Agencies are highly motivated by funding. Additional funding can NEVER be provided for bad behavior on the part of LEAs, any additional funding for bad behavior will simply encourage more bad behavior.

Overall this draft proposal may conform to the straight jackets set forth by the Federal Department of Education and existing state and federal law, but it completely fails to make the structural changes necessary for meeting the needs of Children with disabilities. In fact, the best possible solutions to fix special education in Texas are likely to be deemed nonconforming by the Department of Education. It is especially concerning that powers that be feel that it is relevant to compare the percentage of Texas students in special education to national averages and then deem Texas to be lacking in special education students simply because Texas does not use special education as a dumping ground for intelligent children who have behavior issues to the extent that other states do. (Texas LEAs do still have issues with dumping kids into special education who do not belong there, some other states are just much worse). For this statistical comparison to be relevant and informative, a standard diagnostic test would need to be used nationwide. Furthermore, statistical analysis would need to be conducted to determine what the first and fifth quintile are between the states and if the standard deviation found in those quintiles is statistically relevant. Then and only then would there need to be an investigation to see what the root causes of an outlier state’s variance is. Apart from this, the statistic of Texas vs National averages only serves to provide a pretty chart for uninformed readers to look at. Such oversimplification may make some people think they understand the issue better, but really, the use of such a diagram makes the Draft SPED Strategic Plan look like a PR piece instead of an actual Strategic Plan.

Texas does have issues with its special education programs and these issues must be fixed.

Included are some examples:

Example 1: A child was presented for testing to a LEA. Employees of the LEA privately described the child as being 'feral', not as a pejorative, but simply as a heartbreaking but accurate description of this child during their observation session. LEA employees suspected extreme neglect on the part of the guardians, home visits by LEA Employees confirmed extreme neglect and an overall inability of the guardians to care for their child. Over the next eight years the Texas Department of Family and Protective Services were contacted numerous times. DFPS (CPS) refused to intervene. DFPS being a nonparty to ARD committees and having no financial stake so long as it remains the LEA's problem had no incentive to protect this child.

Example 2: A child was presented for testing to a LEA. The LEA low level employees knew the best placement for this child was outside of their school. High level LEA employees knew that if they suggested to a guardian that placement outside of the zoned school was the best course of action they would be financially liable for paying for that out of district placement. As such, they willfully declined to make that recommendation which resulted in the child being placed in a special education program that likely would never meet that child's needs.

Example 3: A child was medically given a diagnosis and a proposed regimen of treatment that included but was not limited to Occupational Therapy and Speech. This child was then presented to an LEA for testing. The child utterly failed the tests presented to them, but because the child had already been worked with to a limited degree prior to LEA testing, they did not score in the bottom five percent on LEA tests, but instead scored between the fifth and fifteenth percentile. While this student was accepted for PPCD, they were rejected for OT and Speech services by the LEA which left the guardians having to continue to rely on medical insurance and copays to get outside services for their child. This in effect punished good guardianship of a child who sought out and received outside services prior to becoming old enough for LEA testing and rewarded guardians who were negligent with their children.

Example 4: A child started school at or close to grade level. A medical condition presented in this child. This child then quickly regressed, testing was recommended. Testing confirmed the child had fallen more than two grade levels below their peers and was placed into a selfcontained

special education class. The source of the regression was a neurological condition that would soon render what was once a vibrant intelligent child, nonverbal and unresponsive to visual or auditory stimulation. Over the course of three years in the same classroom with the same teacher, who was never trained to deal with this situation as it is outside the scope of education, the teacher was forced to essentially watch this child slowly die, including having to repeatedly watch their student lose consciousness in a manner that required direct medical intervention from a RN, all the while being given the directive to educate a child who was sequentially forgetting everything they had ever been taught.

Example 5: A LEA that had a governing body consumed by a desire to have their LEA preform at a high level in athletic competition needed to find jobs for their many athletic coaches as teachers. One of these coaches was assigned to teach a self-contained special education classroom. The coach then proceeded to spend much of their time attending to their coaching duties while leaving classroom aids to lead the class. This coach was never fired for poor classroom performance, although they did eventually part ways with the LEA for an unrelated issue. Any reasonable examination of this environment would have concluded that the LEA was running a daycare instead of a classroom.

Example 6: A child made significant progress through early intervention and was academically ready to leave the ARD framework and enter a 504 plan. The child however still needed nonacademic services such as special transportation and occupational therapy as the child still had social and physiological issues related to a medically diagnosed condition. The guardians were told by the LEA that if they did what was academically best for their child by switching to a 504 plan, all special education, nonacademic, periphery services would be terminated. There was no hybrid plan available to continue certain non-academic services.

Example 7: A parent support group in a rural multi county area for parents of children who had a disability were dissatisfied with most of the teachers their varied children had and were cognizant that their child had no local peers with the same disability to interact with. Upon comparing notes, and over a multiyear period many members of the support group moved to collocate where the best teacher was. This resulted in this one rural LEA having a vastly disproportionate population of special education students. Not only was the LEA not rewarded

for having this stellar special education program, they were in fact penalized by TEA for having a high percentage of students needing to take alternative tests instead of the standard statewide test. Since the LEA conducts the special education testing and ARDs and TEA knows LEA's are motivated to cheat on their standardized tests, the TEA simply assumes any disproportionate special education population is the result of the LEA trying to cheat on their standardized statewide tests.

Example 8: A LEA decided to collocate special needs students from multiple campuses onto one campus. While there are good reasons to do this, this LEA decided to only hire two teachers for fifty special needs students, all fifty of whom had ARDs for a self-contained special education classroom placement. This LEA also provided no curriculum and no scope and sequence to the special education teachers. When inquiries were sent to TEA about the legality of having a self-contained special education classroom with twenty-five students in it, TEA responded that at the time there was no law against this practice and offered no support for these two teachers. This practice continued for another two years until the principal of that campus was dismissed.

On a structural level, there is no ability to fix any of these issues so long as the same ARD model and same financing model are retained. The government's position thus far has been that the entity paying for a service must be the entity that decides whether services will be extended or not. To do otherwise would create unfunded mandates and allow one entity to offload problems they do not want to deal with onto others. As such, placement is largely determined by financial interests instead of a fiduciary obligation to do what is in the best interest of the child. The only long-term remedy is to make the structural changes necessary to align financial interests with fiduciary obligations.

An immediate first step would be to take special education testing completely out of LEA's purview. Instead LEA's would become one of many stakeholders that has the capacity to make a referral for testing. Other stakeholders would be guardians, doctors, daycares, DFPS, LEOs, DAs, HHS, and others. That recommendation would then go to a regional agency who would perform testing and then provide guardians or if warranted, DFPS, with placement recommendations. The existing TEA regions could accomplish this mandate, but as it extends

beyond the scope of TEA it would require the regional offices to include a taskforce from multiple state agencies, including TEA and DFPS. These recommendations would be nonbinding on LEA's. However, should a guardian choose the LEA they are zoned for to be the service provider for their child, that LEA would have statutory responsibilities to extend educational services to that child commensurate to the testing results. Placement recommendations must afford the region with options beyond a LEA setting, to include: recommended placement in an inpatient facility for severe medical conditions; intensive needs that go beyond what a LEA can reasonably be expected to afford may require a multitiered placement recommendation where one entity provides adaptive devices and/or medical care and the LEA's only responsibility is to provide the facility, curriculum and/or instruction; removal of custodial rights in cases of abuse or neglect; and placement recommendations for non-local education agencies.

My Proposed Process for Testing Children Who Potentially Have Special Needs:

1. Referral for testing sent to region
2. Schedule the testing within statutory deadlines
3. Testing as well as evaluating if any additional tests are warranted. TEA and DFPS personnel would review case information (including concerns listed in the referral) and be present for the testing and evaluations
4. Additional tests if warranted
5. Schedule first ARD within statutory deadlines between region and guardians
6. First ARD meeting. Report testing results and providing placement recommendations and IEP recommendations (this is a meeting between the region and the guardian(s)). If testing results are immediately available this meeting could happen on the same day as testing if waivers are signed.
7. Receiving response from guardians (in some cases this will be during the ARD meeting or it could be after the first ARD meeting if the guardians need more time to prepare a response)
8. Scheduling Second ARD with region, guardians, and any entity the guardian wishes to consider placement with from the options provided to them in the first ARD meeting and any medical professional and/or legal representative the guardians wish to bring at their expense

to the ARD meeting

9. Second ARD meeting to determine placement and IEP's. If multiple entities are being considered for placement, entities not chosen would depart the ARD meeting prior to the IEP's being set.

Another structural issue that needs to be addressed is the pervasive exclusion of potential employees who have a background and job history outside of a degree in education. While it is eminently important to have some employees with a teaching background and a higher education degree in education, the systematic exclusion of people outside of this background in TEA positions and in administrative positions at LEA's results in a dangerous, deep set, groupthink. Out of all the job postings for the Review and Support team that your draft is proposing be split into two teams, how many of them required a background in education as part of the requirements on the job posting? Out of all the employees currently at each region, how many require a master's degree or doctorate on the job application? By making these requirements the TEA is artificially limiting the potential pool of employees in a way that excludes any outside ideas. Best practices have been developed in the business world which have direct correlation to education, and yet most people with masters or doctorates in education likely have never even heard of them because they inhabit an insular world dominated by groupthink. On a basic level there are LEA principals who have no management expertise and yet they are in charge of running a multimillion dollar operation. On a system level there is the TEA that is great at giving canned talking points, canned recommendations, and canned presentations, but has no long-term presence and no ability to help LEAs who find themselves in a situation that is beyond their reasonable ability to handle. TEA would be far better off it opened its hiring practices to including people outside of education, and then provided on the job training for specific job duties instead of imposing a myriad of certification requirements, post graduate education requirements, and years of experience in education requirements that lock out any new ideas. As is, TEA and LEA's have no ability to even internally reach down and promote their best educators to lead mentoring programs because their best teachers don't meet the ridiculous and arbitrary job requirements as listed in most job postings.

An issue that can be fixed within the existing framework is the pervasive lack of training for special education teachers and aids. The model of having one teacher per classroom means teachers are never able to learn from each other. While grade level teachers often have a group of fellow teachers to get ideas from and be mentored by, special education teachers, especially those in more rural areas, often find themselves cast off apart from the rest of the school they teach at and far removed from anyone with experience teaching a classroom similar to their own. Even worse, many special education teachers are not provided with a special education curriculum to use in their classroom and are instead left to try and modify grade level curriculum which consumes vast amounts of time. Furthermore, many if not most special education students need speech, PT, and OT, and schools are chronically underproviding these services to special education students and failing to train special education teachers how to provide these services as part of the special education curriculum. Ultimately it may be necessary to explore requiring all self-contained special education classrooms have a hard cap of twelve students per classroom with a minimum of two teachers per classroom. This will increase the sharing of knowledge from one teacher to the next and critically allow one on one sessions that special education students need as one teacher leads a group activity while the second teacher pulls students off to work on IEPs.

Instead of having four review and support teams split between Austin, Dallas, Houston, and Lubbock, the approximately twenty TEA regions should be divided into groups of either three or four with each group having a dedicated TEA support team. Due to the unique challenges that exist around Ft Hood Texas, there should be a dedicated support team for that area specifically. The federal Department of Defense has made a practice of sending military personnel with special needs children to Ft Hood so that their children can be treated at the children's hospital there. TEA needs to be involved with providing support to these especially vulnerable children who live in the communities surrounding Ft Hood. *disclaimer, I do not live in the Ft Hood area, so this is not me requesting a special team just for my city*

There is one structural change that is outside of TEA's ability to change. I fully understand that it is not within TEA's ability to change funding mechanisms or even advocate for changing the way funding is provided, the real changes that need to be made are changes to the funding

model. I have already contacted my own legislative members regarding the changes in funding that will be necessary to tackle this problem.

From: [redacted]

To: TexasSPED

Subject: TEA draft for Special Education

Date: Wednesday, April 11, 2018 10:05:25 PM

By what I can tell you are missing so much. There no time line of when you will do evaluation. It does not so were the funding will come form to make this changers. It does not show teacher training on how to read ARD's, IEP, and BIP. The way it was sating it will help family with understanding and make the right choice's. That is a problem for the fact there is never no right choice with a child with special needs medical or metal. That do not add in mandatory nurse at all school that can give medical's. There no talk about having a psychiatric training for the counselor or coding for other teachers to now of the child with behavior or medical needs. Then you have the STARR that is all basic on picking a A B C D to answer a question. Children that have dyslexic or learning disabilities reading can not read with out help and when you are focus on teaching how to summarize to find world it unteachable what they are learning in a reading class or a dyslexic program. I be leave US Department Of Education needs to look in to all the complaints files on the school and see what is truly now what is going on. It may be a better idea to come to ever school district and talk to parents and teacher in a group. I fill like the TEA is trying to find away out of this by holding meeting at time when parents and teacher can not make. It is always on there time that the public they server.

Thank you

[redacted]

From: [redacted]

To: TexasSPED

Subject: Public comments CAP

Date: Thursday, April 12, 2018 9:39:39 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the students that were denied special education services, nor will it prevent a similar event from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

* TEA enforced monitoring of public schools. Currently, there are little to no consequences for public school employees or schools that break special education law. TEA should enforce the laws that are in place with consequences to individual public school employees that break the law, as well as consequences to the school district that break the law.

* Provide guidance to public schools that allows parents to have the child's private therapist observe the child at school with the parent's permission.

* Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

* Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

* Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

* Pullouts for small group instruction.

* Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

* Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

* Increase in RTI for students that are struggling.

* Require that all Texas public school employees that are on ARD committees be trained indepth

on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

* Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

* Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

* Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor this law.

* Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant red-tape that currently exists.

* Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

* Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

* Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD

committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

* Cameras should be installed in all public areas of school buildings.

* Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

* Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

* Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Thank you for your consideration.

[redacted]

[redacted]

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From: [redacted]

To: TexasSPED

Subject: TEA Corrective Plan - Parent input

Date: Thursday, April 12, 2018 11:41:37 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the students that were denied special education services, nor will it prevent a similar event from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

• TEA enforced monitoring of public schools. Currently, there are little to no consequences for public school employees or schools that break special education law. TEA should enforce the laws that are in place with consequences to individual public school employees that break the law, as

well as consequences to the school district that break the law.

• Provide guidance to public schools that allows parents to have the child's private therapist observe the child at school with the parent's permission.

• Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

• Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

• Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

• Pullouts for small group instruction.

• Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

• Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

• Increase in RTI for students that are struggling.

• Require that all Texas public school employees that are on ARD committees be trained indepth on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

• Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

• Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

• Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor

this law.

• Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant red-tape that currently exists.

• Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

• Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

• Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

• Cameras should be installed in all public areas of school buildings.

• Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

• Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

• Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars

have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Texas Education Code Chapter 26 states Parents have a right to be active participants on their child's education. Most students with disabilities also have a communication disability, some of them are nonverbal. We need our schools to consistently and efficiently provide information about what our children are being taught at school. Reports every 9 weeks are utterly inefficient. Public schools insist this is a matter for every teacher to do… it is not. It is a duty of our schools to comply with our Texas Education Code.

Texas Education Code Chapter 26 also establishes the right for every student to be challenged. Most of our students in special education are receiving modified or alternative academics. There are no establish books. Each student with disabilities have a right to have home access to their educational materials in an appropriate format for them to continue their learning just as our regular students do. PDF access from time to time are not approved forms to provide home access to our most at need students.

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comment on Strategic Plan for Special Education

Date: Thursday, April 12, 2018 12:56:12 PM

Thank you for the opportunity to respond again to the second draft of the Special Education Strategic Plan.

First let me say that I understand that the TEA is under its own corrective action and must develop a plan to ensure it meets its obligations. However, as a professional in the field of special education, I have the following concerns:

· Money: There is an ENORMOUS amount of money proposed to oversee special education compliance, and yet none to support the anticipated actions that must be taken by the school districts. I'm sure the state realizes that the work to ensure provision of FAPE to students who need special education services lies with the school districts. School districts

can expect to be stretched like never before in order to meet the monitoring and compliance demands created by a $45M oversight plan, rather than using those efforts directly in the service of children.

· Duplication of Work Effort: Because staff time is best used in service to children, TEA should plan in advance to eliminate duplicative work effort/submission of data. Examine what is already available through PEIMS and what could be available through PEIMS.

· Timelines and Lead Time: TEA needs to consider its own timelines and implications for district compliance with timelines. It should provide ample time between the creation of a rule/change to Administrative Code and the school districts' ability to respond to the change, particularly if it requires an ARD Committee meeting to comply with the change. (an example here would be that the agency communicated that it would post new Participation Requirements for STAAR Alt 2 in December. That would have given ARD Committees time to consider the changes and make appropriate determinations for individual students. It is now April and no update has been posted. We anticipate that nearly all annual ARDs will have been held before the information becomes available.)

· Outreach Campaign: What specific role will school districts play in this campaign? How will the agency ensure that school districts are characterized in a positive light as a partner to parents in their child's success? (unlike the characterization in the newspaper series that prompted the corrective action plan)

· Dyslexia Specific Support: This is an area that feels like it has had inconsistent guidance, and seems to be one of the real hot button topics of community/parent concern. The plan says that TEA may provide support, but it is not clear how robust that support might be, give the one-time expense in the plan. Compare that to the $2M planned to spend on parent brochures.

· Child Find:

o TEA may provide clarification on the requirements of RtI, 504 and dyslexia related topics to support individual decisions for students: This is a MUST. I believe it is the lack of clarity that has led to TEA finger-pointing at school districts related to the recent newspaper series. School districts are left to try their best to follow the

agency's guidance, only to be accused of dereliction of duty by our governor.

o The wording "up to age 21" is inaccurate. It should read "through the age of 21."

o We have great concern about the availability of diagnosticians, not to mention the

cost of diagnosticians to fulfill this plan of finding and testing students previously

determined to not be in need of special education assessment.

o How will expanding the complaints process meet the needs of stakeholders? (Do you

simply mean expand the number of individuals fulfilling these responsibilities?)

I would also like to offer the following supportive comments:

· Collaboration with Texas Workforce Commission and Vocational Rehabilitation: BRAVO!!

This should be continued and expanded. (However, we would appreciate some specificity

here – what specifically are the next areas to expand/improve?)

I very much appreciate your taking my comments into consideration.

[redacted]

Special Education Compliance Coordinator

[redacted]

From: [redacted]

To: TexasSPED

Subject: IEP feedback

Date: Thursday, April 12, 2018 1:01:30 PM

My [redacted] attends [redacted] in [redacted] TX [redacted] is diagnosed with [redacted] , [redacted], and [redacted]

... I have definitely felt that the staff isn't qualified and properly trained for these children. Coming from Northern

California where teachers need so many credentials and child development classes it shocked me to learn how easy

you can be in the public school system in Texas and that itself is the main set back. More requirements to obtain a

teaching credential need to be implemented by the state.

Sent from my iPhone

From: [redacted]

TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children..., TEA

uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this

proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of

information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful

actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical

assistance.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Sp Ed plan

Date: Thursday, April 12, 2018 5:05:09 PM

PLEASE consider having STAAR tests that are modified for our Sp Ed students. In

order for them to be able to be successful they need tests that are made for them.

--

[redacted]

[redacted] Grade Teacher

[redacted] ISD

[redacted]

From: [redacted]

To: TexasSPED

Subject: STARR testing

Date: Thursday, April 12, 2018 10:55:26 PM

[redacted]

Comment:

Why are Sped students taking the STAAR test on grade level when they have been identified as students with a

disability, they are 2 to 3 grade levels below and modified curriculum. How are we measuring growth when the

curriculum is modified? How are we as educators expecting a student with an Intellectual Disability to take the same

STARR assessment as his/her non disabled peer? Special Education students receive specially designed instruction

based on their IEP, the curriculum is aligned with lower grade TEKS yet the students are expected to master the

same test non disabled students.

Special Education students need a different assessment instrument, the state should consider going back to

modified tests, alllow the students to take the test 2 grade levels below or don't count their scores, let be understood,

they take the test for participation purpose only. The online test is not the answer.

Help the special education students experience some success when it comes to the state assessment. Don't use the

same instrument to measure their mastery as you would a non-disabled student.

Please, relieve some stress the students, teachers and parents are experiencing.

Thank you

[redacted]

Sent from my iPhone

From: [redacted]

To: TexasSPED

Date: Friday, April 13, 2018 12:15:33 AM

I have a problem ..i live in [redacted] my [redacted] is graduating next month and [redacted] disabled my

[redacted] was druged up by some students and the school had no nurses and they treated [redacted] badly

my [redacted] ended up in ICU in [redacted] over an overdose that [redacted] didn't know what it was...they

gave my [redacted] 5 bars my [redacted] has suffered and all the school says your [redacted] is suspended and [redacted]

be transferred to AP i need some advise who to talk to plz a lawyer u know of....thanks

From: [redacted]

To: TexasSPED

Subject: Comment on the March 29, 2018 Strategic Plan for Special Education

Date: Friday, April 13, 2018 8:42:32 AM

While I can appreciate the greater scope of this plan to include areas of concern within special education, I feel compelled to address a couple of real concerns:

1. In the first paragraph of the Executive Summary, and again on page 5, you state "The purpose of special education is to provide sufficient support to our students with disabilities, on an individualized basis, so that those students can obtain the same level of academic success typical of their peers."

While this is a lofty goal worth striving toward, it cannot be the standard to which districts are held.

I find this no where in federal or state law or guidance, nor in any case law including recent Supreme Court decisions on the provision of FAPE. On the contrary,

in the Endrew decision, the Supreme Court unanimously held that " a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances."

The US DOE Dear Colleague letter of November 16, 2015 speaks to "meaningful access to a State's academic content standards" but fails to require the "obtain[ment] of the same level of academic success typical of their peers" put forth in the TEA Strategic Plan.

The DOE's IDEA page merely states the IDEA "is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children."

The TEA Strategic Plan vastly overstates the standard and purpose of special education and should be appropriately modified to match existing standards.

1.

2. PP 4-6: The data presented while true fails to account for other coexisting initiatives

TEA held districts to an 8.5% standard for special education representation; districts complied with the state accountability measures.

At the same time, federal 504 standards were relaxed meaning 504 rates went up. This does not mean that learners were being served in 504 rather than in special education, it simply means that 504 rates increased for learners on the higher end, not the lower end, because it was simply easier to get into 504 with the changes in the guidance.

Also over the same period of time, TEA made significant changes to the statewide assessment system, moving from exemptions just because a learner was identified special education, through the LDAA, SDAA, SDAA II, TAKS-ALT, TAKS-M, TAKS-A, TAKS, STAAR-Alt, STAAR-M to the STAAR-Alternative II and the STAAR Pointing to student performance data of students in special education who, along with their teachers have endured a dozen testing changes and comparing that student performance data to typically developing peers who have merely moved from the TAKS to the STAAR is irresponsible at best. Given three more years of data and stability in the statewide assessment, you might be able to get a reasonable trend line which may permit comparison under more statistically appropriate conditions.

3. P. 12: The presumption that all learners in RtI for longer that 6 months, 504 or Dyslexia should have been evaluated for special education is preposterous! Firstly, in a solid RtI program, learners may move fluidly between Tiers and be making appropriate gains that would not lead a committee to the conclusion that merely by the fact that the learner has been in RtI for 6 or more months that they are not making gains which would necessitate a special education referral. When an RtI committee sets SMART goals and provides just in time instruction and support, that learner may in fact achieve that concept and move to a lower Tier in that subject. Learners may later struggle with a different concept, or in a different curricular area for which new SMART goals are written, and so on without ever raising a suspicion of a special education disability based on lack of

progress.

Secondly, As we are following state law, dyslexia falls under the auspices of general education services, and not specially designed instruction as required under special education. Learners in this program do in fact demonstrate a disability, but it would fail to rise to the level of a special education learning disability as there is no need for specially designed instruction under special education which would preclude them from being identified as LD under IDEA. Having worked in other states, I can tell you that dyslexia services would fall under special education, however, in Texas, referring purely dyslexic learners to special education would be a less than fruitful adventure.

Our district happens to have a stellar Dyslexia program with 10 of our 12 Dyslexia Therapists being CALT certified. Our learners are getting a superior dyslexia program and supports. Our parents would likely not agree to have their child evaluated for special education. Having worked in other districts in Texas, I recognize that many districts do not have the quality services and supports for learners with dyslexia that we do, and guidelines/laws may be made to rectify these other districts, but I would be greatly concerned that generic rules in the state may interfere or waterdown the services our learners with dyslexia receive.

4. P. 11 is listing numerous items for new data collection.

Quality of data could be greatly improved and costs greatly reduced if the state would procure one vendor for RtI, Special Education, 504, Dyslexia, GT and Bilingual/ESL paperwork/data base. The state could work out a purchase agreement that would build merge between the vendor's data collection program and PEIMS for ease of collection. Housing these programs under one data collection system would go a long way toward not allowing any learner to fall through the cracks.

Trying to get a count of how many special education learners are identified as being dyslexic is an invalid statistic. Special educators identify learning disabilities, not specifically dyslexia. The only time we may have a count of a learning

disabled student being dyslexic would be if they went through the dyslexia program's evaluation and identification first. In other states, learners are identified as learning disabled in reading and consideration is given to all potential services which include some of the programs used in our state for dyslexia as well as all others, and then the committee makes the recommendation they feel would best meet the unique needs of the individual learner. So counting how may special education learners are also marked dyslexic would not give the state an accurate count nor would it be a measure of district service quality.

5. The quality of Special Education services could also be vastly improved by the state: Mandating all general educators and administrators to obtain 30 hours of special education training and 6 hours yearly and don't call it differentiation as that term is summarily dismissed by educators and administrators as it has been overused. Change the standards based IEP training to focus on root cause analysis to determine effective accommodations specific to a learners needs in order to access the state curriculum. Right now the standards based IEP training results in merely rewriting the TEKS without the needed consideration of the learner's unique needs.

6. p. 13 Compensatory Services. Records retention is only 5 years. Districts would not likely have records beyond that, so it would be unreasonable to require consideration of compensation beyond the records retention requirement.

7. P. 14 Requests for evaluation. While no federal or state law requires written requests, the required TEA handbook statement does. "If a parent makes a written request for an initial evaluation
for special education services to a Campus Administrator or the Director of Special Education, the district must respond no later than 15 school days after receiving the request." Unless this statement
changes to be in line with federal and state laws, districts will continue to fall back on written requests only rather than being diligent to concerns about learners OR change the state law

to require written requests.

8. P. 16 If dyslexia remains as a general education services in this state, we will not find LD as there is no need for specially designed instruction. If, as in other states, dyslexia falls within

special education then LD may be found as a disability needing the uniquely designed instruction of dyslexia direct service. The laws would need to change for this to be remedied. And,

if this happens, as many more learners would be identified as eligible for special education, Texas would actually start to get its fair share of federal IDEA grant monies.

Thank you for your time and consideration of these points as we work together to develop better systems for all learners.

[redacted], MSEd, SAS/SDA

Executive Director of Intervention Services

[redacted] Independent School District

[redacted]

[redacted]

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Thank you for your cooperation.

From: [redacted]

To: TexasSPED

Subject: corrective action plan

Date: Friday, April 13, 2018 11:31:54 AM

* Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far beyond simply an increase in the number of students pulling the draw-down weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Friday, April 13, 2018 11:32:27 AM

To whom it may concern,

My name is [redacted], and I have worked in Special Education for the past 15 years as an Early Childhood Special Education Teacher, an Elementary Special Education Team Leader, and an Early Childhood Instructional Specialist. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments.

One particular upsetting corrective action is the requirement of targeted outreach to certain student populations must be aligned with the needs and disabilities defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan under

Section 504, and who received instruction through the dyslexia program under state law. If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation would be required. The requirement to evaluate should be only for those students in these populations who are thought to special education and related services.

Additionally, a timeline should be provided for Child Find resource development and guidance in the interim. In addition to the commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources will be developed and published. Local education agencies also need immediate guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published its resources.

Guidance will be needed to be provided evaluation guidance now. Some local education agencies are currently seeing many requests for initial evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before the beginning of the 2018-19 school year.

It is imperative that these guidelines are revisited so that the guidelines are actually attainable for each school district.

Thank you for your consideration.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan feedback

Date: Friday, April 13, 2018 12:07:59 PM

Pertaining To:

"To accommodate desk reviews, TEA will need to collect additional data from LEAs. TEA may adjust the TSDS PEIMS data collection components to ensure adequate information for monitoring, while maintaining strong controls on data privacy. This could include the following, some of which may

require state legislative authorization: o Parent- and staff-generated requests for special education consideration, o Complete information on all categories under which a child qualified for special education, o Information on the interventions that are in place for the child, o Additional information on 504 and RtI, o Sample schedules, o Services offered and provided, including frequency, and o Coding of dyslexia, dyscalculia and dysgraphia."

LEA Professional Concern:

When it states desk audits will request certain data from LEA's – how much and to what extent? A desk audit should be constructed in a way that allows the person at the desk to access and assess information directly through software/program access. Requests made to LEAs should be minimal and time efficient.

Time doing this is time lost educating and directly meeting the needs of students and accomplishing priority job responsibilities of staff in the LEA.

Can desk auditors have access to the special ed database and access info themselves….Is this a confidentiality issue?

TEA should work with the database providers companies for sped such as eSped, etc to work on confidential ways to directly access as much information as needed for the desk audits and minimal efforst on behalf of LEA's.

Time is the most valuable resource already in sped services, please value that.

From: [redacted]

To: TexasSPED

Subject: corrective action feedback

Date: Friday, April 13, 2018 12:12:36 PM

My Comments in RED:

Targeted LEA Outreach to Parents Most Likely Impacted (CA: 1.g.): In conjunction with SB 1153 (85th Legislative Regular Session), TEA is updating rules to require every LEA to identify DRAFT ONLY 13 This document is submitted in draft form for discussion purposes only and is subject to change before final release. all students who were in RtI for a significant period of time, only had a Section 504 plan, or were exclusively in a dyslexia or dyslexiarelated program.

Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation. Outreach may include targeting students in underserved and hard to reach populations such as those in hospital settings, homebound, homeschool, residential treatment facilities, and correctional settings, and will include at least written notice. (Note: The cost of identifying and conducting initial evaluations for students suspected of having a disability has always been the responsibility of the LEA, which will continue.

This is a potential of 1700 students (our districts 504 numbers) to possibly be evaluated .

When you make unreasonable requests that leave evaluations options up to parents - and not based on professional review of current data and whether student is currently successful with current services- then the quality of all eval go down and completion of expectations is not possible and also not ethical. Its unreasonable to expect 1700 or even half of that additional evals with no additional funding/staff and it is definitely not what's best for kids. This is not rocket science, its math.

Also, our district does what is right for students, always has, always will and is not below the 8%. The anger in this email represents many who wake up each morning and put everything into the job before them in order to impact our students lives for their future. TEA is apparently disconnected from this as they have clearly communicated they work for the Governor while we in [redacted] work for the students – all of them.

[redacted]

Transition Specialist

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Feedback on Strategic Feedback

Date: Friday, April 13, 2018 12:16:17 PM

Good Afternoon,

Below are our concerns regarding the strategic plan:

MONITORING:

Review and Support Team (CA: 4.a.)

The Review and Support team will be a new unit housed in the TEA Office of Academics (see

Figure 4 below). This team will have three primary responsibilities: (1) to monitor LEAs

related to IDEA and federal and state statutes using a risk assessment index and holistic

student-centered practices; (2) to provide targeted technical assistance and support for LEAs

related to special education; and (3) to escalate LEAs experiencing significant challenges as

well as to highlight those LEAs who demonstrate clear success. The Review and Support team

should not narrowly focus on process and legal requirements, but rather be guided by an effort

to support the most effective practices that lead to improved outcomes for students.

· "It states the review and support team should not narrowly focus on process and

legal requirements", yet the description of the actions of the support team appear

to be all legal requirements. Also, it appears more positions are being created for

the Escalation Unit rather than the Support Unit, however, LEAs need more

support if they are going to improve.

· With all the budget difficulties LEAs are experiencing, the fact that TEA is

creating additional positions is quite concerning. I believe a major factor in LEAs

not being able to provide appropriate special education services to students is due to a shortage of resources. Those resource cost money. Students are entering the public school system with greater needs than ever before; however, LEAs are receiving less funding each year to meet those needs.

· With the development of the two support units – the concern is what special education background and experience will the staff members of these units be required to have.

IDENTIFICATION, EVALUATION AND PLACEMENT (CHILD FIND):

Targeted LEA Outreach to Parents Most Likely Impacted (CA: 1.g.):

In conjunction with SB 1153 (85th Legislative Regular Session), TEA is updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a Section 504 plan, or were exclusively in a dyslexia or dyslexia-related program. Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation. Outreach may include targeting students in underserved and hard to reach populations such as those in hospital settings, homebound, homeschool, residential treatment facilities, and correctional settings, and will include at least written notice. (Note: The cost of identifying and conducting initial evaluations for students suspected of having a disability has always been the responsibility of the LEA, which will continue.

· LEAs are already required to have processes in place regarding Child Find. What the state is proposing appears to suggest the Child Find process not be followed.

· This proposal also appears to mean these students would automatically be referred for special education. All students who are in this category may not need to be evaluated for special education. It appears this goes against the Response To Intervention process. Our district's process is to review all data and make a decision based on the data. This proposal seems to open the gate for each one of these students to have an evaluation regardless of what the data shows and removes the word "individual" out of the equation.

· The burden of this action is on the LEAs. Although LEAs have followed the guidance set forth by the state, the state appears to be sharing no financial burden at all in this proposal.

Outreach Campaign to Identify, Locate, and Evaluate (CA: 2.a.):

TEA will execute a campaign to reach parents more broadly than the targeted outreach noted above, and may partner with an external organization to create and execute the campaign. Part of the campaign will likely involve district actions to reach families, with templates and other resources developed centrally to help the process. This outreach effort would include strong partnership with the Parent Training and Information Center, among others. An outreach campaign would likely include letters, emails, public service announcements, town halls and individualized parent support with LEA staff (to explain to families the details laid out in the campaign and what, if any, steps they can take for their child). Outreach efforts should be available in English and Spanish, as well as targeted languages for all online materials to ensure broad reach in the state.

· The plan TEA proposes places additional burden on school districts. Who will consume the costs with letters, public service announcements, town halls and individualized parent support.

· Districts followed TEA's guidance with the 8.5% indicator and this action appears to fall back on the responsibility of the district when it was the state's parameters districts were told to follow.

· This plan also sounds like there will be automatic testing for special education instead of going through the Response To Intervention process at all for anyone which would require additional assessment staff to conduct all of these referrals.

Thank you,

[redacted]

--

[redacted]

Executive Director of Special Education

[redacted] ISD

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the sender by reply email and delete all copies of this message.

From:

To: TexasSPED

Subject: action plan feedback.

Date: Friday, April 13, 2018 12:58:22 PM

My name is , I am an Instructional Specialist. I work with high school students with disabilities. I have worked in Special Education for 10 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Any required targeted outreach to certain student populations must be aligned with the needs and disabilities defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan under Section 504, and who received instruction through the dyslexia program under state law. If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation would be required. The requirement to evaluate should be only for those students in these populations who are thought to have a disability as defined by federal and state law and who are thought to need special education and related services.

Our district currently has 1700 students is 504 to possibly be evaluated. Our school district currently has employed 50 LSSP and/or Diagnosticians, it is unreasonable

and unethical to expect these assessment personnel to assess these students in addition to the 800 annual initial evaluations, not to mention the 3 year reevaluations these LSSPs and Diagnosticians do each year. Without additional funding for districts to be able to hire more LSSPs, this request is near impossible. Evaluations should be based on professional review of student data and how they are preforming with the services they are currently provided. When the expectation of the assessment personnel is to assess more than the amount of students who need special services, the quality of evaluations will go down and frustration will increase. My district strives to make data-driven, student-centered decisions, we always have. We are not below 8%, nor have we been.

Please take these comments seriously.

Sincerely,

[redacted]

High School Resource/Inclusion Instructional Specialist

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Corrective action plan

Date: Friday, April 13, 2018 1:15:45 PM

My name is [redacted], and the role I play in the special education stakeholder process is resource and inclusion specialist for intermediate. I have worked in this role for 2 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far beyond simply an increase in the number of students pulling the drawdown weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.

The plan to use existing appropriations for this extensive plan does not make financial sense. We will be increasing the cost of services by a large amount with no promise of any additional financial resources. Schools are already struggling to provide a quality education with what we have, allowing no additional funds is not feasible.

[redacted]

Resource/Inclusion Instructional Specialist, Intermediate

[redacted] ISD

[redacted]

From: [redacted]

To: TexasSPED

Subject: corrective action plan

Date: Friday, April 13, 2018 1:15:51 PM

* Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule changes. The plan states that TEA will

potentially revise Administrative Code rules. It is clear from this plan that rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local education agency types and sizes and other education association representatives must be included in this process.

Thanks, [redacted]

From: [redacted]

To: TexasSPED

Subject: corrective action plan

Date: Friday, April 13, 2018 1:17:22 PM

* Prioritize public school special education experience when hiring staff. The plan involves TEA hiring a large number of staff. Candidates with public education special education experience should be prioritized for all of these positions, and the pay for these positions should be commensurate with the required expertise.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Strategic Plan suggestion.

Date: Friday, April 13, 2018 1:21:51 PM

My name is [redacted], I am an Instructional Specialist, I have worked in Special Education for 10 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial

impact of this plan goes far beyond simply an increase in the number of students pulling the draw-down weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.

Prioritize public school special education experience when hiring staff. The plan involves TEA hiring a large number of staff. Candidates with public education special education experience should be prioritized for all of these positions, and the pay for these positions should be commensurate with the required expertise.

Consider the Agency's obligation to reduce paperwork burdens. The draft plan includes many new and some possibly duplicative items that the Agency may require local education agencies to collect and report. It is critical that TEA analyze what data is already collected through current reporting systems and assist in easing the burdens of submitting new data, including the creation of templates and spreadsheets.

Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local education agency types and sizes and other education association representatives must be included in this process.

Provide a timeline for Child Find resource development and guidance in the interim. In addition to the commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources will be developed and published. Local education agencies also need immediate guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published its resources.

Provide evaluation guidance now. Some local education agencies are currently seeing

many requests for initial evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before the beginning of the 2018-19 school year.

Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the technical assistance it is required to provide. Several statements described in the evidence of progress column in Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children…, TEA uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical assistance.

Sincerely,

[redacted]

High School Resource/Inclusion Instructional Specialist

[redacted]

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electronic mail in error, please notify the sender by telephone immediately at [redacted] to arrange for return and

correction of internal records; in addition, please delete the original message.

From: [redacted]

To: TexasSPED

Subject: Corrective action plan

Date: Friday, April 13, 2018 1:24:18 PM

My name is [redacted], and the role I play in the special education stakeholder process is

resource and inclusion specialist for intermediate. I have worked in this role for 2 years. I am writing

today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on

March 19, 2018. In an effort to provide feedback on this improvement plan for special education in

Texas, I offer the following suggestions and comments:

Prioritize public school special education experience when hiring staff. The plan

involves TEA hiring a large number of staff. Candidates with public education special

education experience should be prioritized for all of these positions, and the pay for

these positions should be commensurate with the required expertise.

Too often positions are filled within the higher levels with teachers who have never been in special

education, or personnel from the corporate sector. These positions that are being created need staff

who have extensive experience in the special education arena.

[redacted]

Resource/Inclusion Instructional Specialist, Intermediate

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:33:21 PM

My name is [redacted], and the role I play in the special education stakeholder process is an educator for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far beyond simply an increase in the number of students pulling the drawdown weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:36:04 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Prioritize public school special education experience when hiring staff. The plan

involves TEA hiring a large number of staff. Candidates with public education special education experience should be prioritized for all of these positions, and the pay for these positions should be commensurate with the required expertise.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:37:23 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local education agency types and sizes and other education association representatives must be included in this process.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:41:12 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Any required targeted outreach to certain student populations must be aligned with the needs and disabilities defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan under Section 504, and who received instruction through the dyslexia program under state law. If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation would be required. The requirement to evaluate should be only for those students in these populations who are thought to have a disability as defined by federal and state law and who are thought to need special education and related services.

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:45:44 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Provide a timeline for Child Find resource development and guidance in the interim. In addition to the commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources will be

developed and published. Local education agencies also need immediate guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published its resources.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:47:15 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Provide evaluation guidance now. Some local education agencies are currently seeing many requests for initial evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before the beginning of the 2018-19 school year.

· Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Friday, April 13, 2018 1:50:24 PM

My name is [redacted], and the role I play in the special education stakeholder process is educator. I have worked in this role for over 15 years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

· Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the technical assistance it is required to provide. Several statements described in the evidence of progress column in Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children…, TEA uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical assistance.

Sincerely,

--

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan Feedback

Date: Friday, April 13, 2018 3:40:15 PM

My name is [redacted], and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Use every opportunity to explain to lawmakers of the need for additional appropriations. TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far beyond simply an increase in the number of students pulling the draw-down weights related to special education. TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to include this strategic plan as an exceptional item.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Sped Feedback

Date: Friday, April 13, 2018 3:41:00 PM

My name is [redacted], and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19,

2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Consider the Agency's obligation to reduce paperwork burdens. The draft plan includes many new and some possibly duplicative items that the Agency may require local education agencies to collect and report. It is critical that TEA analyze what data is already collected through current reporting systems and assist in easing the burdens of submitting new data, including the creation of templates and spreadsheets.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: Suggestion

Date: Friday, April 13, 2018 3:41:42 PM

My name is [redacted], and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Establish stakeholder working groups to assist the Agency in determining necessary

Administrative Code rule changes. The plan states that TEA will potentially revise Administrative

Code rules. It is clear from this plan that rules will require revision. Engaging stakeholders to assist in

this process could make the process more efficient and would help in prioritizing the schedule of

needed changes. Special education administrators from a variety of local education agency types

and sizes and other education association representatives must be included in this process.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: CAP feedback

Date: Friday, April 13, 2018 3:42:23 PM

My name is [redacted] and I am an LSSP. I have worked in this role for 10+ years. I am writing today in

regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19,

2018. In an effort to provide feedback on this improvement plan for special education in Texas, I

offer the following suggestions and comments:

Any required targeted outreach to certain student populations must be aligned with the needs

and disabilities defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan under Section 504, and who received instruction through the dyslexia program under state law. If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation would be required. The requirement to evaluate should be only for those students in these populations who are thought to have a disability as defined by federal and state law and who are thought to need special education and related services.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: CAP-suggestions

Date: Friday, April 13, 2018 3:42:56 PM

My name is [redacted] and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I

offer the following suggestions and comments:

Provide a timeline for Child Find resource development and guidance in the interim. In addition to the commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources will be developed and published. Local education agencies also need immediate guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published its resources.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: cap

Date: Friday, April 13, 2018 3:43:52 PM

My name is [redacted], and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Provide evaluation guidance now. Some local education agencies are currently seeing many

requests for initial evaluation. TEA must provide guidance and have the program to offer assistance

from certified evaluators before the beginning of the 2018-19 school year.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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received this electronic mail in error, please notify us by telephone immediately to arrange for return and correction of internal records; in addition,

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From: [redacted]

To: TexasSPED

Subject: suggestion-dyslexia

Date: Friday, April 13, 2018 3:44:34 PM

My name is [redacted], and I am an LSSP. I have worked in this role for 10+ years. I am writing today in

regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19,

2018. In an effort to provide feedback on this improvement plan for special education in Texas, I

offer the following suggestions and comments:

Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in

the 86th Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local

education agencies need immediate and interim guidance on how to effectively serve students with

dyslexia and related disorders.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: special education in texas

Date: Friday, April 13, 2018 3:45:13 PM

My name is [redacted] and I am an LSSP. I have worked in this role for 10+ years. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the technical assistance it is required to provide. Several statements described in the evidence of progress column in Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children…, TEA uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more

meaningful actions as proof that the Agency is providing the required - and more importantly,

consistent and accurate - technical assistance.

[redacted], Licensed Specialist in School Psychology (LSSP)

Lead Assessment Specialist

[redacted] Independent School District

[redacted]

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please delete the original message.

From: [redacted]

To: TexasSPED

Subject: TEA Corrective Plan - Parent input

Date: Friday, April 13, 2018 3:49:53 PM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the

students that were denied special education services, nor will it prevent a similar event from

reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

• TEA enforced monitoring of public schools. Currently, there are little to no consequences for

public school employees or schools that break special education law. TEA should enforce the laws

that are in place with consequences to individual public school employees that break the law, as

well as consequences to the school district that break the law.

• Provide guidance to public schools that allows parents to have the child's private therapist observe the child at school with the parent's permission.

• Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

• Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

• Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

• Pullouts for small group instruction.

• Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

• Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

• Increase in RTI for students that are struggling.

• Require that all Texas public school employees that are on ARD committees be trained indepth on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

• Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

• Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

• Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor

this law.

• Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant red-tape that currently exists.

• Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

• Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

• Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

• Cameras should be installed in all public areas of school buildings.

• Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

• Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

• Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars

have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Texas Education Code Chapter 26 states Parents have a right to be active participants on their child's education. Most students with disabilities also have a communication disability, some of them are nonverbal. We need our schools to consistently and efficiently provide information about what our children are being taught at school. Reports every 9 weeks are utterly inefficient. Public schools insist this is a matter for every teacher to do… it is not. It is a duty of our schools to comply with our Texas Education Code.

Texas Education Code Chapter 26 also establishes the right for every student to be challenged. Most of our students in special education are receiving modified or alternative academics. There are no establish books. Each student with disabilities have a right to have home access to their educational materials in an appropriate format for them to continue their learning just as our regular students do. PDF access from time to time are not approved forms to provide home access to our most at need students.

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Modified instruction

Date: Friday, April 13, 2018 4:18:15 PM

If students receive modified instruction; why don't they take a modified test to match the specially designed

instruction.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Date: Saturday, April 14, 2018 1:57:43 PM

Yes,

I unable to attend

From: [redacted]

To: TexasSPED; Porter, Justin; Callahan, Lauren

Subject: March 2018 Draft Special Education Plan -- Parent Comments

Date: Saturday, April 14, 2018 3:45:04 PM

1. The March 2018 Draft Special Education Strategic Plan states: "The purpose of special education is to provide sufficient support to our students with disabilities, on an individualized basis, so that those students can obtain the same level of academic success typical of their peers. Collectively, we as a state are not yet delivering on that purpose. More pointedly, historically the Texas Education Agency (TEA) has not provided the leadership, guidance, and support sufficient for that purpose."

Parent Comment: An agency does not provide leadership, guidance, and support. Employees of an agency provide leadership, guidance, and support. Identify in your plan, by name, those entrenched bureaucrats, many of whom are now happily drawing state retirement benefits, who failed to provide leadership, guidance, and support. If I park in a handicapped parking spot in the State of Texas, I can be fined $500 for doing it once. These bureaucrats have ruined children's lives by not providing appropriate special education services, and they don't have to pay a dime. This is just wrong.

2. The March 2018 Draft Special Education Strategic Plan states: "This anecdotal feedback, combined with the data, spoke to a compelling need to go beyond the issues identified by USED, and instead develop a comprehensive strategic plan for special education in Texas."

Parent Comment: Amen! The problems to go far beyond the narrow issues that USED was focusing on. What is so frustrating is that parents and advocacy organizations have been calling attention to these problems at local school districts, education service centers, and TEA for decades – all to no avail.

In a letter to me dated November 9, 2016, [redacted], Manager of Dispute Resolution, Division of IDEA Support, Texas Education Agency, stated: "In your letter, you point to historic occurrences that you see as demonstrating a pattern of failure in the state to provide students who are eligible for special education with the services and supports they need." Interpreting this politically-correct, bureaucratic double-speak, I was being told there was no

problem – it was just my perception, and my perception was wrong. The next sentence in this letter says as much: “I assure you that the Texas Education Agency (TEA) is committed to ensuring that students receive the services they require in order to succeed in school and life.” If the statements in [redacted] letter were really true, TEA would not be in the position it now finds itself in.

3. The March 2018 Draft Special Education Strategic Plan states: “. . . TEA must significantly increase its monitoring capacity and ensure monitoring focuses on improvements for students, as opposed to fulfilling minimum expectations for compliance with federal requirements.”

Parent Comment: Amen! The draft plan is stating (in more acceptable language) what I have said for years: The whole philosophy of special education has been how little can we do and still be legal?

4. The March 2018 Draft Special Education Strategic Plan states that it will create a Review and Support Team to not narrowly focus on process and legal requirements, but rather be guided by an effort to support the most effective practices that lead to improved outcomes for students.

Parent Comment: I question how TEA is going to ensure monitoring focuses on improvements for students.

In recent months, numerous parents, stakeholders, and commentators have decried the ingrained culture in the State of Texas that generations of educators have learned and worked in whose whole purpose was to deny special education services. How can TEA utilize individuals who have been a part of this culture to change the focus of monitoring? Where is TEA going to get people that are not a part of this culture, who do not share these attitudes and philosophies?

I have attended training sessions at Education Service Center Region 11 where attendees were told that ARD is an acronym for anguish, remorse, and denial on the part of the parents, and the room of “professional educators” emitted rotund laughter.

I have attended training sessions at Education Service Center Region 11 where attendees were told that before they agree to a request for special education services from a parent who is new to the district, a request that has been previously honored with regard to other students, the

district should try to determine whether this parent might be difficult. If so, the request should be denied in order to teach the parent up front who is boss.

TCASE has distributed invitations to receptions offering FAPE (firewater, alcoholic potions, and other elixirs) and IEP's (individual edible portions). As a parent, I see no humor in this.

TCASE fought the Texas autism supplement because it required more services than were required by federal law.

TCASE fought the placement of monitoring cameras in special education classrooms.

TCASE sponsored a workshop entitled "Autism: The Sky is Falling!" This workshop provided no information about educational interventions. Instead, it stated the number one priority for a district when faced with an autistic student was to budget money for a good attorney.

TASB has sponsored speakers who taught that meets with parents should be in rooms that are uncomfortably cool, that parents should be seated in straight back chairs without pads, and to never let it appear that program availability is a money-driven decision. As a parent, I see this as educators being told it is acceptable to make decisions based upon finances – just don't let it appear that way.

Is TEA going to stop using administrative hearings officers who are part of TEA and start using the administrative hearings officers that all other state agencies use?

5. Compensatory Services.

Parent Comment: How are students who have aged out of the special education system who were denied special education services going to be compensated? What is the statute of limitations for obtaining compensation?

6. The March 2018 Draft Special Education Strategic Plan states that "TEA will create and execute a statewide professional development for all educators (all education, special education, and others), structured initially as a training institute for teachers around the state, which include ongoing follow up through year-round support and modules. . . . This training would launch in Summer 2019, be conducted through third parties, and require significant stakeholder feedback, including students, educators, parents, and administrators."

Parent Comment: Where are you going to get this "third parties" to provide this training that

are not a part of the dismal, ingrained culture and philosophies of Texas? Are you going to use the same tired, old presenters utilized by TCASE, TASB, and educational service centers, whose emphasis has always been: how little can we do and still be legal?

7. The March 2018 Draft Special Education Strategic Plan states that the primary goal of Network Four (Autism) is ". . . to provide educators, families, and other care givers access to and support in delivery of resources, tools, and evidence-based practices that meet the intensive needs enabling positive outcomes for children."

Parent Comment: Amen! But, how dare you use the term "evidence-based"!?

In a Houston Chronicle article entitled "Special Education Law Changes Raise Concern," which was about changes in IDEA, [redacted], then executive director of special programs for the Pasadena ISD (and also a past-president of TCASE) stated that she did not know what "research-based" meant – that Texas needed to define that term.

8. The Corrective Action Response states there will be "ongoing training of hearing officers, mediators, and complaints investigators regarding legal provision of Child Find" and there will be "documentation of most recent training conducted by an independent expert in the field of special education law."

Parent Comment: What does "independent expert in the field of special education law" mean. It is well known that there are a small handful of law firms in the State of Texas who specialize in representing school districts. These law firms regularly hold workshops for school districts, education service centers, TCASE, and TASB, and they then represent school districts in administrative hearings against parents. Who are your "independent experts in the field of special education law" going to be?

9. The Corrective Action Response states that ". . . TEA May establish broad stakeholder involvement opportunities, including in put from the State's Continuing Advisory Committee (CAC) to inform and provide feedback on effective monitoring practices that may be additionally developed and implement by TEA to ensure LEAs are meeting regulatory requirements . . . ." and ". . . at least six stakeholder meetings [will be] held between May 2018 and December 2018 . . ."

Parent Comment: How will these stakeholder meetings be structured? I have attended

stakeholder meetings facilitated by TEA and Education Service Centers wherein the Delphi Technique was used. By definition: In group settings, the Delphi Technique is an unethical method of achieving consensus on controversial topis. It requires well-trained professionals, known as “facilitators” or “change agents,” who deliberately escalate tension among group members, pitting one faction against other to make a preordained viewpoint appear “sensible,” while making opposing views appear ridiculous.”

I strongly encourage that stakeholders be allowed to speak the truth, and that the listener acknowledge what is being said.

10. If you are really going to fix the culture of special education in Texas, you are going to have to develop a Code of Ethics for Special Education, and that code must have teeth in it, and that code must be enforced. I had a special education director tell me once that she just adored using a particular licensed school psychologist for independent evaluations because that expert would never tell her anything that she didn’t want to hear. This is the ingrained philosophy that denies needed special education services to eligible students.

From: [redacted]

To: TexasSPED

Subject: Comments on the Proposed Draft Special Education Improvement Plan

Date: Sunday, April 15, 2018 8:18:24 AM

Please find my comments on the Proposed Draft Special Education Improvement Plan below.

Math is my passion, Awareness, Communication, Research and Re-mediation of Dyscalculia is my mission.

The draft Special Education Improvement Plan provides promising improvements for the children in need of special education in the 1200 LEA's in Texas.

My first comment is that the word DYSCALCULIA is only mentioned once in the document however the word DYSLEXIA is mentioned 61 times, while the prevalence in the population of the two conditions is equal and the lifetime burden of not being able to do math in terms of losing out first in admission and later in graduating in college and job opportunities is larger than having trouble reading

More specifically under the section: "Training Support and Development' under the

heading: "action steps for TEA" under point 6 it mentions Dyslexia Specific Support and I feel that there should be an additional point for Dyscalculia Specific Support.with similar provisions

Also the study under point 7 " Dyslexia and related disorders reporting study" does not highlight Dyscalculia and thus I am concerned that you have not realized enough the outcomes of numerous studies indicating that Dyscalculia is just as prevalent as Dyslexia.

I would like to encourage you to consider implementing relevant parts of HB 402 (that did not pass in 2011) in your current draft See the text in the link below:

https://capitol.texas.gov/tlodocs/82R/billtext/pdf/HB00402I.pdf#navpanes=0

I would like for you to consider developing a Dyscalculia Handbook similar to the existing Dyslexia Handbook and I am happy to participate in the development of such.

Thank you for considering implementation of my comments.

Some resources:

A reason may be that funding for dyscalculia research is still lacking behind:

According to Butterworth, Varma and Laurillard (2011), the National Institutes of Health (NIH) had spent $107.2 million funding dyslexia research in the United States since 2000, but had spent only $2.3 million on dyscalculia research.

https://eric.ed.gov/?id=EJ1166703

http://legislation.nysenate.gov/pdf/bills/2017/S6581

https://www.scientificamerican.com/podcast/episode/a-math-learning-disability-as-commo-11-06-04/

Please review this fact sheet as reviewed by Dr. Daniel Ansari: https://www.understood.org/en/learning-attention-issues/child-learning-disabilities/dyscalculia/dyscalculiafact-sheet

https://www.sciencedaily.com/releases/2011/05/110526141414.htm an explanation of why dyslexia is more often diagnosed than dyscalculia by Dr. Ansari

https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1469-8749.1996.tb15029.x

https://link.springer.com/article/10.1007/s007870070009

Kind regards,

Dyscalculia Services

[redacted] | founder

office: +[redacted]

find us on facebook | follow us on twitter | share with us on pinterest

www.DyscalculiaServices.com

www.DyscalculiaHeadlines.com

www.DyscalculiaTesting.com

www.DyscalculiaTrainingCenter.org

www.Webinars.DyscalculiaTrainingCenter.org

www.DyscalculiaAware.org

www.DyscalculiaTutor.org

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From: [redacted]

To: TexasSPED

Subject: Feedback for Corrective action plan

Date: Sunday, April 15, 2018 7:50:29 PM

Attachments: image003.png

From: [redacted], Coordinator [redacted] ISD

Date: 4/15/18

Below please find a list of questions and concerns regarding the proposed corrective action plan for

special education in Texas:

Comments Regarding the Draft Special Education Strategic Plan:

1. In the TEA strategic plan, the agency outlines planned supports for districts and goals for improving outcomes for students in Special Education. It is my hope that there will be clarity on which actions are optional or mandated.

2. For the action items that require districts to submit items or prepare for audits, the agency needs to address funding for districts that are already overwhelmed so that compliance does not further take away needed resources for students. SPED departments across the state are stretched thin as it is.

3. Regarding the special education escalation team, districts need assurances that there are high standards for the qualifications of those employees and those duties are not contracted out to for-profit organizations with little or no real district experience.

4. Regarding the statements on #3 (p. 12-13) of the plan stating: "TEA is updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a section 504 plan, or were exclusively in a dyslexia or dyslexia-related program. Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation". If those students are being successful with less restrictive supports, It may not be appropriate for the student to be evaluated for a disability. Districts need guidance on what is meant by an opportunity for a special education evaluation. Does this mean that we will need to evaluate every student whose parent requests an evaluation? A decision making guide or matrix would be helpful for districts and parents.

5. With regard to the statements on compensatory services (p. 13), TEA states they will not provide definitive rules; however, LEAs will be monitored and possibly cited through a TEA Complaint regarding Compensatory services without guidance from TEA. Districts should not be held accountable for mandates with vague standards. This is part of what got us into this situation in the first place ("cap" no cap).

6. Will Federal Funds be allowed to be used to provide compensatory services? If not, will TEA earmark funding? Failure to provide funds leaves districts no choice but to cut into programs currently used to serve students.

7. TEA will need to provide clarification on the requirements for RtI, Section 504 and dyslexia

8. There is a concern that districts will not be able to meet required timelines for evaluations due to the availability of evaluators. Pg 15 states that TEA may dedicate resources to ensure the availability of evaluators. Districts are suffering from a shortage of evaluators already, much support will be needed to meet timelines.

9. The plan states that "LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services." (p. 16) What does that mean for a student with a Learning Disability who also has dyslexia? Would they get both dyslexia and special education services? Clarification is needed regarding what is meant in #6 Dyslexia-Specific Support (p. 17).

10. Regarding the statement about professional development that may be conducted. Clarification is needed regarding the expense, who will be the provider and who will be the recipients of such training?

[redacted] LSSP, BCBA,CAS

Special Education Coordinator

[redacted]h ISD

[redacted]

http://bcert.me/pygoxuqd

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From: [redacted]

To: TexasSPED

Cc: AVIT; secretary@alliancevitexans.org

Subject: Comments on the DRAFT Special Education Strategic Plan

Date: Sunday, April 15, 2018 8:25:42 PM

Thank you for the opportunity to comment on the Draft Special Education Strategic Plan. I represent the Alliance of and for Visually Impaired Texans (AVIT). AVIT is a coalition of 29 organizations committed to speak on behalf of Texas' children and adults with visual impairments.

It is wonderful to see an emphasis on Child Find and identification of students who need specialized instruction under IDEA. As noted in the report, an appropriate evaluation by qualified professionals is critical to determining eligibility.

Visual impairment is a low prevalence disability, including an even smaller group of students who are deaf or hard of hearing in addition to having a visual impairment (DeafBlind). There is a very limited number of professionals with the expertise to appropriately identify the impact of a sensory loss on learning for these students. As a result, children may not be identified or may not be provided VI-specific specialized instruction while young, and possibly years of missed educational progress may result. A teacher of students with visual impairments (TVI) and a certified orientation and mobility specialist (COMS) should be part of the educational team

for students who are visually impaired and are essential in any evaluation and intervention they receive.

This is one of several areas in the Plan of particular relevance to AVIT members. Others include:

Diagnosticians and school psychologists need ready access to training that will help them understand which of their diagnostic tools are useful for this population (and which are not). Evaluations for eligibility must be performed in collaboration with skilled TVIs and COMS in order to understand how the visual impairment impacts test administration, the children's ability to access learning and development of independent life skills.

There is a great need for training to help promote proper identification of students with visual impairment who also have dyslexia, specific learning disabilities, intellectual disability, autism, etc.

Once identified, each student with a visual impairment (including those who are DeafBlind) must have access to a certified TVI and COMS. Texas has made much progress in increasing the supply of visual impairment (VI) professionals. As the state's population grows, our university programs will need added resources to increase capacity to grow the VI field. An adequate supply of appropriately trained professionals is critical to provide required access to the general curriculum and the VI-specific expanded core curriculum.

Students who are DeafBlind need access to specialized personnel with training in their unique needs. Neither TVIs nor teachers of students who are deaf of hard of hearing are fully prepared to address the impact of dual sensory impairments. A separate certification for teachers serving students who are DeafBlind would allow Texas to better address the very individual accommodations and programming needed to match specialized instruction to each child's visual and auditory skills and communication systems. Specific training for interveners, paraeducators for students who are DeafBlind, would benefit those students for whom this related service provider is needed. These personnel are in demand but often not available when required to implement a student's IEP.

The Strategic Plan for Network Seven: Students with Sensory Impairment, proposes combining the VI ESC network with the Deaf Ed Network. Despite some overlaps in educational approaches, there will need to be a plan for continued attention to the distinct training needs for professionals serving each population. There are some similarities, such as having trained specialists working closely with families from birth, but there are significant characteristics of each population's educational needs that are different and distinct instructional strategies. Network Seven's description should also include students who are DeafBlind in the first sentence which defines the focus of this network. It is critical to have trained specialists with expertise in each sensory

impairment area (visual impairment, deafness, and DeafBlindness) as leaders in their regions.

Texas has worked hard to ensure that TVIs and COMS must have met high standards through university training. What is meant by: "Professional training and nontraditional certification opportunities for educators, administrators and support professionals; and... in Network 7?

It is unclear what structure is being put in place to support the very intensive needs of students with significant cognitive impairment. Currently this group is served by the Low Incidence Network. The VI and DB networks collaborate to ensure accommodations and modifications appropriate for sensory impairment are considered.

Specific training for local districts on appropriate curriculum, instructional strategies and student outcome measurements are a huge need in Texas and many of these students have visual and/or hearing loss.

Although the importance of assistive technology is noted, there is not a centralized structure mentioned to provide expertise in AT for the state to take the place of the existing TATN. Ensuring that this expertise is available is critical, as access to appropriate technology has become such a significant factor in educational programming for students with all disabilities, including visual impairment.

Network Eight- Rural and Small LEAs. Visual impairment and DeafBlindness are low incidence populations and providing quality services in less developed areas is a challenge. TEA might consider supporting the development of VI co-ops for serving students with visual impairments in rural areas. Forming co-ops with a lead district that hires VI professionals to serve several smaller districts with few students is a proven method for providing quality services to our students in rural areas.

As the Special Education Strategic Plan is implemented, we will look for a focus on the specific expertise needed statewide to identify and address the specialized instructional needs of students who have visual impairment and are DeafBlind.

Please let me know if you have questions. The members of AVIT are eager to partner with TEA to support appropriate identification and programming for students with visual impairment in Texas!

--

[redacted]

AVIT Secretary

secretary@alliancevitexans.org

From: [redacted]

To: TexasSPED

Subject: Comments on the Proposed Draft Special Education Improvement Plan

Date: Sunday, April 15, 2018 8:37:06 PM

I do not feel that students with dyscalculia have been properly represented in this plan. When there are as many students with dyscalculia as dyslexia, why is there so much more import placed on helping dyslexic kids succeed while those diagnosed with dyscalculia are ignored?

[redacted]

Fourth Grade

Math Teacher

[redacted] ISD

From: [redacted]

To: TexasSPED

Subject: Comments on TEA Draft Special Education Strategic Plan

Date: Sunday, April 15, 2018 10:28:24 PM

Thank you for the opportunity to provide comments on the Draft Special Education Strategic Plan. The agency's draft plan lays out a framework that can help close existing gaps in identifying and educating students in need of special education services. We appreciate the agency's intention to take a more holistic approach to monitoring of special education services and student outcomes and to promote districts' use of evidence-based practices, models, and supports. Given that students with Emotional Disturbance (ED) are the most likely among students with disabilities to be suspended, expelled, and drop out of school,

[i]

the drastic drop (42%) in enrollment of students with

ED between 2004 and 2014 in Texas (as reported by the Houston Chronicle), and the inherent

challenges in identifying disabilities that are often be “hidden,” the strategic plan must provide for appropriate identification and delivery of special education services and supports to this group of students. We respectfully offer the following comments and recommendations to help ensure this goal:

1. Include disciplinary referrals (ISS, OSS, and expulsions) of students (both in general and special education) among the multiple data source indicators used to identifying LEAs to receive monitoring visits. (see Review and Support Team, page 9).
2. Data collection should be routinely disaggregated by disability category, not only to accommodate desk reviews (see Data Collection, page 11) but for general reporting related to special education.
3. Leverage existing statute and administrative code related to best practices related to student mental health, such as Texas Education Code Sec. 21.044; Texas Education Code Sec. 21.054; Texas Education Code Sec. 21.451; Texas Education Code Sec. 37.0812; Texas Health and Safety Code Sec. 161.325(f); Texas Education Code Sec. 28.004; Texas Education Code Sec. 37.0013; Texas Education Code Sec. 21.462; Texas Health and Safety Code Sec.161.325 (see Other Related Work, page 12).
4. Engage all offices within TEA’s Department of Special Populations in providing/ensuring targeted outreach to parents/caregivers of students who are in foster care; have mental health concerns; are homeless; migrant; and are English language learners (See: Outreach Campaign to Identify, Locate and Evaluate, page 13) and in developing professional development and support for educators on effective practices (see Professional Development and Expert Support, page 16);
5. Change “correctional settings” to “receiving services from the juvenile justice system” in the list of underserved and hard to reach populations. This should include students committed to a state- or county-run facilities and students on probation. (see Targeted LEA Outreach to Parents Most Likely Impacted, page 13)
6. Training on RtI strategies should include behavioral strategies and not just academic strategies. (see Professional Development, page 16)
7. In exploring options related to improving educator preparation and continuing

education, leverage existing statute related best practices related to student mental health, including Texas Education Code Sec. 21.044; Texas Education Code Sec. 21.054; Texas Education Code Sec. 21.451 (see Educator Preparation, page 18).

8. Include trauma-informed practice in the list of activities to support learning opportunities and improvements (see Network Five: Intervention Best Practices, page 22; Students with Intensive Needs, page 23). Nearly one in four (24 percent) children in Texas were estimated to have multiple traumatic experiences that place their physical, social, emotional, and educational development at risk

[ii]

- - even before Hurricane Harvey, which

affected more than a million public school students, devastated Texas families, schools and communities. Students with disabilities are at increased risk for experiencing trauma, although they are often under-identified and under-served with trauma-informed practices/services.

9. Educator learning opportunities and improvements related to students with intensive needs should not be limited to students receiving special education services. Only about 10 percent of children in Texas estimated to have a serious mental disorder that severely disrupts their functioning (estimated at 250,000 by HHSC) are enrolled in special education under the ED category. Learning opportunities and improvements should also address effective practices to help students returning from in-patient mental health services successfully transition back into public school, regardless of their receiving special or general education services. (see Network Six: Students with Intensive Needs, page 23).

10. Include “emotional” in the list of exceptionalities (not just “behavioral”). Co-occurring mental disorders (even if they do not meet IDEA’s criteria of ED) should be included within the scope of multiple needs of students with disabilities. (see Network Ten: Multiple Exceptionalities and Multiple Needs, page 25.)

Respectfully,

[redacted]

[redacted], MSSW

Director of Mental Health Policy, Texans Care for Children

We drive policy change to improve the lives of Texas children today

for a stronger Texas tomorrow.

512-473-2274

www.txchildren.org

[i]

U.S. Dept of Education. (2017). 39th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education

Act. https://www2.ed.gov/about/reports/annual/osep/2017/parts-b-c/39th-arc-for-idea.pdf

[ii]

Child and Adolescent Health Measurement Initiative. (2016) Data Resource Center for Child and Adolescent Health. 2016 National

Survey of Children's Health (NSCH) data query. Retrieved 10/20/17 from www.childhealthdata.org

From: [redacted]

To: TexasSPED

Subject: TEA Corrective Plan- Action needed input

Date: Monday, April 16, 2018 9:48:27 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the students that

were denied special education services, nor will it prevent a similar event from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

• TEA enforced monitoring of public schools. Currently, there are little to no consequences for public school

employees or schools that break special education law. TEA should enforce the laws that are in place with

consequences to individual public school employees that break the law, as well as consequences to the school

district that break the law.

• Provide guidance to public schools that allows parents to have the child's private therapist observe the

child at school with the parent's permission.

• Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work

directly with their children, especially those public school employees that care 1-1 for our special needs children.

Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

• Requires public school employees that work with special students be trained for the student's specific

disability and how to meet their personal needs, before they work with a student or within the first week if unknown

ahead of time.

• Require schools to increase the academic opportunities for special needs students that fail a class, on

state tests or district benchmarks. Some options might be to provide:

• Pullouts for small group instruction.

• Require schools to provide the option of all day co-teaching classes rather than the current sporadic

push-in support that may/may not be currently provided.

• Tutoring at all campuses that is made available to all special needs students. The school could provide

regular tutoring before or after school for any special needs student that struggles.

• Increase in RTI for students that are struggling.

• Require that all Texas public school employees that are on ARD committees be trained in-depth on IDEA,

the rights of a student to an education and the rights of parents to participate, including how to help parents

collaborate with the ARD committee.

• Create an annual survey to be given to ALL special needs parents in Texas that include a

portion with open ended questions that allow for honest feedback on the state of the special education in

Texas Public School Districts. Publish the results on the TEA website by school district, to promote

openness and improvement.

• Require school districts to provide actual therapy, not just the monitoring that is occurring now & being

called therapy (physical therapy, speech, etc.)

• Require that schools provide accommodations/services for all special needs students to safely participate

in extracurricular activities, field trips and school functions. Enforce and monitor this law.

• Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant

red-tape that currently exists.

• Require schools to either provide Extended School Year or prove that a child does not need it.

Currently, this is subjectively decided at most schools and students are being unfairly denied extended

school year.

• Create an Advisory Committee made up of special needs parents from all Texas Public School

Districts. These parents should be elected by other special needs parents in their district and should meet

quarterly with the TEA's Administration to discuss the state of the special education program in Texas

Public School Districts. The committee's recommendations should be made public, along with the

decisions of TEA regarding these recommendations.

• Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should

not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School

Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as

intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not

school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be

prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and

collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD

meeting, but a full ARD committee member as stated in federal law.

• Cameras should be installed in all public areas of school buildings.

• Parents should be notified if any public school employee working with their child has received

disciplinary action. Parents have a right to know if the person taking care of their child is under

disciplinary action.

• Requires public school employees be held accountable for responding to parent's concerns in a timely

manner and state a specific reasonable amount of time for the response.

• Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Texas Education Code Chapter 26 states Parents have a right to be active participants on their child's education. Most students with disabilities also have a communication disability, some of them are nonverbal. We need our schools to consistently and efficiently provide information about what our children

are being taught at school. Reports every 9 weeks are utterly inefficient. Public schools insist this is a matter for every teacher to do… it is not. It is a duty of our schools to comply with our Texas Education Code.

Texas Education Code Chapter 26 also establishes the right for every student to be challenged. Most of our students in special education are receiving modified or alternative academics. There are no establish books. Each student with disabilities have a right to have home access to their educational materials in an

appropriate format for them to continue their learning just as our regular students do. PDF access from time to time are not approved forms to provide home access to our most at need students.

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Monday, April 16, 2018 10:25:49 AM

[redacted]

[redacted]

[redacted]

April 16, 2018

Dear Texas Education Agency,

To whom it may concern,

Thank you for the opportunity to provide feedback and input with regard to the most recent draft proposal of Special

Education Strategic Plan.

Review and Support Team (pp. 8-10)

I am concerned about two things with regard to this portion of the Strategic Plan. First, the amount of financial

resource that will be spent on all the additional staff and related expenses required to carry this out is of concern.

School district funding has been an issue for many years. During the 20 years that I have been an educator, we have

seen funding reduce dramatically. There are many challenges in our district and a number of them could be

addressed more effectively if we had the financial resources necessary to tackle them. It is very frustrating to hear

that we are not going to have the number of teachers that we need, the materials that we need, the number of

classrooms to adequately address student need due to lack of funding. At the same time, TEA will spend millions of

dollars on additional staff and overhead associated with a dramatic increase in monitoring activities.

While I understand the importance of ensuring compliance with legal requirements as it relates to student success

and parent involvement, increased monitoring will put a large burden on districts in terms of time and stress for staff

members. The added monitoring through desk audits, on site visits and increased PEIMS submissions will create a

huge burden for LEAs. These added requirements will be managed in an atmosphere of reduced financial support

from the Texas Legislature. It is frustrating, to say the least, to think of all the time, attention, and resource that will

be applied to this initiative. What I want, as an educator who is passionate about student success, is to spend most

of the time, money and energy that is available on students rather than on being examined for an alleged atrocity. I

hope that TEA will take into account the limited resources available to LEAs as additional requirements are heaped

on.

There are numerous comments throughout the plan that state actions that TEA may take or will likely take. Some of

these actions sound like they could be positive for school districts. For instance Pre-Visit support or that districts

may have an opportunity to provide additional information on corrective action steps that are included in reports. In

the final plan, I hope to see more clear statements about how TEA is going to carry out this plan. It will also be

critical for the Strategic Plan to provide clear guidance for districts.

Page 13

TEA Evaluation support and Compensatory services

I was concerned to not see Speech/Language Pathology (SLP) evaluation support included in this document. The

district SLPs are involved with many evaluations that occur throughout the school year. We have already seen a

significant increase in the number of evaluations requested in our district. I anticipate that we will see this trend

continue so that evaluation tasks become an even more significant portion of our workload. Without adequate

funding to hire enough SLPs to cover the therapy caseload growth in our district, I am concerned that we will need

access to additional help. It is not clear in the document whether this evaluation support will be paid for by TEA or

if districts will be required to pay. I would like more information about how this will work and the assurance that

ALL evaluation staff be included in this support if it is offered.

I am very concerned about the proposed requirement for districts to provide compensatory services. I would like

more clear information about how that will be determined and specifics about what compensatory services will need

to look like. The potential for this to be a huge financial burden for districts is of concern to me.

Clarification with regard to the identification of Dyslexia via General Education procedures would be appreciated.

For many years, it has been confusing for parents and educators to navigate the murky waters of Dyslexia as a

General Education program when, in reality, Dyslexia is a type of learning disability. It is not unusual for students

to need both Dyslexia services and SPED services. The separate systems that exist around these programs make it

unnecessarily difficult to carry out the procedures that are necessary in order to document these services for

students.

Thank you again for the opportunity to provide input/feedback with regard to the Strategic Action Plan.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Plan feedback

Date: Monday, April 16, 2018 10:49:16 AM

Hello,

Please consider carefully the following feedback. I am a parent to 2 kids, one of them has autism, the other has dyslexia.

First, The TEA needs to fire those associated with the cap who are still employed there or were decision makers who made this decision that affected thousands of kids. In any other industry, they would have lost their jobs. Frankly, I don't trust anything the TEA does, until this housekeeping is finished. They should not be allowed to make decisions for students ever again.

Second, I know that the TEA has determined it will not alter how the allotment of funds to actually go to directly improve things for students receiving special education. I strongly disagree with this decision. As uncomfortable as it is, the TEA should not be rewarded with hiring helping hands for breaking the law for over a decade. From a behavioral and moral standpoint, this is wrong. I absolutely think creative thinking and ways to use the money earmarked for the TEA should be

revamped and legislative action about how funds are distributed should be taken. The governor can call an emergency special session to do just that. There is a lot of respect to guidelines about how money is spent, and not enough respect for the fact that the agency that broke the law is now claiming the laws prevent them from getting funds more directly to LEAs. To prioritize monitoring over services is a mistake. There is nothing to monitor if things don't improve at the ground level. It is a moral imperative to prioritize KIDS over the TEA. Do what needs to be done to make this right, and stop focusing on barriers to distributing funding. If all the feedback you receive is saying this in a different way, perhaps that feedback should be listened to.

Page 3, paragraph 1. The purpose of special education should be " to ensure all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living"

Page 3, paragraph 2. If they are acknowledging school districts are the ones to do the heavy lifting, they need to acknowledge funding themselves first is a misstep.

Page 4 change all the "mays" to " wills".

Page 4 and 5 Basing any kind of graduation rates on the STAAR is fundamentally flawed. Because aspects of disability may manifest itself in diminished assessment taking skills, they should look too at alternative certificate numbers or who completed the coursework, but could not pass this EOC. This data point is essentially moot. They would have to look at IGC meeting stats.

Page 5 change the purpose of these special education services is to ensure that special education students can obtain the same level of academic success typical of their peers" to something more like " the purpose of special education services is to ensure students RECEIVING special education can make meaningful progress in the general education curriculum typical of their non disabled peers. "

Page 6 again, the STAAR results are garbage, since there is too much variation in disability to really know how much disability affects a student's ability to meaningfully take an assessment. Just the number of students with dyslexia in the state would skew the reading numbers.

Page 7. What are the broader steps to go far beyond the USED corrective action plan? All I see is the TEA bulking up their numbers, and that won't translate into better outcomes for students.

Page 8 (This is one of the most important things to me personally) The review and support team. Risk assessment Index needs to be clearly defined. It also needs to include: formal state level complaints, discipline referrals, restraint data, " timeout/cool down " corner data, number of camera footage requests, and any pending federal formal complaints. Those complaints need to include complaints made in Spanish. Number of requests for ARD translation services and IEP translation services.

The phrase " should not narrowly focus on process and legal requirements, but rather guided by an effort to support the most effective practices that lead to improved outcomes for students" I STRONGLY disagree with this statement. Those laws dictate best practices and we are not in compliance with the laws, which is why we are in this mess.

Page 10. The escalation unit needs to include people who know special education and be diverse (include people of color, including a bilingual/bicultural person Spanish/English).

Page 10 Review Process Development " TEA may work with a partner organization.." This needs to be more clearly defined. Will there be a bid process? Who will the stakeholders be? The vagueness makes me uneasy and doesn't define who will pay for this.

Page 11 Data collection: " Coding of dyslexia, dyscalculia, and dysgraphia AND RELATED DISORDERS".

Page 13. TEA Evaluation Support. How exactly will LEA's predict the approximate number of students and other relevant info to create a schedule?

Page 13. How will it be proved that students need compensatory services if there is no paperwork about their academic progress and they were just passed through? Will this be like ESY, that is impossible to prove regression?

Page 14 Change .." TEA MAY solicit feedback… to " WILL solicit feedback

Page 15 Complaints : LEA's are expected to have their complaint processes accessible and clearly outlined for the public. This needs to be in Spanish and I am confused, isn't the complaint process state wide to the TEA only? As far as I know you can choose between a federal level complaint or a state level complaint, so what is this talking about?

Pg 15 Training and Development : " professional development should focus on peer reviewed, research based best practices not on effective implementation …

Page 15 Additional Evaluation Capacity : the language needs to be changed from " may" to "will"

when it comes to bilingual evaluators (SUPER important to me)

Also, " short term" needs to be defined. It says 2018, but the plan is due in Jan of 2019, which means the time will run out and they won't have to do this.

Page 16 Expert Support existing call center must hire bilingual people.

Page 16 The Texas Dyslexia Handbook needs to include explicit information about ELL learners and solicit feedback from ELL learners with dyslexia or their parents to know how to best address this group.

Page 18: the call center/web based resource needs to include Spanish speakers and be accessible.

Page 19: Parent brochures need to be in Spanish.

Page 19: the sentence " As part of the state discretionary funds that TEA receives under IDEA for state-level activities, TEA grants or contracts out services, supports and networks" . HUH? Are there not only federal funds given to the state? Also, why can this money be used to contract out services and supports that may not directly translate into better outcomes? Are grants to LEAS not considered state level activities? Prioritizing the TEA absolutely will not translate into better outcomes from students. It adds administrative cost and bureaucracy. Change the rules to prioritize KIDS.

The NETWORKS need to be revamped to not be disability specific. It creates a hierarchy of need and perpetuates division and prejudice. It should be based on need.

The following feedback is only relevant if the networks are not revamped:

Network one needs to include ELL learners who rarely get referrals for special education or Gifted/Talented.

Network 2 needs to include cultural sensitivity training.

Network 3 under activities that may support… needs to include guidelines for PPCD classrooms to teach classroom behavior expectations that mirror the general education classroom, so they can transition in a supported way.

Network 4 autism:

" Differentiated guidance, support, and PD, on supporting students with HFA" Why exactly is differentiated support needed? Also can we not perpetuate disability hierarchy? This should include all ASD without high/low functioning labels.

Network 5 under activities, please include “ promotion of the principles of self determination “

Network 6 needs to include mobility impairment and medically fragile kids.

Network 9 : The goal of child centered transitions is not to provide assistance that increases knowledge, builds capacity… It is so the student can make the most meaningful progress in LRE with general ed curriculum.

Activities may include: “ Preschool programs for children with disabilities with focus on growth outcomes and kindergarten readiness “ . We don’t need PROGRAMS, we need INCLUSIVE classes, that largely include gen ed classrooms.

Please include in activities “ guidelines for self contained classrooms to teach behavioral expectations in a uniform way so the student can transition to general education settings”. The fact is, kids in exclusively special education settings are not being taught the necessary basics to have success in general education classrooms. Teachers are not prepared to deal with them, and they get stuck in segregated settings.

Thank you,

[redacted]

Parent advocate

2018 Graduate of Texas Partners in Policymaking

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Monday, April 16, 2018 11:35:39 AM

[redacted]

[redacted]

[redacted]

April 16, 2018

Dear Texas Education Agency,

I am a special education administrator in Texas public schools. I am writing today in regard to the March 2018

DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on

this improvement plan for special education in Texas, I offer the following suggestions and comments:

Any required targeted outreach to certain student populations must be aligned with the needs and disabilities defined

by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who

received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation

plan under Section 504, and who received instruction through the dyslexia program under state law. If this

additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an

evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services. In my district alone, we would be required to evaluate over 2000 students. Currently

we conduct approximately 700 initial evaluations a year with a staff of 50 diags/LSSPs, 50 SLP, and numerous other

service providers. The expectation of conducting 2000 initial evaluations in 45 school days is ludicrous. There is no

way TEA can hire additional assessment staff to support LEAs and conducts the thousands of evaluations this plan

suggests.

From: [redacted]

To: TexasSPED

Subject: KISD response on SIP/CAP

Date: Monday, April 16, 2018 12:43:59 PM

Attachments: image001.png

[redacted] ISD is proactively addressing the USDE findings by analyzing each in relation to our

district's processes and procedures. While it is clear that there are areas in which we can improve,

we believe that there are many great things going on within our schools in supporting children with special needs and we maintain that Special Education is, and will continue to be, a priority in [redacted] ISD.

In response to the 2nd Draft Special Education Improvement Plan and Corrective Action Response, please note the following feedback:

· There are not enough diagnosticians or evaluation staff in the state to meet these requirements. The plan suggests that TEA will provide temporary support of contracted staff – "if requested". How will the requests be prioritized and deployed in order to meet deadlines?

· TEA should advocate with legislators to create a bill that will extend the state evaluation timeline from 45 days to 60 days as allowable under IDEA.

· The on-site monitoring every 3rd year and annual desk audits that are to occur should be done by individuals trained and knowledgeable of Special Education- not just hired help to review paperwork/checkboxes.

· Significant funding should be allocated specifically to the effort of implementation of the Corrective Action Plan – This plan will have a significant negative impact on the amount of funds currently being utilized for students with special needs. How can we improve our programs and instruction while at the same time funding additional assessment, additional contracted services, and providing compensatory services?

o The plan calls for $65 million to be distributed for compensatory services – there is no allocation of funds in terms of any of the other costs associated with the plan for districts.

· Training should be streamlined, consistent, and a unified message required for ALL educators.

· Technical Assistance and training should be provided at no cost to the district.

· If the plan will cost TEA $211 Million over the next 5 years, how much should the district anticipate in costs?

We appreciate our parents, teachers, and staff working together to make certain that we are maintaining best practices and positive relationships in the best interest of our students with special

needs.

[redacted] | Executive Director of Special Education

[redacted]

[redacted]

CONFIDENTIALITY NOTICE:

This e-mail and attachments may contain privileged or confidential information. If this email is not addressed to you,

promptly notify the sender and delete the message.

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plans

Date: Monday, April 16, 2018 3:38:14 PM

Texas Education Agency (TEA) Asks for Input

The US Dept. of Education has issued the requirement for Texas school districts to undergo corrective action for failing to outreach and engage sufficient special education students. TEA has requested comments on their initial plans for corrective actions. This is the comment submitted by Cogtrium and Emmhealth.

Emmhealth and Cogtrium Comments Concerning TEA Corrective Action Plan

We are a technology venture aimed at improving delivery of services to patients by supporting therapists engaged in the identification and treatment of cognitive disorders and conditions.

We launched our Texas outreach to school districts at last year's TASB conference.

It is very good that Texas Education Association (TEA) is looking at improving the Special Education processes to ensure that students are identified for eligibility getting to get the services and support they need. We performed our own analysis before launching our services in Texas. We reached a similar conclusion as the US Dept of Education that Texas is underserving its special needs student population. As TEA goes ahead in executing its corrective action programs we suggest that you look at the objectives and the processes as a whole.

In our corporate culture we are committed to incremental process improvement beginning with

where an organization is now and moving to where they want and need to be. We have found applying Lean principles to be very helpful in focusing processes.

Districts need a constraints-based management system designed to create a culture focused on efficient process execution. A thorough understanding of what each district does in reference to their mission and support of their students is critical. Setting common goals and vetting them through all stake holders ensures commitment, ownership and teamwork toward accomplishing goals. A common vision by solidifying processes with measurable performance that guide data-driven decisions will ensure better support for Special Education.

The idea of constraints is very applicable to district administration of special needs students. IDEA legislation sets requirements for districts for “all” affected students. Districts have obligations under IDEA for children from birth to 22. The US Dept. of Education found Texas deficient because the Texas student population is skyrocketing and the number of students “qualified” for special education services is declining. The conclusion is Texas students that need and qualify for services are not being identified. The corrective action plan focuses mostly on solving this problem.

It can not be overlooked that just identifying and qualifying students for service is not enough. The real reason for IDEA and special education is to improve the lives of children. Identification is not enough. The same statistics that demonstrate that not enough students are being identified for services also demonstrate that the actual volume of per student services is also not adequate.

Every SLP and school psychologist knows that a student that receives services once a week does not do as well as a student that receives services more frequently. Research overwhelmingly shows that frequency is the major predictor of student outcomes. Early identification and proper early intervention dramatically improves student outcomes.

The logical path is:

1. If you don’t identify and qualify a student, they won’t get services
2. If services per student are not increased outcomes will not improve
3. If outcomes don’t improve the ultimate goal is missed

Budgeting, cost and funding will always be major constraints. There will always be

competition for funds at all levels. The legislature is always weighing the needs of all parts of government against available funds. The same is true at TEA, at the district level, and even at the department level. There will always be a need to do more for less.

Processes have specific, predictable results once they are understood. Processes are based upon established goals, principles of standard work, and metrics that help the process doers understand the status and how they affect the overall process. Any process can be measured by throughput and focus on Continuous Process Improvement activities. There is science behind the creation of processes leading to predictable outputs. Once a process is set up using Continuous Process Improvement methodologies and science, it is monitored and measured for performance. Process efficiency, coupled with eliminating non-value-added process waste, equates to speed.

A District culture that is focused on identifying and urgently eliminating process constraints affecting the process critical path during execution can achieve success in every child's life. This culture relies on the skills, abilities and forward thinking of the district workforce to create the necessary teamwork to enable success. Student success is the key indicator that the process is set and the culture is in place to enable Districts to reach their goals and provide results.

One of those "Out of the Box" solutions is Telehealth. Cogtrium is a Telehealth platform that allows for increased efficiencies of current district staff up to 65%+ and also provides resources/specialist when needed.

This is an example of doing more for less. For example, SLPs are averaging 15-18 student sessions per week under current conditions. Telehealth using the same SLPs can increase to 22-26 sessions per week. The financial impact is huge for a district. The cost of a Texas SLP averages about $70,000 per year plus benefits and travel reimbursements. That cost remains the same whether one session is done or 100s are completed. Since IDEA services are reimbursed by Medicaid that means more reimbursable events per therapist are created.

If this is coupled with self-documenting systems and document automation, then even greater efficiency can be achieved. A nice side benefit is that therapists tend to report higher job satisfaction when "tedious" paperwork is reduced. Therapists also report greater job

satisfaction when they are able to do more per child and see greater results.

Once districts begin having success and the principles of incremental improvement are set with a constraints-based management system and are working towards measurable goals, Districts will be able to identify the constraints and issues needing to be fixed in order to achieve their goals. Once these constraints are identified, a district can then continue its own corrective actions to resolve these constraints.

It is not about working harder, cutting corners or jeopardizing the support of Special Education, but about expanding the vision of what is truly possible and refusing to settle for marginal improvements. Sometimes all it takes is some creative thinking to provide "Out of the Box" solutions to make life changing success in a child's life.

In executing the corrective action plan districts must always relate the activities they are doing to their ultimate goal which is always to benefit the lives of children.

This can be an exciting time of opportunity for special education. The corrective action has the potential of focusing solutions in a powerful way that can potentially improve the lives of many children.

Respectfully submitted,

[redacted]

Cogtrium

Emmhealth

President

[redacted]

WWW.Emmhealth.com

From: [redacted]

To: TexasSPED

Subject: comments on corrective action plan

Date: Monday, April 16, 2018 4:24:52 PM

I am a parent with a child in Special Education in [redacted]. My recommendation are as follows;

1. Autism needs focus and teacher education. Many autistic kids are bright and have academic potential, but training for Scores teachers is limited, and General Education teachers especially

need more training and resources.

I have the following suggestions:

a. Scores teachers need more training in positive behavioral interventions and social skills support. Many have little or no direct training with autism.

b. General Ed teacher training: Each campus grade level should identify a teacher to get extra training, who can then be a resource for the other teachers. In inclusion classrooms, Gen'l Ed teachers are the ones dealing with our kids and many are confused about what autism is, and they think the child is just misbehaving, or lazy. This is damaging to the child's self-esteem and motivation. Parents have to do the 'heavy lifting' of explaining the disability, and pleading with the teacher to give their child appropriate accommodations.

c. Accountability for support of accommodations: when a teacher does not give a student the accommodations they are supposed to have, there should be a way to report it.

c. District level autism intervention/mediation person: when parents have a problem with a teacher, whether Gen Ed or Sp Ed they need to have a person outside of the school to turn to. It's very intimidating to face the principal when the SpEd support has been completely misinterpreted or ineffectively implemented.

d. Parent surveys: You would learn a lot if you asked parents, with routine surveys. Results should be tabulated for each campus.

e. Support for transition to college: many autistic kids have academic skills to go to college, but the only SpEd support for transition is for going into a job. Autistic kids are terrified of change, and of meeting new people, so they need more support than the college counselor can give. There needs to be 'bridge' program between college counselor and Scores, along the lines of an Avid program.

f. Social skills groups: there needs to be more training in making structured and unstructured groups to develop social groups and connections for autistic kids, and especially to look for ways to successfully interact with nuerotypical population, to help them lean to integrate.

g. Accommodations in magnet schools: this is a very confusing topic, and autistic kids at these schools are denied accommodations routinely provided at other schools, which is unfair. The policy needs to be stated at the district level, and their should be a district liaison to refer

to if a question arises.

thank you,

[redacted]

[redacted] Principal

POLLEN

Architecture & Design

New, Temporary Address:

[redacted]

From: [redacted]

To: TexasSPED

Subject: CAP COMMENTS

Date: Monday, April 16, 2018 5:21:35 PM

I would like to offer the following ideas as feedback to the Special Education Corrective Action Plan:

I would like to know how the data would look if the state also included the number of students who have been identified as having dyslexia since in most states dyslexia is considered an identifying area for special education but in Texas it is not. I believe all those students with dyslexia should be considered for the specific learning disability category. Perhaps we would find yet another area of concern... over identification for dyslexia or under representation of African American students for reading disabilities.

I have grave concerns for the review and support team being named an escalation unit. For an LEA to receive this intense level of support they must be experiencing significant issues of noncompliance. The “escalation unit” sends a message of threat and attack when we really need people thinking logically and being responsive to the needs of students. If they can view

TEA as a system of support and empowerment to respond more appropriately to the needs of students then we might see a more positive response to this team resulting in more positive outcomes for students and school staff. That will require the TEA team to act in that manner, however.

I agree students should be reconsidered for services when they were DNQ'd on an initial evaluation and they are now failing. However, I am curious as to how that re-evaluation process and provision of compensatory services is going to be financially supported. I do not view this issue as a complete fault or financial responsibility of the LEAs when they were being negatively impacted for their identification of students for services and supports. As a tax payer and a supporter of public education, I expect our legislature to financially support the educational needs of our students and citizens. A failure to provide the necessary resources is a long-term failure for our society and a failure of responsibility of our state government.

Our families are frequently misinformed and misled about the purpose of specialized instruction and the referral process. More effort needs to be made in clarifying why and when students should be referred as well as clarifying the continuum of services and delivery modes. Providing informational videos, QA documents and support services through the parent education and information programs would provide parents with necessary tools for making informed decisions for students.

Teachers are conditioned to refer struggling students for evaluation because they need all students prepared to master the high stakes tests. If teachers were trained and allowed to take time to build relationships with students and families, to learn their expectations, hopes and dreams and design instruction that allows for student success regardless of academic ability then there would be less need for students to be referred for evaluation because they would be showing progress and success.

You mention the need for bilingual evaluators, education diagnosticians and school psychologist in the short-term. (p.15) The plan does not mention the need for bilingual speech pathologists, OTs, PTs, and counselors. These all play critical roles in the evaluation process as well as the delivery of services. All of these professionals need to have an understanding of

cultural differences, unique beliefs about the values and expectations for education as well as be able to communicate with students and families.

One of the glaringly missing factors in this plan is cultural awareness and responsive instruction for students who are from culturally different backgrounds. In every area, in every context, in every consideration should be culture. Children from culturally different backgrounds demonstrate learning and behavioral differences that are misunderstood as disorders. Too frequently they are being taught in ways that are disengaged from their cultural beliefs and values and have little to no authentic relativity to their community and life experiences. Teachers need training in how to provide instruction with cultural considerations and provide voice and choice to students as they learn content that may seem foreign or irrelevant.

Another concern is the lack of focus on behavioral health issues in education. More and more children are entering our system with behavioral health concerns. In the RTI process the social emotional health of the child should be considered and interventions should include instruction in the area of social skills and behavioral interventions extending to the family involvement.

Each of the networks should include a component of cultural relevancy as well as behavioral health concerns. The RTI process, the evaluation components and the standards for eligibility should consider the cultural background so as not to misidentify students. Family and community engagement, inclusive practices, progress in general curriculum, interventions, best practices, students with intense needs, and rural LEA needs all require a consideration of culture and social emotional health expectations. When the networks are established as silos the vision of the whole child is lost. The networks need to work interactively and collaboratively so as to consider the whole child.

Children with autism, culturally diverse children and second language learners have a higher risk of experiencing education trauma. Teachers who do not know how to respond, respond from their own past experiences, biases and stereotypes create traumatic situations for students who are diverse. If we are going to prevent special education identification in appropriate ways we need to focus more on the needs of the child, the relationships they have with the

instruction and the supports they are offered.

This issue has turned into numbers instead of people and children and needs. If we do a better job knowing children and their families and the needs they have, providing effective responsive instruction, and create space for family engagement, authentic student involvement and a focus on long term success we will not be so worried about whether a child needs specialized instruction or not.

Sent from my iPad

From: [redacted]

To: TexasSPED

Subject: Comments on Draft Special Education Improvement Plan and Corrective Action Response

Date: Monday, April 16, 2018 5:27:36 PM

Thank you for offering the opportunity to comment on this newest version of plans to improve Special Education in Texas. I am pleased to see a more comprehensive plan built from various input received from stakeholders. However, I would like to share the following concerns with this March 19, 2018, version of the plan:

(1) I see a number of areas where TEA is stating it "may" or "will likely" do something, when in fact it should simply plan to do so. I am most concerned about this in the following places: PAGE 14 ONGOING ACTION STEP 1 not "TEAs special education team ... will likely lead a series of trainings for LEAs ..." but "TEAs special education team ... will lead a series of trainings for LEAs ..."; PAGE 15 ONGOING ACTION STEP 4 not "TEA may provide clarification ..." but "TEA will provide clarification on the requirements of RtI, Section 504, and dyslexia-related topics ..."; PAGE 18 ACTION STEPS FOR TEA 10 not "TEA will explore the development of training resources for school boards on special education..." but "TEA will develop and implement training resources for school boards ..."

(2) PAGE 18 ACTION STEPS FOR TEA 8 I am please to see an effort to make special education funding more transparent to ALL stakeholders, including parents - this is extremely important.

(3) I am never pleased to see specific disabilities such as Autism or Dyslexia called out in documents like this. Special Education affects students with a huge variety of disabilities: physical, sensory, developmental, learning, cognitive - the list goes on. In my experience,

calling specific disabilities out segregates services, and in some cases, students. However, if indeed Autism must have its own network (Network 4), why must it also be singled out in Network 6: Students with Intensive Needs? On PAGE 21, in a bullet point under the 3rd paragraph, you say "Projects ... must include the following: State Level Professional Development for School Personnel and Parents of Students with Autism..." . Why only "Parents of Students with Autism" ? It is not ONLY students with autism that have intensive needs, and parents of other affected students should be treated equally.

(4) Similarly, under NETWORK 7: STUDENTS WITH SENSORY IMPAIRMENTS, on PAGE 24, you offer "Resources for increased community access and lifelong living skills, including social, recreational and employment opportunities;" I do not deny these are needed for students with sensory impairments, but they are also needed by students with other disabilities. It seems to me this belongs in NETWORK 9: CHILD-CENTERED TRANSITIONS as an opportunity for any child in need of it.

Thank you again for the opportunity to comment. I look forward to seeing the next rendition.

Best regards,

[redacted]

Houston Parents for Inclusion

From: [redacted]

To: TexasSPED

Subject: Texas Special Education Changes

Date: Monday, April 16, 2018 6:05:07 PM

Thank you for the opportunity to comment on the Draft Special Education Strategic Plan. I would like to speak on behalf of Texas' children and adults with visual impairments.

Visual impairment is a low prevalence disability, including an even smaller group of students who are deaf or hard of hearing in addition to having a visual impairment (DeafBlind). There is a very limited number of professionals with the expertise to appropriately identify the impact of a sensory loss on learning for these students. As a result, children may not be identified or may not be provided VIspecific specialized instruction while young, and possibly years of missed educational progress may result. A teacher of students with visual impairments (TVI) and a certified orientation and mobility

specialist (COMS) should be part of the educational team for students who are visually impaired and these team members are essential for all evaluations and interventions they receive.

Because of the low prevalence and the need for strong vision professionals, regional service centers provide a valuable role. They provide support not only for teachers but a direct role in supporting students by providing materials, equipment and devices specially designed for students with a visual impairment. They provide family support as well. Do not take funding away.

Vision professionals (TVI, COMS, DeafBlind, Interveners, Braillists) are in demand and in some areas not available. Continued support in all areas of the state is needed. Appropriate curriculum, instructional strategies and student outcomes for students with a visual impairment are unique. We must keep a well-rounded level of expertise in the field.

Texas has worked hard to ensure that TVIs and COMS must have met high standards though university training. What is meant by "Professional training and nontraditional certification opportunities for educators, administrators and support professionals? Only those individuals with specialized training should be in positions of educational expertise.

Assistive technology (low and high) are used by all students with a visual impairment. Where is the assurance that the resources, knowledge, teaching strategies, evaluations etc. will be provided?

Our Local Education Agencies struggle financially to provide appropriate services for students with a disability. Taking money away from districts is not acceptable.

It is wonderful to see an emphasis on Child Find and identification of students who need specialized instruction under IDEA. As noted in the report, an appropriate evaluation by qualified professionals is critical to determining eligibility.

[redacted], Ed. S.

Teacher for the Blind and Visually Impaired

Certified Orientation and Mobility Specialist

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Strategic Plan feedback

Date: Monday, April 16, 2018 6:23:59 PM

I work in the field of assistive technology (AT) in the K12 schools. I am an occupational therapist (OT) licensed in

TX for 18 years and an assistive technology professional (ATP) for 10 years.

I have two sons whom have graduated from Texas K12 schools, and Texas universities.

The proposed statewide networks do not accurately assign AT as a supportive service in the various networks.

AT should be a part of the network targeting low incidence population, but communication is only one area of AT

provided for these students. It is incredibly important that these students also receive AT support for access to the

curriculum, whether it is for physical, sensory, or cognitive purposes.

AT and educational technology should be an important part of inclusion support for the high incidence population. It

is a necessary support for students with dyslexia, executive functioning disorders, fetal alcohol spectrum, drug

related cognitive processing disorders, and many behavioral disorders.

AT should be considered for all students with Autism for dysfunction in the area of expression - written and oral.

Computerized supports are structured, consistent, logical, and limitlessly adaptable. All of which are needed to

support learning for AU students.

Thank you for the opportunity to provide feedback.

[redacted]

Harris County

[redacted]

From: [redacted]

To: TexasSPED

Subject: SPED Improvement plan

Date: Monday, April 16, 2018 9:26:16 PM

Hello!

I was just reading the draft improvement plan again and had the following comments:

1. For local campuses, there should be a way to monitor discipline of SPED/504 students. Often "invisible disabilities" like ADHD are addressed by punishing students instead of helping them succeed.

2. Along the same lines, students with significant discipline issues should be screened for LD's, attention disorders, etc.

3. When schools are visited/monitored, parents of children with 504s/IEPs should be contacted and interviewed. The school should not have any input into who is contacted and should not be present at the meetings.

4. In [redacted], magnet schools often have lower %s of SPED/504 students. It should be made extremely difficult to remove a SPED/504 student from a magnet school. We have experienced 2 separate schools that use the tactics of making life terrible for SPED students so that they will leave the school. This needs to be stopped. SPED and 504 students should have equal access to magnet schools.

Thank you very much,

[redacted]

Parent to 2 SPED/504 students

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Monday, April 16, 2018 10:10:30 PM

Hello,

In regards to not providing identification and remediation, we need the LEAs to accept a neuropsychologist

diagnosis of dyslexia. I have spoken with 3 other doctors that all agreed with the data conclusion that clinically, my

[redacted] has dyslexia. Yet the school still denies my [redacted] has Dyslexia. That is unacceptable to have been denied services

for so many years. I would like to be reimbursed for remediation provided outside of school. My concern is how will

compensatory services work if they pretend nothing is wrong? We need a solid plan to make things right, not just

throw money at the district to do whatever they want with it. There needs to be criteria and guidance from TEA.

Thank you,

[redacted]

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Our students deserve better!

Date: Monday, April 16, 2018 11:10:30 PM

Contracting special education services out to private businesses is not in the best interest of our students. You will

have people interested in how they can profit unlike the thousands of teachers who pour everything into the success

of our students.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Special Ed Plan comment

Date: Tuesday, April 17, 2018 8:47:33 AM

I commend TEA for taking fast action to correct the injustice it was forced to maintain for so many years. Under the current segregated systems, the $65 million in additional revenue will be insufficient to cover the costs necessary to really be effective. This is a perfect opportunity to design and implement statewide reforms for special education, focusing on the cost effectiveness of inclusive education and its academic and social benefits for students with and without disabilities. The data that inclusive education saves resources and benefits all students and staff, and aids in teacher retention, are compelling. Please don't squander this opportunity to make real, meaningful and beneficial reform.

From: [redacted]

To: TexasSPED

Subject: Corrective Action Response

Date: Tuesday, April 17, 2018 8:57:28 AM

Nothing in the corrective action response addresses the monitoring of districts who do not comply with corrective actions issued by TEA from complaints/investigations.

What will be put in place to insure compliance?

Thanks,

[redacted]

Sent from Yahoo Mail on Android

From: [redacted]

To: TexasSPED

Subject: Special Ed Feedback

Date: Tuesday, April 17, 2018 9:45:05 AM

Probably the most helpful change would be a whistle blower hotline that teachers and parents could call when they observe violations of policy or abuse of special education students. My [redacted] experienced various emotional abuses when [redacted] was in second grade, but the principal, assistant principal, and teacher got away

with all of it, even though another teacher witnessed the ongoing abuse but was

afraid to report it. This should not be allowed.

It would also be helpful if parents had more help in navigating the system. People

now have to get outside help or even contact an attorney in order to obtain testing

and services. This results in a year or more delay in the child's receiving much

needed help.

Also, all teachers should receive training in how to effectively interact with special

needs children. It makes the difference between success and failure for special

needs children.

Sincerely,

[redacted]

--

[redacted]

Room to Read is a global non-profit organization that transforms the lives of millions of children in Asia and Africa by

providing them with access to a quality education. Room to Read has received Charity Navigator's highest 4-star rating for financial

accountability and transparency for 11 consecutive years — an honor that only 1% of their rated charities can claim.

dallas@roomtoread.org

roomtoread.org/dallas

From: [redacted]

To: TexasSPED

Subject: Dyslexia

Date: Tuesday, April 17, 2018 10:11:01 AM

To whom it may concern,

Personally, I am concerned because:

My school has used a one-size-fits all approach with a 2-year dyslexia curriculum with a pre-determined pace. This

has not met my child's needs because

-the pace has been too fast

-the group size has been too big

-the program chosen by my school is not a good fit for my child

My child needs the individualized services and support provided via special education based on several factors:

outside testing, my detailed observations and/or the difficulty of having needs met under a 504 plan. However, when

I have asked about it, I have been told that "Dyslexia is only served under 504 in Texas."

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Sped Improvement Plan

Date: Tuesday, April 17, 2018 10:20:39 AM

Good morning – I am seeking clarification re the improvement plan. On page 18-19 of the draft, it says that the call center would …"answer questions specific to compliance and the law." Is this a change of function for the current call center? Are we supposed to be giving answers now? My understanding is that we are to provide resources and guide callers to the answer they are seeking, but we do not actually provide answers. Thank you for clarifying. [redacted]

[redacted], M.A.

Consultant

Special Education Information Center

Division of Instruction

Region 10 Education Service Center

[redacted]

[redacted]

From: Yahoo

To: TexasSPED

Subject: TEA Corrective Action Plan

Date: Tuesday, April 17, 2018 10:35:11 AM

Personally, I am concerned because (choose the ones that apply to you):

I expressed concerns about my child's educational progress, but our school did not engage with me to address my

concerns. My child was later diagnosed with a learning difference(s).

I paid for professional private educational testing that my district did not accept. As a result, I have paid privately for

my child's dyslexia remediation via tutoring and/or private school.

My school has used a one-size-fits all approach with a 2-year dyslexia curriculum with a pre-determined pace. This

has not met my child's needs because

* the pace has been too fast

* the group size has been too big

* the program chosen by my school is not a good fit for my child

* my child still needs significant dyslexia instruction after 2 years and nothing more is available

* after completing the dyslexia program only computer based programs were available for further reading

interventions

I have heard from educators and staff in my district that "Dyslexia is served under 504 in Texas," even after the

Department of Education's report, which cites Texas' wrongful denial of special education services to many

dyslexic students.

My child needs the individualized services and support provided via special education based on several factors:

outside testing, my detailed observations and/or the difficulty of having needs met under a 504 plan. However, when

I have asked about it, I have been told that "Dyslexia is only served under 504 in Texas."

My child's dyslexia services have ended because the school's two-year program has ended, not because my child no

longer need services. To my knowledge, my school has not created criteria to determine when a child no longer

needs dyslexia instruction.

My child finished a dyslexia curriculum, and no further instruction was offered under a 504 plan, despite my

expressed concern that my child needs it. Also, there is no planned follow-up to see how dyslexia impacts my

child's education in future years as classes become more complex and demanding.

My child has done computer-based and / or 'gifted and talented' testing without accommodations.

Thank you for your consideration.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Cc: SPED

Subject: Strategic Plan

Date: Tuesday, April 17, 2018 10:38:57 AM

Attachments: image001.png

image002.png

Thank you for providing the opportunity for comments on the draft Strategic Plan. Our law firm represents many school districts and charter schools in the state, and we provide a lot of training for educators pertaining to their legal responsibilities. The latest Supreme Court decision about the requirement to provide FAPE calls on districts to create IEPs for students that are "appropriately ambitious" and include "challenging objectives." Those are high standards. However, the Court qualified those words by noting that the IEP for each student must be reasonably calculated to provide progress "appropriate in light of the child's circumstances." This recognizes that each IEP must be individually crafted, and that not all kids should be expected to progress at the same pace or to achieve at the same level.

The Strategic Plan ignores this. It says:

The purpose of special education is to provide sufficient support to our students with disabilities, on an individualized basis, so that those students can obtain the same level of academic success typical of their peers.

That's not right. There are students who are not going to "obtain the same level of academic success" as their peers no matter how good the special education services are. This statement in the Plan is a part of the opening paragraph of the Executive Summary. As such, it sets the wrong standard right off the bat. By pronouncing this standard, the Plan sets up school districts to fail. To be consistent with the legal standard, a better statement would be:

The purpose of special education is to provide sufficient support to our students with disabilities, on an individualized basis, so that each student can obtain a level of academic and functional success that is appropriate for that student in light of the student's circumstances.

School districts can meet that standard. They are expected to meet that standard. Parents should expect nothing less, but T.E.A. should not demand more.

[redacted]

ATTORNEY | SHAREHOLDER | L I C ENSE D I N T X

[redacted]

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Comments Draft Strategic Action Plan – Executive Summary

Date: Tuesday, April 17, 2018 10:44:35 AM

I would like clarification on the statement in paragraph one of the Executive Summary that reads "The purpose of special education is to provide sufficient support to our students with disabilities, on an individualized basis, so that they those students can obtain the same level of academic success typical of their peers." What is the legal reference for this purpose statement? The purpose of IDEA as stated in the implementing regulations reads,

"to ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living" 34 CFR sec. 300.1(a).

Nowhere does that purpose statement allude to, as indicated in the statement in the Executive Summary, that

"those students can obtain the same level of academic success typical of their peers." The purpose of IDEA is to prepare students with disabilities to further their education, employment and independent living skills. The purpose of special education in Texas should not be narrowed to academic success and certainly not to academic success measured only by the STAAR exam, graduation rates and college readiness standards as suggested by the data charts included in this section of the draft plan. Certainly, there are some students with disabilities who with specially designed instruction individualized to their unique needs, can and will reach level of academic success of their non-disabled peers but all students with disabilities require programs that lead to furthering their education, employment and independent living. Please do not narrow the purpose of special education in Texas to the limits of the statement included in the draft.

Sincerely,

[redacted], M.Ed., J.D.

Director of Special Education

[redacted] ISD

[redacted]

Empowering campuses to meet the needs of students with disabilities

Personally, I am concerned because my [redacted], who is now 20, never received direct instruction for dyslexia while [redacted]

attended school. I had to pull [redacted] out in high school to educate [redacted] myself. The school district put [redacted] on a

computer program and that was their solution. I also had to get an outside evaluation from Texas Scottish Rite

Hospital.

I expressed concerns about my child's educational progress, but our school did not engage with me to address my

concerns when I had them. It took two years for the school to even look at [redacted]. My child was later diagnosed with a

learning difference(s).

I have since received my PhD in Special Education and I am working on becoming a CALT. This is because of what

my [redacted] went through during his school years. Things need to be changed for all students with special needs

including those with dyslexia. I really hope TEA begins to listen.

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments Draft Strategic Action Plan – Immediate Short-Tem Corrective Actions (Child Find)

Date: Tuesday, April 17, 2018 10:50:56 AM

Before LEAs are required to identify those students who were not tested for and identified as needing special education services, and student who were subsequently delayed or denied required services several terms need to be defined. I have identified the following as too broad and seek clarification:

"students who were in RtI for a significant period of time" – Several questions arise with this classification. First, what tier of RtI? Tier 1, this encompasses all students? Tier 2, which in my district would be students targeted for small group interventions in the general education classroom? OR Tier 3, which are students who are pulled from the general education classroom to receive targeted interventions from a specialist, either Math or Reading in my district? Once the Tier is clarified, LEAs will need to know how to define "significant period of time". Is this 6 weeks, 6 months, 1 year? Should progress be a factor or only time? If a student has been receiving Tier 3

interventions for 6 months and as progress is monitored is demonstrating growth and closing the gap should that parent be targeted for this notification or only the parents of a student who has received Tier 3 interventions for a “significant period” and is not closing the performance gap? Which is, by the way, a description of the students who are currently referred for special education testing in my district. Without the requested clarification I cannot estimate which parents to target.

“only had a 504 plan” - All students with a 504 plan? If so, we would target the parents of 1800 students in our district. But 504 plans address a wide array of student needs, from accessibility to health and safety concerns to academic needs and students who receive dyslexia services. Surely, LEAs will not have to target the parents of students whose 504 in no way indicates a need for specially designed instruction. For example, a student may have a 504 plan because they have an allergy that when triggered would significantly limit the major life activity of breathing. The plan would allow them to carry an epi-pen to class or sit at a designated “nut free” table in the cafeteria. Does that parent need to be targeted for notification? Or should the targeted group be those students with a 504 plan that provides academic supports who are not being successful? Again clarification is needed or undue alarm will be created among parents and LEAs will bear the burden and expense of testing or at a minimum evaluated if testing is needed for a large number of students for whom there is no reason to suspect that by reason of their disability they require specially designed instruction.

“were exclusively in a dyslexia or dyslexia-related program” – Again guidance is needed. All students who received dyslexia services or those who have received dyslexia services and are not demonstrating growth?

But perhaps the term that most needs clarification is specially designed instruction. Clearly defining the difference between an intervention and specially designed instruction would help not only parents but LEAs determine which students should be suspected as having a disability that needs special education.

Sincerely,

[redacted], M.Ed., J.D.

Director of Special Education

[redacted] ISD

[redacted]

Empowering campuses to meet the needs of students with disabilities

From: [redacted]

To: TexasSPED

Subject: Comments Draft Strategic Action Plan – OSEP Requirement #3

Date: Tuesday, April 17, 2018 10:55:34 AM

In order to insure that programs provided to struggling learners in the general education environment through

RtI, Section 504, and the State's dyslexia program are not used to delay or deny a child's right to an initial

evaluation for special education and related services under IDEA, LEAs will need guidance, specific guidance, in

how to determine who these children are given current Commissioner's Rules. The current guidance at 19 TAC

89.1011 which states;

"(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 evidence-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."

When is an LEA to bypass TAC 89.1011 and go straight to evaluation, with parent consent of course, under

IDEA? This question must be answered before this plan moves forward.

3.a & c. Indicates that TEA may facilitate a process to clarify the difference between dyslexia and

dyslexia-related services, IDEA, Section 504, and RtI, and ensure clear guidance in the field. This guidance should not be stated in the permissive form of may. The language should be prescriptive, TEA shall or will clarify the difference in these levels of service. That is the only way to set a clear path for all stakeholders to understand when a child should be suspected of having a disability that requires specially designed instruction. This guidance should be developed and disseminated before LEAs notify any parents of a possible failure to identify a child under IDEA.

Additionally, if the revision of the Dyslexia Handbook and any subsequent legislation places students with dyslexia within the definition of specific learning disability under IDEA then consideration will need to be given to allowing reading specialist to provide dyslexia services under IDEA. Many of the programs designed to meet the needs of students with dyslexia are most definitely examples of specially designed instruction.

Sincerely,

[redacted], M.Ed., J.D.

Director of Special Education

[redacted] ISD

[redacted]

Empowering campuses to meet the needs of students with disabilities

From: [redacted]

To: TexasSPED

Subject: Comments Draft Strategic Action Plan – Other

Date: Tuesday, April 17, 2018 11:07:53 AM

The following are general concerns with the overall draft plan. I have indicated page numbers for more specific concerns.

· There are overwhelming instances of statements that TEA MAY do. Some of these possible actions are budgeted for in the funding chart, and some are not. If TEA does not perform the actions that are budgeted, where will that money go? Will LEAs still be responsible for follow-up actions even if TEA doesn't follow through with their actions?

· Creating a plan to improve the efficacy of special education while at the same time addressing the USDE's required corrective actions will require a much longer stakeholder

engagement and comment period.

· The draft plan does not consistently use person-centered language. Using terms like “special education students” is not person-centered.

· In the monitoring section, the draft describes ONLY the escalation team as special education specialists. What will be the required qualifications of the onsite and desk monitoring team?

· The draft states TEA will review and POTENTIALLY REVISE Administrative Code rules over the next 12 months. It’s clear that administrative rules will need revision; this needs to be a commitment from TEA to do so with extreme transparency and opportunity for public feedback.

· Outreach Campaign (p. 13). TEA will execute an outreach campaign to reach all parents. TEA has proposed a one-time cost for this of $3 million, coming from IDEA discretionary (state) funds. It is unclear whether this would cover LEA costs of postage, media ads, staff time for town halls, etc. What specific roles will the LEAs play in this campaign?

· Compensatory Services Funding (p.14). Note that this $65 million is coming from IDEA allocations for LEAs. This was communicated by TEA to TCASE as monies that have, up to this point, gone unspent by LEAs, were not applied for, or were sent back to TEA as a result of an audit. It was further explained that TEA’s accounting system had not been able to redistribute these funds back to LEAs until very recently. The concern here is that these funds are required to go to LEAs regardless of the corrective action plan.

· Updated Guidance on Identification and Evaluation (p. 14). TEA MAY put in place guidelines around a formal process for initial evaluation. TEA WILL LIKELY lead a series of trainings for LEAs on conducting evaluations. Why are these not definite actions?

· Clarification and Guidance (p. 15). This is arguably what LEAs need the most from TEA. Why would this piece not be described in more detail in this plan and why is it listed that TEA MAY do this?

· Additional Evaluation Capacity (pp. 15-16). TEA MAY provide technical assistance and resources to ensure availability of evaluation staff. This MUST be a priority.

· Professional Development (p. 16). Will the training institutes be required? Who covers the cost to attend? Who are the third parties? Does the term “educators” include

administrators? The funding chart estimates this at $90 million. “Best practices” in professional development is also budgeted as a one-time $200,000 expense, but it is not entirely clear what TEA means by this reference.

· Dyslexia Specific Support (p. 17). This is a critical piece that LEAs need from TEA after years of inconsistent guidance, yet it says that TEA MAY provide this support. However, this is budgeted as a $500,000 one-time expense in the funding chart. Is that truly an accurate estimate?

· Dyslexia and Related Disorders Reporting Study (pp. 17-18). What is the purpose and goal of this study? It states that this study is already in process; what is the current status? The funding chart in the plan lists this as a zero-dollar expense – how is that the case?

Sincerely,

[redacted], M.Ed., J.D.

Director of Special Education

Birdville ISD

817-547-5700

Empowering campuses to meet the needs of students with disabilities

From: [redacted]

To: TexasSPED

Subject: Dyslexia

Date: Tuesday, April 17, 2018 11:39:01 AM

[redacted]. He was diagnosed with Dyslexia in first grade at 6 years old. During his testing for dyslexia we recognized not only did he have dyslexia, ADHD, anxiety and OCD we also learned that he has a superior IQ. I live in the middle of a large urban city but unfortunately within a school district that is unable to meet my son’s needs. As a result I have paid for professional private educational testing, dyslexia remediation via tutoring and ultimately a private school that focuses on children with learning differences. While I am beyond grateful that we have wonderful private schools, I am burdened with a tuition bill in excess of $25,000/year in order to meet the learning needs my son has.

Every child has the right to be given the accommodations in our schools for the disability they have.

Thank you for your consideration.

Best,

CCA

[redacted]

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acknowledge that you have read, understand and consent, (where applicable), to the foregoing and the [redacted]

Disclaimers.

From: [redacted]

To: TexasSPED

Subject: Dyslexia Concerns in Texas

Date: Tuesday, April 17, 2018 12:14:46 PM

I am writing in response to the TEA Corrective Action Plan for Dyslexia. I am a retired teacher with [redacted] years experience as a classroom teacher, Special Education teacher and a Dyslexia Specialist. I am also the mother of an LD child who was served for Reading, Writing and Math in a Resource classroom along with Speech Therapy because of Speech Apraxia.

There appears to be an overwhelming concern, expressed by some parents, that their children are not being properly served as Dyslexia students and they are demanding FIE's, rewording of the Dyslexia Handbook, better identification, placement, curriculum, instructor training, parent info, progress monitoring, assistive technology, personalized learning, exit criteria etc. etc. I was blessed to be a Dyslexia Specialist in [redacted] and I think [redacted] does an amazing job of meeting the needs of all students and properly identifying students with Dyslexia. There is a group of [redacted] moms, led by one who had a personal issue with one of the Dyslexia Specialists prompting her to go on a rampage of being an advocate for her child and others, who are part of Decoding Dyslexia.

As a former educator, I believe the main problem is that the state no longer has a state adopted Spelling book or Reading series that teaches the rules of spelling and reading to all students. There is also no longer a state adopted Phonics book. Our universities haven't been preparing student teachers to properly teach or identify students who struggle. The state is also expecting children to read in Kindergarten when many are not developmentally ready. That sends parents into a panic and they want a quick fix thus they want their child tested. The state needs to look at their overall curriculum and quit putting so much emphasis on a one day snapshot test. The skills taught to pass STAAR don't prepare our students for the real world of reading, writing and math. It prepares them to use strategies to pass a test.

There are some excellent Dyslexia Specialists who are not "certified" or CALT's but who have taught students to read for many years as classroom teachers or Reading Recovery Teachers and then received Dyslexia training through Scottish Rite, MTA or Take Flight. Dyslexia teachers can easily be trained as they are now. They aren't going to preform brain surgery and don't need the in depth training and certification that these parents are demanding to be effective teachers. The Dyslexia training that we

received was intense and because of it we successfully taught many students how to read.

Before you throw the baby out with the bathwater take a long hard look at the overall curriculum in place

for Texas and compare it with what was in place many years ago when we didn't have so many students

struggling to read because they learned the rules and skills daily. There lies your solution. Reading and

Spelling rules must be taught to all students in Texas as part of the curriculum and can be done daily by

classroom teachers. They will probably need to be trained in the rules, because most didn't learn them

when they were in school, but there are plenty of days built in for staff development. If, after being

immersed in rules and skills, students continue to struggle they can be tested and receive intervention by

a Dyslexia Specialist trained in an [redacted] based program.

Unfortunately, some parents desperately want their children to be identified as Dyslexic. It's as important

to them as country club membership. Once diagnosed, some feel like their child has just been diagnosed

with cancer and they are desperately seeking a cure. Parents do need to be educated, calmed and

reminded that it takes a village and they need to work with their student's teachers and not wage a war

against them. Sometimes the old way of teaching is the best way and I think this is one of those times.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Strategic Plan & CAP Comments

Date: Tuesday, [redacted]

April 17, 2018

Good Afternoon,

I am attaching comments for your consideration for the CAP to be submitted to USED.

As the district leader for the Special Education Program – ongoing compliance to TEAs guidelines

have brought us to this point. That being said, there must be some accountability to assure

evaluations are completed in appropriate cases – However, there is much in place already and I

caution against throwing the baby out with the bath water.

Nowhere in the plan do I see clear guidelines being established by assessment and disabilities specialist to improve the TEA guidelines to SLD eligibility and criterion for Dyslexia versus Reading Disability requiring special ed services. This needs to be made more clear for districts.

When you bring in a monitor to the district, be sure they have the expertise and knowledge to make fair and useful recommendations. My experience in the past has been TEA team with a checklist – folder review. No expertise on the part of the TEA representative on the exact details of the special education program and how things are implemented in the school setting. Data analyzers yes, program specialists NO.

Some points on the Plan as written:

1. Only submit to USED the required Corrective Action Plan (CAP) and not the entire Special Education Strategic Plan, to open the state to Federal scrutiny of unwarranted aspects of the program. Stick to the identified areas of need.
2. Use affirmative language as to the actions TEA will take in implementation of the CAP.
3. CAP item 2.a – strike "to inform them of their rights under IDEA". – this information is already provided to parents as their students are referred for evaluation.
4. CAP item 2.b. Utilize state wide teams of SE administrators and assessment staff to develop guidelines and options for LEAs to follow guidance from TEA on areas requiring correction.
5. CAP item 2.c. – reword to TEA will provide the LEA with a method to collect and retain data…
6. CAP item 3.a. – TEA will facilitate... rather than TEA may facilitate …
7. CAP 3.c. – rephrase to "TEA will provide resources and create a suite of information intended for parents of children suspected of having a disability." Rather than "TEA may leverage resources to enable the creation of a suite of information intended to be shared with the parents of children suspected of having a disability."
8. CAP to include – TEA will create a gradient scale to establish which district are in most need of support to identify students who may have been overlooked for the need for evaluation.
9. CAP item 4.a. Reword to - TEA will restructure Agency oversight of LEA compliance with Child Find activities and evaluation processes.
10. CAP item 4.b. – rephrase to TEA will involve stakeholders and special education professionals to provide feedback on monitoring processes, their effectiveness and

weaknesses.

Thank you for your time and consideration.

Sincerely,

[redacted]

[redacted]

Director of Special Education, District 504 Coordinator

[redacted]

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Strategic Plan

Date: Tuesday, April 17, 2018 1:23:58 PM

Thank you for the opportunity to comment on the strategic plan!

Students with DeafBlindness need access to professionals trained in the field of DeafBlindness. A separate certification for Teachers of Students with DeafBlindness (TDBs) would be very beneficial to that population of students. Students with dual sensory impairments need different strategies, services, and communication supports and a trained person in this field will be key for them.

Thank you for your consideration,

[redacted]

Auditory Impairment Specialist

Teacher for Students with DeafBlindness

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: identifing students with special education needs

Date: [redacted]

Consideration

1. Students are identified with a disability, (ex. ID, SLD, TBI, etc.) the students are two sometimes three grade

levels below. IQ sometimes below 70.

2. TEA is saying, the districts are failing to identify students with special needs. There seems to be students needing

specially designed instruction that can only be offered through Special education.

3. Once students are identified, they are education in the LRE, they have an IEP, their curriculum is modified, yet

they are evaluated using same measuring stick as non disabled peers.

4. A student with a 100 and above IQ, enrolled in a talented and gifted program takes the same test as a student

identified with a specific learning disability,

5. Does inclusion cause the disability to disappear?

6. Should the STAAR test look the same for students with disabilities?

7. Should the state develop a modified test?

8. Should the STAAR be offered off grade level? How are we to measure growth of students, if they are not being

measured by the specially designed instruction they are receiving.

9. Consider the stress, the pressure, dropout rate, etc.

-----Original Message-----

From: TexasSPED [mailto:TexasSPED@tea.texas.gov]

Sent: Tuesday, April 17, 2018 8:28 AM

To: [redacted]

Subject: RE: Modified instruction

Hello,

Thank you for your comments. Your feedback and suggestions are an integral part of the strategic plan and

corrective action response development process and will be aggregated and considered.

Thank you,

Texas Education Agency

1701 N Congress Ave.

Austin, TX 78701

Phone: 512.463.9414

-----Original Message-----

From: [redacted]

Sent: [redacted]

To: TexasSPED <TexasSPED@tea.texas.gov>

Subject: Modified instruction

If students receive modified instruction; why don't they take a modified test to match the specially designed

instruction.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Questions and Concerns

Date: Tuesday, April 17, 2018 2:30:24 PM

Good afternoon,

I am emailing you today to express my concern regarding a few areas of the draft Corrective

Action Plan:

1) Current Dyslexia teachers are not Special Education teachers, and do not have Special

Education certifications. If we service students with Dyslexia under Special Education, how

will these students be supported by the current Dyslexia teachers? Will current Dyslexia

teachers be required to obtain certifications in Special Education? How will this affect districts

when those teachers may not want to be considered Special Education instructors?

2) In the past, hearing officers are generally not knowledgeable regarding special education. How will you be able to ensure that these officers are qualified in special education?

3) In regards to compensatory services…the federal guidelines indicate a statute of limitations of 2 years, and the state guidelines indicate a statute of limitations of 1 year. If these are laws already in place, how will districts be required to review and consider records from longer than 3 years ago?

4) In regards to the broad group networking suggested; as an educator, we are very busy and rarely have time to consult with others in our same area of expertise. Broadening the networking groups does not provide the support we need. Our current network groups provide ongoing, individualized support, from others working I the same areas.

5) Great concern has been raised regarding MOE funds…please explain how these funds will not be affected by the increase in evaluation, identification, personnel, resources, etc.

I appreciate your review of my questions, as well as your consideration of how these areas could affect our districts greatly.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: re: Draft Strategic Plan for Special Education

Date: Tuesday, April 17, 2018 2:45:32 PM

Attachments: image003.png

Good Afternoon,

As an educator who helps students who have learning differences, I see a strong need for helping students as early as possible. Early intervention helps remediate and put strong building blocks into place for students in order create firm foundations. Dyscalculia, as with dyslexia and dysgraphia and other learning differences all need to be addressed and remediated quickly and at early ages. Less help is needed later as students progress, which not only benefits students but all systems as well as society as a whole. Less frustration in school leads to more academic success and more potential to advance at higher levels of education.

There is currently minimal or no attention for dyscalculia, and that the plan should build that in to the same extent as they have built in provisions for dyslexia, as the conditions are equally common. Please consider addressing the needs of students with dyscalculia as well as those with dyslexia, dysgraphia, and all learning differences.

Thank you for your time and consideration.

[redacted]

Learning Support Specialist, PreK3/PS – Grade 5/CM2

[redacted]

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please do not read it; reply to the sender that you received it in error, and delete it. Any distribution or other

reproduction is strictly prohibited.

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Tuesday, April 17, 2018 3:09:10 PM

[redacted]

April 17, 2018

Dear Texas Education Agency,

4.17.18

To whom it may concern,

Thank you for the opportunity to provide feedback and input with regard to the most recent draft proposal of Special

Education Strategic Plan.

Review and Support Team (pp. 8-10)

I am concerned about two things with regard to this portion of the Strategic Plan. First, the amount of financial

resource that will be spent on all the additional staff and related expenses required to carry this out is of concern.

School district funding has been an issue for many years. During the 20 years that I have been an educator, we have

seen funding reduce dramatically. There are many challenges in our district and a number of them could be

addressed more effectively if we had the financial resources necessary to tackle them. It is very frustrating to hear

that we are not going to have the number of teachers that we need, the materials that we need, the number of

classrooms to adequately address student need due to lack of funding. At the same time, TEA will spend millions of

dollars on additional staff and overhead associated with a dramatic increase in monitoring activities.

While I understand the importance of ensuring compliance with legal requirements as it relates to student success

and parent involvement, increased monitoring will put a large burden on districts in terms of time and stress for staff

members. The added monitoring through desk audits, on site visits and increased PEIMS submissions will create a

huge burden for LEAs. These added requirements will be managed in an atmosphere of reduced financial support

from the Texas Legislature. It is frustrating, to say the least, to think of all the time, attention, and resource that will

be applied to this initiative. What I want, as an educator who is passionate about student success, is to spend most

of the time, money and energy that is available on students rather than on being examined for an alleged atrocity. I

hope that TEA will take into account the limited resources available to LEAs as additional requirements are heaped

on.

There are numerous comments throughout the plan that state actions that TEA may take or will likely take. Some of

these actions sound like they could be positive for school districts. For instance Pre-Visit support or that districts

may have an opportunity to provide additional information on corrective action steps that are included in reports. In

the final plan, I hope to see more clear statements about how TEA is going to carry out this plan. It will also be

critical for the Strategic Plan to provide clear guidance for districts.

Page 13

TEA Evaluation support and Compensatory services

I was concerned to not see Speech/Language Pathology (SLP) evaluation support included in this document. The

district SLPs are involved with many evaluations that occur throughout the school year. We have already seen a

significant increase in the number of evaluations requested in our district. I anticipate that we will see this trend

continue so that evaluation tasks become an even more significant portion of our workload. Without adequate

funding to hire enough SLPs to cover the therapy caseload growth in our district, I am concerned that we will need

access to additional help. It is not clear in the document whether this evaluation support will be paid for by TEA or

if districts will be required to pay. I would like more information about how this will work and the assurance that

ALL evaluation staff be included in this support if it is offered.

I am very concerned about the proposed requirement for districts to provide compensatory services. I would like

more clear information about how that will be determined and specifics about what compensatory services will need

to look like. The potential for this to be a huge financial burden for districts is of concern to me.

Clarification with regard to the identification of Dyslexia via General Education procedures would be appreciated.

For many years, it has been confusing for parents and educators to navigate the murky waters of Dyslexia as a

General Education program when, in reality, Dyslexia is a type of learning disability. It is not unusual for students

to need both Dyslexia services and SPED services. The separate systems that exist around these programs make it

unnecessarily difficult to carry out the procedures that are necessary in order to document these services for

students.

Thank you again for the opportunity to provide input/feedback with regard to the Strategic Action Plan.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Tuesday, April 17, 2018 3:09:13 PM

[redacted]

[redacted]

[redacted]

April 17, 2018

Dear Texas Education Agency,

I am a special education leader in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

-.Throughout the plan, there is an inordinate number of activities and efforts that TEA may do. Alternatively, there

are an inordinate number of activities that the Agency has committed local education agencies to perform. To

implement a meaningful plan, and frankly to address the responsibility placed by the Department of Education on

TEA's failures, this strategic plan must describe, at a minimum, the activities and efforts that TEA commits to

performing. While reading the plan, there are overwhelming instances where TEA "may" do. Some of these

possible actions that are budgeted for in the funding chart, and some are not. If TEA does not perform the actions

that are budgeted, where will the money go?

-TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan

or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in

mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far

beyond simply an increase in the number of students pulling the draw-down weights related to special education.

TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must

recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to

include this strategic plan as an exceptional item. The team will be paid from IDEA Administrative funds in each of

the next five years. The draft budget for this team also includes $1.35 million for travel expenses and $4 million for

overhead expenses.

-The plan involves TEA hiring a large number of staff. Candidates with special education experience in the public

school setting should be prioritized for all of these positions, and the pay for these positions should be

commensurate with the required expertise. The draft describes only the escalation team as special education

specialists. What will be the required qualifications of the onsite and desk monitoring team? The purpose of this

whole plan was the 8.5% cap on special education, but these specialists need to have a working knowledge of RTI,

504 dyslexia, assessment and interpretation, general education expectations and special education. Finding suitable

personnel with these qualifications would almost be impossible.

- The draft plan includes many new and some possibly duplicative items that the Agency may require local

education agencies to collect and report. It is critical that TEA analyze what data is already collected through current

reporting systems and assist in easing the burdens of submitting new data, including the creation of templates and

spreadsheets. Also, how does this plan and the PBMAS 99 indicator compliment each other? LEAs have Child Find

duties, but if one ethnicity is overidentified, this could lead to LEAs federal funding leading to setting aside monies

for Child Find efforts. This seems contradictory as districts we simply assess students. We do not look at their

race, gender, handicapping condition. We truly try to do what is best for the students. It is hard to believe that we

will be penalized while conducting our child find duties which will affect our students.

-The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that rules will

require revision. Engaging stakeholders to assist in this process could make the process more efficient and would

help in prioritizing the schedule of needed changes. Special education administrators from a variety of local

education agency types and sizes and other education association representatives must be included in this process.

How will these special education administrators be chosen? Should there not be administrators who have a working

knowledge of RTI, a general education initiative, 504, and dyslexia.

-The draft plan includes an additional required outreach effort by LEAs to parents of students who received

Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan

under Section 504, and who received instruction through the dyslexia program under state law. If this additional

outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation

would be required. The requirement to evaluate should be only for those students in these populations who are

thought to have a disability as defined by federal and state law and who are thought to need special education and

related services. TEA has proposed a one-time cost for this of $3 million, coming from IDEA discretionary state

funds. It is unclear whether this would cover LEA costs of postage, media ads, staff time for town hall meetings.

What specific role will the LEAs play in this campaign? Will there be guidance on how the parents will be

contacted? RTI is implemented differently across the state and districts. Will the Agency assist in developing a

universal RTI program that is prescriptive for each student?

-TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources

will be developed and published. Local education agencies also need immediate guidance in relation to resolving

requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published

its resources.

-.Some local education agencies are currently seeing many requests for initial evaluation. TEA must provide

guidance and have the program to offer assistance from certified evaluators before the beginning of the 2018-19

school year. What will the credentials of the evaluators that TEA may provide? How will they be able to fully

evaluate and interpret the results if they have not seen the student in the academic setting, met with the teacher(s),

and looked over all of the data for the student? Will these evaluators truly be able to rule out factors, if they are

unfamiliar with the students in the area they are evaluating?

-=Absent legislation that may be passed in the 86th Legislative Session in 2019 and forthcoming changes to the

dyslexia handbook, local education agencies need immediate and interim guidance on how to effectively serve

students with dyslexia and related disorders.

-Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the

technical assistance it is required to provide. Several statements described in the evidence of progress column in

Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that

TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children..., TEA

uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this

proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of

information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful

actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical

assistance.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Needs

Date: [redacted]

1. Transition form 3 into pre school or K, into middle and high school, and graduating all need transition assistance.

Most children with disabilities end up unemployed.

2. High school transition is not useful unless it is coupled with visits and experiences and seeks to follow the

children for 2 years after graduation.

Many are shoved into community college and are out in first semester because they are no longer covered by the

IEP, so definitely left behind.

3. People lie about how much time special ed staff spends on the job-they often fill in for sick teachers, etc. and it is

understood that is never reported. How do you keep that from happening?

4. Special education often lies in the hands of the principal. If they don't believe learning disabilities are "real" that

permeates the whole school program. How do you prevent that?

5. Some of this can be prevented by having a system for parents to report to a neutral third party - teacher actions,

administrator actions that cause harm to the child. Right now they have no idea what to do when they are refused

testing or services.

6. California law requires community advisory committees. In some districts parents and teachers meet monthly

over a topic and reliable information is shared and passed on to the state. This gives parents a forum and actual

information.

7. Parents are out gunned by schools - district employees and lawyers, school administrators and teachers who hold

their child's future in their hands. How do you propose to even the odds? Where do parents go for help?

[redacted]

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Draft Special Education Strategic Plan

Date: [redacted]

Thank you for the opportunity to comment on the Draft Special Education Strategic Plan. I am a teacher of the visually impaired at the Texas School for the Blind and Visually Impaired. I would like to provide the following feedback on the plan's impact on students with visual impairments:

Given the emphasis on Child Find within the plan, I would like to ensure that diagnosticians and school psychologists have access to training in order to help them understand the unique evaluation needs of students with visual impairments. Teachers of the visually impaired should be consulted during evaluations in order to help the diagnostician ensure that testing is meaningful to the student.

I would like to inquire about the "nontraditional certification opportunities" listed under Network Seven. Teachers of the visually impaired and certified orientation and mobility specialists are currently required to attend university training programs in order to serve students, and this standard should remain to ensure high-quality programming.

Can you provide examples of the risk assessment index and the holistic student-centered practices mentioned on page 8 under Review and Support Team? How will studentcentered practices for students with multiple impairments be evaluated?

What types of education specialists will form the Escalation Units on the Review and Support Teams? I would like to advocate that Escalation Units include professionals who are knowledgeable about high-quality programming for students with visual and multiple impairments in order to ensure that these students' teams are able to receive appropriate assistance and direction.

Thank you and please let me know if you have questions.

Best,

[redacted]

"As teachers, we choose whose voices we privilege, whose stories we put center stage. We can repeat the narratives of the powerful, or we can give students the chance to see the world through the eyes of

the people who are most vulnerable, and those who are trying to work for justice." - Rethinking Schools

From: [redacted]

To: TexasSPED

Subject: RE: identifing students with special education needs

Date: [redacted]

I know and understand that, however the curriculum can be modified, can we discuss this with the higher ups within

the federal government to find if we can take another look at that decision,

-----Original Message-----

From: TexasSPED [mailto:TexasSPED@tea.texas.gov]

Sent: [redacted]

To: [redacted]

Subject: RE: identifing students with special education needs

As of 2014, the federal government no longer allows modified testing.

-----Original Message-----

From: [redacted]

Sent: Tuesday, April 17, 2018 2:16 PM

To: TexasSPED <TexasSPED@tea.texas.gov>

Subject: identifing students with special education needs

Consideration

1. Students are identified with a disability, (ex. ID, SLD, TBI, etc.) the students are two sometimes three grade

levels below. IQ sometimes below 70.

2. TEA is saying, the districts are failing to identify students with special needs. There seems to be students needing

specially designed instruction that can only be offered through Special education.

3. Once students are identified, they are education in the LRE, they have an IEP, their curriculum is modified, yet

they are evaluated using same measuring stick as non disabled peers.

4. A student with a 100 and above IQ, enrolled in a talented and gifted program takes the same test as a student

identified with a specific learning disability, 5. Does inclusion cause the disability to disappear?

6. Should the STAAR test look the same for students with disabilities?

7. Should the state develop a modified test?

8. Should the STAAR be offered off grade level? How are we to measure growth of students, if they are not being

measured by the specially designed instruction they are receiving.

9. Consider the stress, the pressure, dropout rate, etc.

-----Original Message-----

From: TexasSPED [mailto:TexasSPED@tea.texas.gov]

Sent: Tuesday, April 17, 2018 8:28 AM

To: [redacted]

Subject: RE: Modified instruction

Hello,

Thank you for your comments. Your feedback and suggestions are an integral part of the strategic plan and

corrective action response development process and will be aggregated and considered.

Thank you,

Texas Education Agency

1701 N Congress Ave.

Austin, TX 78701

Phone: 512.463.9414

-----Original Message-----

From: [redacted]

Sent: Friday, April 13, 2018 4:18 PM

To: TexasSPED <TexasSPED@tea.texas.gov>

Subject: Modified instruction

If students receive modified instruction; why don't they take a modified test to match the specially designed

instruction.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Tuesday, April 17, 2018 4:29:19 PM

[redacted]

[redacted]

[redacted]

[redacted] 2018

Dear Texas Education Agency,

I am a special education director in a Texas public school district. I am writing today in regard to the March 2018

DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on

this improvement plan for special education in Texas, I offer the following suggestions and comments:

The current draft of this plan, if approved, will require significant additional paperwork burdens for local districts.

Some district level personnel will need to be assigned to prepare the materials needed for desk audits and on-site

visits, instead of providing evaluation services and instruction. Such monitoring activities should be in response to

identified concerns such as multiple substantiated parent complaints or non-compliance.

The plan also does not address the stated concerns of the parents who spoke to the USDE representatives during

their visits or the concerns of the USDE in its letter to TEA. The parents overwhelmingly stated that they wanted

more special education evaluations and more services when students were placed in special education. However,

very little of the funding in this plan will be provided to districts to facilitate an increased level of service. In fact,

according to TEA representatives who spoke at Region 4 and at the TCASE conference in February, the funds are

IDEA B funds originally intended for the districts, which will be re-purposed to provide additional state level

personnel positions and associated financial resources.

Throughout the plan there is an inordinate number of activities and efforts that TEA may do. Alternatively, there are

an inordinate number of activities that the Agency has committed local education agencies to perform. To

implement a meaningful plan, and frankly to address the responsibility placed by the Department of Education on

TEA's failures, this strategic plan must describe, at minimum, the activities and efforts that TEA commits to

performing.

The financial impact of this plan cannot be solely borne by local districts where every dollar is already stretched.

TEA states in this draft plan that it has been designed to be sustained with existing appropriations. A strategic plan

or improvement plan is neither strategic nor an improvement if it is developed with only existing appropriations in

mind. TEA needs to inform lawmakers that at every opportunity that the financial impact of this plan goes far

beyond simply an increase in the number of students pulling the draw-down weights related to special education.

TEA has also budgeted only federal dollars to this plan; our state must respond accordingly. To this end, TEA must

recommend revisions to its budget riders and submit a Legislative Appropriations Request (LAR) later this year to

include this strategic plan as an exceptional item. More funding is necessary to provide increased evaluation and

support services for students in special education and to meet the expectations of parents, advocacy groups, and the

USDE.

Monitoring staff must have sufficient expertise in the production of evaluations and instructional recommendations

and knowledge of the multiple regulations, processes and procedures required for special education compliance.

Prioritize public school special education experience when hiring staff. The plan involves TEA hiring a large

number of staff. Candidates with special education experience in Texas public schools should be prioritized for all

of these positions, and the pay for these positions should be commensurate with the required expertise.

Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule

changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that

rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and

would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local

education agency types and sizes and other education association representatives must be included in this process.

It is also critical that TEA provide guidance in a timely manner. Guidance must be provided by the start of school in

August if a district is to be held accountable for compliance with that guidance. Otherwise, additional personnel

hours are lost to redoing paperwork. Parents also expect that they are given complete and up to date guidance before

school begins.

-Any required targeted outreach to certain student populations must be aligned with the needs and disabilities

defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students

who received Response to Intervention (RtI) services for a significant period of time, who has or had an

accommodation plan under Section 504, and who received instruction through the dyslexia program under state law.

If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when

an evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services. Students who are successful under their current plan should be able to continue under

that plan. If RtI or Section 504 plans are to considered only temporary supports, changes to state and federal statutes

will be needed.

Provide a timeline for Child Find resource development and guidance. The Agency must develop a timeline

regarding when these resources will be developed and published. Local education agencies also need immediate

guidance in relation to resolving requests for initial evaluation or for immediate changes in policy and procedures

before the Agency has published its resources. especially if accountability for that guidance begins in 2018-19.

TEA needs to provide guidance in regard to evaluations now. Some local education agencies are currently seeing an

increased number of requests for initial evaluation. TEA must provide guidance and have the program to offer

assistance from certified evaluators before the beginning of the 2018-19 school year.

TEA needs to issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the

86th Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need

immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Appendix C focuses on TEA's obligations to improve student outcomes and the technical assistance it is required to

provide. Several statements described in the evidence of progress column in Appendix C describe actions of LEAs

and not of TEA. For example, in the response to provide documentation that TEA's system of general supervision

requires that each LEA must identify, locate, and evaluate all children..., TEA uses an existing assurance

requirement by LEAs when they apply for federal grant funds. It is unclear how this proves TEA's compliance with

the directive. In other places, it refers to several instances of the receipt of information and materials by LEAs as

TEA's evidence of progress. TEA must consider and state more meaningful actions as proof that the Agency is

providing the required - and more importantly, consistent and accurate - technical assistance.

Sincerely,

[redacted]

Subject: Corrective Action Plan Feedback

Date: Tuesday, April 17, 2018 4:29:17 PM

[redacted]

April 17, 2018

Dear Texas Education Agency,

As a former special education teacher and now as an administrator in the Texas public school system, I am happy

with a few of the ideas pertaining to the CAP.

However, if people really know and understand dyslexia, they will agree that not ALL students identified with

dyslexia should be place under the SPED umbrella. Some in fact may need to be in SPED but not ALL. Section

504 is a very good accommodation system for many students with dyslexia.

It is also important that the state of Texas require a program of intervention for dyslexia such as Take Flight which

is researched based and hands down the best intervention program for students struggling with dyslexia.

We are identifying more and more students with dyslexia and the numbers will only grow.

They do not all need to be part of SPED!!!!!!!

Sincerely,

[redacted]

[redacted]

To: TexasSPED

Subject: FORM LETTER DRAFT FOR CAP COMMENTS

Date: Tuesday, April 17, 2018 4:19:44 PM

My name is [redacted], and the role I play in the special education stakeholder process is as a Special Education Director and LSSP. I have worked in the role of [redacted] and 1 year as a Director. I am writing today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following suggestions and comments:

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Wednesday, April 18, 2018 11:38:30 AM

On behalf of our son who was grossly smeared and bullied by [redacted] and all children so grossly harmed in this state due to lack of services for their needs - I suggest the following:

1). All ADHD Children can for the first part - be given basic needs that they have been continually denied and pushed out without those common needs met.

Shortened assignments

Front row seating OR seating preferential to their needs and requests

Do not punish ADHD children for behaviors part of their condition.

An hour and a half a day just for ADHD children to meet with specialists to help them

keep organized - this would include Assistive technology in that class time: keyboard - headphones, etc.

Occupational Therapy for all ADHD children with co-morbid dysgraphi

2). Do not punish ADHD children for their behaviors that are listed in Student Code of Conduct. Positive Interventions to re-direct those behaviors rather than punishing them - is needed yesterday - 20 years ago. Too many children have become suicidal by the constant berating they have received with and without identification.

3). Do not support attorneys like [redacted] - who have encourage school employees to berate and belittle children in need.

[redacted]

4). Train all LSSPs to train all school officials on these conditions:

ADHD/Auditory Processing/Visual Processing/Dysgraphia/Dyscalculia/Dyslexia/Sensory Disorders

Include training for all teachers on how to PROPERLY run Classroom Management

for children with these conditions including that teachers do not berate our children in front of their classmates for their conditions.

5). Remove that Horrific presentation on our son from all Education Region Centers - full of flagrant misrepresentations - just because [redacted]. See C.C. vs. Hurst-Euless-Bedford ISD. Allowing this low quality egregious behavior by attorneys is sending our children to early graves from suicide and suicide ideation.

6). Train teachers and school officials that want our children on stimulant medications - MUST learn the side effects of those prescriptions including Adderall crashes due to dehydration, lack of sleep and hunger rather than belittling our children in front of their classmates.

7). Never do business again with [redacted], period.

8). The Texas Education Agency can do better and should do better. These are our children and the mistreatment from lack of services and trained professionals has lead them to suicide and suicide ideation.

Thank you on behalf of our son, [redacted]

Forever Crushed and Injured by [redacted] lies, illegal and unethical behavior,

[redacted]

From: [redacted]

To: TexasSPED

Subject: TEA Corrective Action Plan addressing March 2018

Date: Wednesday, April 18, 2018 11:42:43 AM

To Whom It May Concern;

The TEA Corrective Action Plan (March 2018) additional funding should be provided to school districts to do the "heavy lifting." Based upon this Corrective Action Plan we are already losing teachers, specialists, and evaluation staff as a result of this due to being overwhelmed by requests and lack of resources. There is a shortage of evaluation staff nationally. Nowhere in the TEA Corrective Action Plan is does it correctly address Licensed Specialists in School Psychologists Licenses (LSSPs), which are the individuals who provide psychological evaluations to students in educational settings. I am contacted weekly from both in state and out of state to do contract work due to a national shortage. A contracted price is a dangerous proposal by having people leaving ISDs or leaving the state. I have been in the field as a LSSP for over 15 years. I am overwhelmed by the amount of requests that are inappropriate due to 45 student absences and I too am considering leaving the field like many others. The ultimate goal is to make a difference in student's lives and without additional funding and additional staff this will not happen and many more will leave the field and there will be a greater shorter in Texas and nationally.

Thank you,

[redacted]

District Licensed Specialist in School Psychology

From: [redacted]

To: TexasSPED

Subject: Draft Special Education Strategic Plan Feedback

Date: Wednesday, April 18, 2018 11:46:13 AM

To Whom This Concerns,

I am writing you to provide feedback on the Draft Special Education Plan.

One concern that I have is in the plan you mention "TEA may" or "TEA could." Does that mean that those proposed

actions may not get done? If those actions are in the budget, what will happen to that money?

For the review and support team the escalation team will be comprised of special education specialists (p. 10). How

are you defining specialists- will they be required to have background in a public school setting? Additionally, what

will be the qualifications for the onsite and desk monitoring team?

If the network projects are redesigned (pp 19-26), what will that mean for the existing networks and the resources

that have been provided through those networks? For instance, the AT Network, what will happen to those

resources? I also have serious concerns with LOIs being competitively bid to private providers if ESCs and IHEs do

not meet the requirements (p. 19). Would private providers understand the network from an educational lens? Would

the private provider need to have any educational experience?

Thank you for your consideration of my feedback.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: CAP Comments

Date: Tuesday, April 17, 2018 5:29:49 PM

Attachments: CAP COMMENTS Jones.docx

Please see attached.

I implore you to reconsider making a blanket policy requiring students who have been in a particular

program (Dyslexia/504) for more than 6 months (or a significant time – how long is a significant

time?) regarding the need for a special education evaluation. The duty is to make individualized

decisions for students based on their unique needs.

Many thanks for your time.

Best,

[redacted]

From: [redacted]

[redacted]

[redacted]

[redacted] Draft #2

Date: Wednesday, April 18, 2018 10:36:28 AM

Attachments: image001.png

Good Morning!

I am writing as a dual job-related person. I want to thank you for an outlet to address our concerns, and like the previous emails that I have sent, I would like to be on any committee to support students with IEPs

1. As an evaluator, I am most concerned that we are weakening the collaborative manner of prereferral, rti, SSI (student team) teams. The way the corrective action plan was written takes away the professional judgement portion of these teams. There are ways to strengthen the teams, but by artificially increasing referral to SPED due to a generational approach from TEA that holds LEAs accountable for too many students with IEPs is disappointing.

2. There is also a planned increase of about $270 million to support corrective action at the state level. Where is the increased funding for the LEAs who will in your words have to carry the burden of this artificial increase?

3. In the required update to the Dyslexia Manual, will there be a documented defined difference between dyslexia for 504 and dyslexia for an IEP. The state of Texas (including TEA) decided about 30 years ago that dyslexia and an IEP where basically mutually exclusive.

4. As a Special Programs director, I take pride in serving all students in the community before and after Special Education. We are not perfect, but we are striving to be better. Between the campaign and the requirement of all the compensatory services, it create a perception that we have failed students and our child find responsibilities. It can ruin relationships with families, communities, and the state. How are we going to rebuild that?

5. Finally, as a toward the end of my career person, is TEA going to stop burdening ARD committees and LEAs with the state requirements that go above and beyond IDEA. It is not legal nor appropriate per IDEA for requirements to be more that what is in IDEA. We need to consider that these burdens from the state and TEA have contributed to our current situation. Thanks for your time, and please contact me as I want to help,

[redacted]

[redacted]

Director of Special Programs

[redacted]

[redacted]

[redacted]

'Know your why'

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Comment for Corrective Action Plan

Date: Wednesday, April 18, 2018 11:09:39 AM

It just dawned on me that I neglected to include my thoughts on the "slow learner" in my prior communication with you. Please know that a student who does not meet any special education criteria is the saddest scenario because there are not any good answers from general education or special education. I believe that we are not giving FAPE to a child like this because he cannot keep up with the general ed curriculum, nor can he access special education due to a lack of a disability. I think these parents have a real reason to ask for more from the school. I would hope that this Corrective Action Plan might include some thoughts about students who are currently not having their educational needs met, and how that can be addressed. A slow learning profile is a distinct profile, and the student does have specific learning needs and it is not 'drill and kill'. Rather the teacher needs to provide all of the incidental learning that occurs naturally in other students, but instead needs to be taught directly/strategically to this type of student. Establishing good teacher - student relationships

is a key factor also, giving the child a place for much of the incidental learning to occur. Perhaps your committee can come up with some different types of classes to be offered at each grade level in elementary schools. With different types of instruction we are better able to meet the needs of more types of children. With this type of differentiated instruction available, there will be more satisfied children in our classrooms. As with dyslexia, it could be a multi-grade smaller group with intense experiential learning being offered to slow learners, just as one example.

Again thank you for the opportunity to give my opinions around issues I work with everyday.

From: [redacted]

To: TexasSPED

Subject: Comment on Proposed Draft Special Education Improvement Plan

Date: Wednesday, April 11, 2018 9:38:47 PM

I am writing today as a parent of a child with special needs who has moved between three school districts and met with many parents and teachers along the way.

The draft SPED Strategic Plan includes several sections that simply do not stand up to a simple application of logic. For example, the “Immediate Short-Term Corrective Actions (Child Find)” items 6 and 7 are either an outright fraud or an extreme, if not willful, ignorance that Local Education Agencies are highly motivated by funding. Additional funding can NEVER be provided for bad behavior on the part of LEAs, any additional funding for bad behavior will simply encourage more bad behavior.

Overall this draft proposal may conform to the straight jackets set forth by the Federal Department of Education and existing state and federal law, but it completely fails to make the structural changes necessary for meeting the needs of Children with disabilities. In fact, the best possible solutions to fix special education in Texas are likely to be deemed nonconforming by the Department of Education. It is especially concerning that powers that be feel that it is relevant to compare the percentage of Texas students in special education to national averages and then deem Texas to be lacking in special education students simply because Texas does not use special education as a dumping ground for intelligent children who have behavior issues to the extent that other states do. (Texas LEAs do still have issues

with dumping kids into special education who do not belong there, some other states are just much worse). For this statistical comparison to be relevant and informative, a standard diagnostic test would need to be used nationwide. Furthermore, statistical analysis would need to be conducted to determine what the first and fifth quintile are between the states and if the standard deviation found in those quintiles is statistically relevant. Then and only then would there need to be an investigation to see what the root causes of an outlier state's variance is. Apart from this, the statistic of Texas vs National averages only serves to provide a pretty chart for uninformed readers to look at. Such oversimplification may make some people think they understand the issue better, but really, the use of such a diagram makes the Draft SPED Strategic Plan look like a PR piece instead of an actual Strategic Plan.

Texas does have issues with its special education programs and these issues must be fixed. Included are some examples:

Example 1: A child was presented for testing to a LEA. Employees of the LEA privately described the child as being 'feral', not as a pejorative, but simply as a heartbreaking but accurate description of this child during their observation session. LEA employees suspected extreme neglect on the part of the guardians, home visits by LEA Employees confirmed extreme neglect and an overall inability of the guardians to care for their child. Over the next eight years the Texas Department of Family and Protective Services were contacted numerous times. DFPS (CPS) refused to intervene. DFPS being a nonparty to ARD committees and having no financial stake so long as it remains the LEA's problem had no incentive to protect this child.

Example 2: A child was presented for testing to a LEA. The LEA low level employees knew the best placement for this child was outside of their school. High level LEA employees knew that if they suggested to a guardian that placement outside of the zoned school was the best course of action they would be financially liable for paying for that out of district placement. As such, they willfully declined to make that recommendation which resulted in the child being placed in a special education program that likely would never meet that child's needs.

Example 3: A child was medically given a diagnosis and a proposed regimen of treatment that included but was not limited to Occupational Therapy and Speech. This child was then

presented to an LEA for testing. The child utterly failed the tests presented to them, but because the child had already been worked with to a limited degree prior to LEA testing, they did not score in the bottom five percent on LEA tests, but instead scored between the fifth and fifteenth percentile. While this student was accepted for PPCD, they were rejected for OT and Speech services by the LEA which left the guardians having to continue to rely on medical insurance and copays to get outside services for their child. This in effect punished good guardianship of a child who sought out and received outside services prior to becoming old enough for LEA testing and rewarded guardians who were negligent with their children.

Example 4: A child started school at or close to grade level. A medical condition presented in this child. This child then quickly regressed, testing was recommended. Testing confirmed the child had fallen more than two grade levels below their peers and was placed into a selfcontained special education class. The source of the regression was a neurological condition that would soon render what was once a vibrant intelligent child, nonverbal and unresponsive to visual or auditory stimulation. Over the course of three years in the same classroom with the same teacher, who was never trained to deal with this situation as it is outside the scope of education, the teacher was forced to essentially watch this child slowly die, including having to repeatedly watch their student lose consciousness in a manner that required direct medical intervention from a RN, all the while being given the directive to educate a child who was sequentially forgetting everything they had ever been taught.

Example 5: A LEA that had a governing body consumed by a desire to have their LEA preform at a high level in athletic competition needed to find jobs for their many athletic coaches as teachers. One of these coaches was assigned to teach a self-contained special education classroom. The coach then proceeded to spend much of their time attending to their coaching duties while leaving classroom aids to lead the class. This coach was never fired for poor classroom performance, although they did eventually part ways with the LEA for an unrelated issue. Any reasonable examination of this environment would have concluded that the LEA was running a daycare instead of a classroom.

Example 6: A child made significant progress through early intervention and was academically ready to leave the ARD framework and enter a 504 plan. The child however still needed nonacademic

services such as special transportation and occupational therapy as the child still had social and physiological issues related to a medically diagnosed condition. The guardians were told by the LEA that if they did what was academically best for their child by switching to a 504 plan, all special education, nonacademic, periphery services would be terminated. There was no hybrid plan available to continue certain non-academic services.

Example 7: A parent support group in a rural multi county area for parents of children who had a disability were dissatisfied with most of the teachers their varied children had and were cognizant that their child had no local peers with the same disability to interact with. Upon comparing notes, and over a multiyear period many members of the support group moved to collocate where the best teacher was. This resulted in this one rural LEA having a vastly disproportionate population of special education students. Not only was the LEA not rewarded for having this stellar special education program, they were in fact penalized by TEA for having a high percentage of students needing to take alternative tests instead of the standard statewide test. Since the LEA conducts the special education testing and ARDs and TEA knows LEA's are motivated to cheat on their standardized tests, the TEA simply assumes any disproportionate special education population is the result of the LEA trying to cheat on their standardized statewide tests.

Example 8: A LEA decided to collocate special needs students from multiple campuses onto one campus. While there are good reasons to do this, this LEA decided to only hire two teachers for fifty special needs students, all fifty of whom had ARDs for a self-contained special education classroom placement. This LEA also provided no curriculum and no scope and sequence to the special education teachers. When inquiries were sent to TEA about the legality of having a self-contained special education classroom with twenty-five students in it, TEA responded that at the time there was no law against this practice and offered no support for these two teachers. This practice continued for another two years until the principal of that campus was dismissed.

On a structural level, there is no ability to fix any of these issues so long as the same ARD model and same financing model are retained. The government's position thus far has been that the entity paying for a service must be the entity that decides whether services will be

extended or not. To do otherwise would create unfunded mandates and allow one entity to offload problems they do not want to deal with onto others. As such, placement is largely determined by financial interests instead of a fiduciary obligation to do what is in the best interest of the child. The only long-term remedy is to make the structural changes necessary to align financial interests with fiduciary obligations.

An immediate first step would be to take special education testing completely out of LEA's purview. Instead LEA's would become one of many stakeholders that has the capacity to make a referral for testing. Other stakeholders would be guardians, doctors, daycares, DFPS, LEOs, DAs, HHS, and others. That recommendation would then go to a regional agency who would perform testing and then provide guardians or if warranted, DFPS, with placement recommendations. The existing TEA regions could accomplish this mandate, but as it extends beyond the scope of TEA it would require the regional offices to include a taskforce from multiple state agencies, including TEA and DFPS. These recommendations would be nonbinding on LEA's. However, should a guardian choose the LEA they are zoned for to be the service provider for their child, that LEA would have statutory responsibilities to extend educational services to that child commensurate to the testing results. Placement recommendations must afford the region with options beyond a LEA setting, to include: recommended placement in an inpatient facility for severe medical conditions; intensive needs that go beyond what a LEA can reasonably be expected to afford may require a multitiered placement recommendation where one entity provides adaptive devices and/or medical care and the LEA's only responsibility is to provide the facility, curriculum and/or instruction; removal of custodial rights in cases of abuse or neglect; and placement recommendations for non-local education agencies.

My Proposed Process for Testing Children Who Potentially Have Special Needs:

1. Referral for testing sent to region
2. Schedule the testing within statutory deadlines
3. Testing as well as evaluating if any additional tests are warranted. TEA and DFPS personnel would review case information (including concerns listed in the referral) and be present for the testing and evaluations

4. Additional tests if warranted

5. Schedule first ARD within statutory deadlines between region and guardians

6. First ARD meeting. Report testing results and providing placement recommendations and IEP recommendations (this is a meeting between the region and the guardian(s)). If testing results are immediately available this meeting could happen on the same day as testing if waivers are signed.

7. Receiving response from guardians (in some cases this will be during the ARD meeting or it could be after the first ARD meeting if the guardians need more time to prepare a response)

8. Scheduling Second ARD with region, guardians, and any entity the guardian wishes to consider placement with from the options provided to them in the first ARD meeting and any medical professional and/or legal representative the guardians wish to bring at their expense to the ARD meeting

9. Second ARD meeting to determine placement and IEP's. If multiple entities are being considered for placement, entities not chosen would depart the ARD meeting prior to the IEP's being set.

Another structural issue that needs to be addressed is the pervasive exclusion of potential employees who have a background and job history outside of a degree in education. While it is eminently important to have some employees with a teaching background and a higher education degree in education, the systematic exclusion of people outside of this background in TEA positions and in administrative positions at LEA's results in a dangerous, deep set, groupthink. Out of all the job postings for the Review and Support team that your draft is proposing be split into two teams, how many of them required a background in education as part of the requirements on the job posting? Out of all the employees currently at each region, how many require a master's degree or doctorate on the job application? By making these requirements the TEA is artificially limiting the potential pool of employees in a way that excludes any outside ideas. Best practices have been developed in the business world which have direct correlation to education, and yet most people with masters or doctorates in education likely have never even heard of them because they inhabit an insular world dominated by groupthink. On a basic level there are LEA principals who have no management

expertise and yet they are in charge of running a multimillion dollar operation. On a system level there is the TEA that is great at giving canned talking points, canned recommendations, and canned presentations, but has no long-term presence and no ability to help LEAs who find themselves in a situation that is beyond their reasonable ability to handle. TEA would be far better off it opened its hiring practices to including people outside of education, and then provided on the job training for specific job duties instead of imposing a myriad of certification requirements, post graduate education requirements, and years of experience in education requirements that lock out any new ideas. As is, TEA and LEA's have no ability to even internally reach down and promote their best educators to lead mentoring programs because their best teachers don't meet the ridiculous and arbitrary job requirements as listed in most job postings.

An issue that can be fixed within the existing framework is the pervasive lack of training for special education teachers and aids. The model of having one teacher per classroom means teachers are never able to learn from each other. While grade level teachers often have a group of fellow teachers to get ideas from and be mentored by, special education teachers, especially those in more rural areas, often find themselves cast off apart from the rest of the school they teach at and far removed from anyone with experience teaching a classroom similar to their own. Even worse, many special education teachers are not provided with a special education curriculum to use in their classroom and are instead left to try and modify grade level curriculum which consumes vast amounts of time. Furthermore, many if not most special education students need speech, PT, and OT, and schools are chronically underproviding these services to special education students and failing to train special education teachers how to provide these services as part of the special education curriculum. Ultimately it may be necessary to explore requiring all self-contained special education classrooms have a hard cap of twelve students per classroom with a minimum of two teachers per classroom. This will increase the sharing of knowledge from one teacher to the next and critically allow one on one sessions that special education students need as one teacher leads a group activity while the second teacher pulls students off to work on IEPs.

Instead of having four review and support teams split between Austin, Dallas, Houston, and

Lubbock, the approximately twenty TEA regions should be divided into groups of either three or four with each group having a dedicated TEA support team. Due to the unique challenges that exist around Ft Hood Texas, there should be a dedicated support team for that area specifically. The federal Department of Defense has made a practice of sending military personnel with special needs children to Ft Hood so that their children can be treated at the children's hospital there. TEA needs to be involved with providing support to these especially vulnerable children who live in the communities surrounding Ft Hood. *disclaimer, I do not live in the Ft Hood area, so this is not me requesting a special team just for my city*

There is one structural change that is outside of TEA's ability to change. I fully understand that it is not within TEA's ability to change funding mechanisms or even advocate for changing the way funding is provided, the real changes that need to be made are changes to the funding model. I have already contacted my own legislative members regarding the changes in funding that will be necessary to tackle this problem.

From: [redacted]

To: TexasSPED

Subject: Comment on SPED Improvement Plan

Date: Wednesday, April 18, 2018 11:54:09 AM

Hi!

First, I want to say thank you for the revised draft increasing in detail from the first draft released. I do realize TEA did the best they could in that very short turnaround and when given ample time, more details can be released.

Also, I acknowledge that TEA's hands are tied as you don't have the ability to appropriate more funds outside of the Tx Legislature or US Congress but it should be noted that "local school systems will do most of the heavy lifting" and this can become quite the burden that LEAs will bear in the 2018-19 school year.

I commended TEA for notating to OSEP that Texas has the largest numbers of LEAs in the nation and the need for increased monitoring abilities in a state this size. It needs to be acknowledge that the monitoring of TEA has decreased significantly in the last 15 years (the length of my educator experience).

Regarding OSEP Requirement #2- Outreach:

I would like to request that the Timeline for Completion of Corrective Action be moved to 8/1/18 and not 9/1/18. The 2018-19 school year starts on 8/16 for our district and not having any guidance until AFTER the school year starts can be problematic and create undue burden on LEAs.

Pg. 8-regarding a "holistic approach to monitoring… as well as best practices, effective supports, and strong models". How do LEAs prepare for this approach? What is the operational definition of best practices? Effective supports? Strong models?

Pg. 11- regarding support visits-I do not feel this should be optional and this should be a requirement of TEA to provide this prior to any visit to LEA

Pg. 13- regarding TEA Evaluation Support-First, TEA should recognize the 3500 plus Licensed Specialists in School Psychology in our state and appropriately name them in all statues regarding evaluation personnel. I have grave concern about the use of the word "may" in these paragraphs. This has the potential to create a substantial need for more evaluation staff on LEAs. I am concerned that TEA may provide for short-term relief.

Pg. 15- regarding mediation and due process training with hearing officers. I feel the "may" needs to be removed and replaced with "will". I am well aware of the past history with TEA hearing officers and a large group of them leaving in the past. This should be a lesson for TEA to remember that the need for appropriateness is paramount. Hearing officers MUST have the appropriate training. This should not be negotiable.

Pg. 15- regarding clarification on requirements of RtI, 504 and dyslexia- Again- I feel the "may" needs to be removed and replaced with "will".

Thank you for your consideration.

[redacted]

[redacted]

Evaluation Coordinator

[redacted]

[redacted]

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please immediately notify sender by phone.

From: [redacted]

[redacted]

Subject: Comment on Strategic Plan for Special Education

Date: Thursday, April 12, 2018 12:56:12 PM

Thank you for the opportunity to respond again to the second draft of the Special Education

Strategic Plan.

First let me say that I understand that the TEA is under its own corrective action and must develop a

plan to ensure it meets its obligations. However, as a professional in the field of special education, I

have the following concerns:

· Money: There is an ENORMOUS amount of money proposed to oversee special education

compliance, and yet none to support the anticipated actions that must be taken by the

school districts. I'm sure the state realizes that the work to ensure provision of FAPE to

students who need special education services lies with the school districts. School districts

can expect to be stretched like never before in order to meet the monitoring and

compliance demands created by a $45M oversight plan, rather than using those efforts

directly in the service of children.

· Duplication of Work Effort: Because staff time is best used in service to children, TEA

should plan in advance to eliminate duplicative work effort/submission of data. Examine

what is already available through PEIMS and what could be available through PEIMS.

· Timelines and Lead Time: TEA needs to consider its own timelines and implications for

district compliance with timelines. It should provide ample time between the creation of a

rule/change to Administrative Code and the school districts' ability to respond to the change, particularly if it requires an ARD Committee meeting to comply with the change. (an example here would be that the agency communicated that it would post new Participation Requirements for STAAR Alt 2 in December. That would have given ARD Committees time to consider the changes and make appropriate determinations for individual students. It is now April and no update has been posted. We anticipate that nearly all annual ARDs will have been held before the information becomes available.)

· Outreach Campaign: What specific role will school districts play in this campaign? How will the agency ensure that school districts are characterized in a positive light as a partner to parents in their child's success? (unlike the characterization in the newspaper series that prompted the corrective action plan)

· Dyslexia Specific Support: This is an area that feels like it has had inconsistent guidance, and seems to be one of the real hot button topics of community/parent concern. The plan says that TEA may provide support, but it is not clear how robust that support might be, give the one-time expense in the plan. Compare that to the $2M planned to spend on parent brochures.

· Child Find:

o TEA may provide clarification on the requirements of RtI, 504 and dyslexia related topics to support individual decisions for students: This is a MUST. I believe it is the lack of clarity that has led to TEA finger-pointing at school districts related to the recent newspaper series. School districts are left to try their best to follow the agency's guidance, only to be accused of dereliction of duty by our governor.

o The wording "up to age 21" is inaccurate. It should read "through the age of 21."

o We have great concern about the availability of diagnosticians, not to mention the cost of diagnosticians to fulfill this plan of finding and testing students previously determined to not be in need of special education assessment.

o How will expanding the complaints process meet the needs of stakeholders? (Do you simply mean expand the number of individuals fulfilling these responsibilities?)

I would also like to offer the following supportive comments:

· Collaboration with Texas Workforce Commission and Vocational Rehabilitation: BRAVO!! This should be continued and expanded. (However, we would appreciate some specificity here – what specifically are the next areas to expand/improve?)

I very much appreciate your taking my comments into consideration.

[redacted]

Special Education Compliance Coordinator

[redacted]

From: [redacted]

To: TexasSPED

Subject: comment re: strategic plan

Date: Wednesday, April 11, 2018 11:34:20 AM

I am a special education professional and have been in the field for 20 years. I would like to comment on the importance of the necessity of assistive technology for both special education and general education students. The Texas AT Network will be dissolved as part of the proposed strategic plan. This would be detrimental to all of the students in the state of Texas, especially students who are diverse learners or who need special education students. The National Institute of Health and the US Department of Health and Human Services states that "Assistive technology enables students with disabilities to compensate for the impairments they experience. This specialized technology promotes independence and decreases the need for other educational support." The purpose of the Texas Assistive Technology Network is to provide training and technical assistance to teachers for student needs. The training is to build school district capacity related to AT and to improve literacy skills of all students who need access to instructional materials in alternate formats. Federal Regulations define assistive technology as any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that issued to increase, maintain, or improve the functional capabilities of a child with a disability. The Federal Law continues to describe under assistive technology service, the training or technical assistance for professionals, employers, or other individuals

who provide services to, employ, or are otherwise substantially involved in the major life functionals of that child.

Please do not do away with state supported training and support for teachers in the state of Texas regarding assistive technology. Keep the Texas AT Network!

Thank you for your time,

[redacted]

"The mission of the [redacted] Special Education Department is to support the campuses in order to nurture inclusionary environments, enhance student achievement, and maintain compliant special education programs."

From: [redacted]

To: TexasSPED

Subject: Comments - Draft Special Education Strategic Plan

Date: Wednesday, April 11, 2018 11:21:11 AM

Attachments: image005.png

image006.png

I am a Special Education Coordinator in [redacted] and have been working in Special Education in public schools in Texas for 30+ years. I appreciate this opportunity to provide feedback on the draft Strategic Plan. Below are my specific concerns and questions.

· There are overwhelming instances of statements that TEA may engage in certain actions. I am unclear as to which items TEA will be required to do and which ones are optional. I believe there should be more specificity on what TEA will actually do.

· There are many action items that will require districts to submit items, prepare for audits, etc.; however, there is no additional funding for districts. We are strapped for funding as it

is and find that this could potentially create an extreme financial hardship for the district.

· Regarding the special education escalation team and the qualifications of those employees. Where will you find enough people with the qualifications without taking them from districts, which leaves districts with less qualified staff.

· When discussing compensatory services (p. 13), TEA states they will not provide definitive rules; however, LEAs will be monitored and possibly cited through a TEA Complaint regarding Compensatory services without guidance from TEA. This is a concern.

· Clarification on compensatory services. Are we able to use Federal Funds? Will TEA monies be available for this use? If not, it will take away services from students who are currently in Special Education.

· TEA may dedicate resources to ensure the availability of evaluators (p. 15). I anticipate that the LEAs will not be able to meet the timelines for all requested evaluations.

· We need clarification on the statement in the plan, "LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services." (p. 16) Our LEA needs guidance on what that means for a student with a Learning Disability and also has dyslexia. Is TEA meaning they would get both dyslexia and special education services? Please clarify what is meant in #6 Dyslexia-Specific Support (p. 17).

· Professional development may be conducted. This needs to be clarified. Who will be given the professional development? Will it be required? Who will provide the staff development? It also needs to be clarified who would be responsible for this expense.

Thank you for this opportunity!

[redacted]

School connectedness is the belief held by students that adults and peers in the school care about their learning as well as about them as individuals. Students are more likely to engage

in healthy behaviors and succeed academically when they feel connected to school.

NOTICE OF CONFIDENTIALITY: This electronic communication may contain confidential information intended solely

for school business by the individual to whom it is addressed. Any disclosure (verbal or in print), copying,

distributing, or use of this information by an unauthorized person is prohibited, and may violate [redacted]

Board Policy FL (Legal), the Family Education Rights and Privacy Act (FERPA). Should you receive this electronic

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[redacted] Policy FL (Legal), the Family Education Rights and Privacy Act (FERPA).

Should you receive this electronic communication in error, please notify the sender

immediately. Thereafter, please delete the message.

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Wednesday, April 18, 2018 8:37:12 AM

[redacted]

[redacted]

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am emailing to ask you to PLEASE fight to get rid of the law where service must be reported within a certain

amount of time.

My first district in Texas did not report me to TRS for my first two years and I was never NOTIFIED, despite me

filling out all the proper forms. I LOST those two years that I worked and trusted that paperwork would be done

correctly.

Please advise,

Sincerely,

[redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Wednesday, April 18, 2018 11:17:20 AM

[redacted]

Dear Texas Education Agency,

I am a special education leader in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

As we are a district in the Panhandle of Texas, we must have appropriations to recruit and retain professionals. IEP's

are critical to our students success, we need dollars to recruit Special Ed Teachers, Diagnosticians, Speech Language

Therapists (who ordinarily come from the medical field) especially now that more and more students are

transferring to us with special needs. Special Ed has been on the teacher shortage list for years. We need to ensure

our process that is outlined out is not to discourage candidates to come into the field that has this tremendous teacher

shortage.

Please prioritize public school special education experience when hiring staff. As TEA hires a large number of staff

please ensure staff are from the public school setting and the pay for these positions should be commensurate with

the required expertise.

Please consider the Agency's obligation to reduce paperwork burdens. The draft plan includes many new and some

possibly duplicative items that the Agency may require local education agencies to collect and report. It is critical

that TEA analyze what data is already collected through current reporting systems and assist in easing the burdens of

submitting new data, including the creation of templates and spreadsheets.

Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule

changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that

rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and

would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local

education agency types and sizes and other education association representatives must be included in this process.

Any required targeted outreach to certain student populations must be aligned with the needs and disabilities defined

by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who

received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation

plan under Section 504, and who received instruction through the dyslexia program under state law. If this

additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an

evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services.

Provide a timeline for Child Find resource development and guidance in the interim. In addition to the commitments

TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when these resources

will be developed and published. Local education agencies also need immediate guidance in relation to resolving

requests for initial evaluation or for immediate changes in policy and procedures before the Agency has published

its resources.

Please provide evaluation guidance now. Some local education agencies are currently seeing many requests for

initial evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators

before the beginning of the 2018-19 school year.

Please Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th

Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need

immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the

technical assistance it is required to provide. Several statements described in the evidence of progress column in

Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that

TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children..., TEA

uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this

proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of

information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful

actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical

assistance.

Sincerely,

[redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Wednesday, April 18, 2018 8:37:09 AM

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am an educational diagnostician in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018.

From the perspective of an educator and a parent of school aged children, I have concerns about the impact that this

corrective action plan will have on all students in Texas. As an educational diagnostician, I am very aware that the

number of student who will likely be evaluated within the coming year will significantly increase. The likelihood of

many of these students meeting criteria and eligibility for services is high. Thus, not only will school districts

require additional funds for the increase in evaluation, school districts will also needs additional fund to hire

teachers, paraprofessionals and related/instructional service providers to meet the needs of all of the students who

will likely be identified. I recognize that TEA has taken into account the possible need for compensatory services

and has proposed to allocate some funds for compensatory services. Additionally, TEA has acknowledged the need

that districts will have for additional funding for evaluations and has proposed to allocate some funds for this

purpose as well. It is very concerning that the funding proposed for the two purposes mentioned above is not likely

to be enough and it is even more concerning that the extremely likely need to increase special education staff across

the state has not been adequately addressed in financial terms. These students will need services. We as a State,

must be able to fulfill our duty to appropriately service our students. Without adequate funding, we, as a State will

be doing a disservice to all of our special education students. Reallocating funds from different school based

programs is also not a tenable solution as this is a disservice to ALL student in Texas.

My school district has definitely seen an uptick in the number of requests for initial evaluation. If evaluation

guidance will be provided that differs from current guidance, please provide evaluation guidance now or at the very

least, well prior to the start of the 2018-2019 school year.

Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th

Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need

immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Tuesday, April 17, 2018 11:19:40 PM

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a special education leader in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

I am from a middle size district in Texas.

We have [redacted] in our district and only a few staff members at the special services district level.

Solution #1

Additional Monitoring procedures:

-Who is paying for 50 additional staff members based in Austin, Houston, Dallas and Lubbock?

-We are already submitting data through our indicators.

-Any additional monitoring will create a loss of time and services for our special education students.

Solution #2

TEA will develop a review process:

-Again who is paying the cost of this review process?

-This solution is very confusing.

You state that there will be a new review process, that the stakeholders will have input,

and then TEA my work with a partner organization.

All of this will be on the TEA website-your website is already confusing-this would be an additional piece of

information. In Solution #2, you keep building in more and more supports-more and more time is lost with

servicing our students.

In the last sentence, you now have added an independent review of the monitoring process- this is like stating you

don't trust your own review system.

Solution #3

One example of a solution that was offered last year was parent survey information. This was very confusing to our

parents.

You keep talking in very general terms.

Solution #4

This would be ok. I am thinking that this would be similar to our Procedural Safeguards handout.

Solution #5

TEA required to identify those students who were tested for and identified as needing special education services.

Right now we are short two diagnosticians due to medical reasons. We have been seeking two diag all year and

have just located two diag to hire. This has been nearly impossible-there are not enough diag to hire. Almost any

student can have strengths and weaknesses in their core academics subjects-it is the responsibility of our general

education department to provide gen ed interventions and provide instruction to support these needs. Again there

are not enough diag to support these evaluations and not enough funds in the district to provide compensatory

services.

$65 million dollars is not enough to provide additional review teams, additional diag, and funds for compensatory

services.

Training, support, and development

It is stated that TEA may dedicate technical assistance and resources to ensure the availability of BL evaluations,

diag, and school LSSPs. This past week, we were not able to go one day from ets to provide consistent internet

availability-how does TEA think they can provide statewide internet services?

I do think we can benefit from professional development.

I do believe in a timeline for Child Find and steps that should uniformly be taken.

I do think that parents will struggle with a call center and and an online portal.

Networks may be helpful.

Again this will take much more work than 50 staff members at the state level, much more money that $65 million.

Right now we do not even have a state special education director and for one year-TEA has not been able to locate

one person to assume this position.

How possibly can you locate all the school personnel you are suggesting. Penny Schwinn is looking for another job

in other states and has not been hired by them. This is alarming.

Why would we take time at this point to revise a dyslexia handbook that we just revised?

I do thank you for your request for our input.

I am also concerned that you asked for local forums and did not provide an opportunity for Region 4 to provide

input.

Sincerely,

Concerned

From: [redacted]

To: TexasSPED

Subject: Comments on Corrective Action Plan

Date: Wednesday, April 18, 2018 9:37:13 AM

[redacted]

[redacted]

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a Special Education Director for a 5 school cooperative. I am writing today in regard to the March 2018

DRAFT Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to offer feedback on

this improvement plan for special education in Texas, please consider the following suggestions and comments:

In the proposed plan, there are a many number of activities and efforts that TEA may do. Additionally, there are also

a number of activities that the Agency has committed local education agencies to perform. For your plan to be

successful and benefit the greatest number of students I feel it is essential for districts to know what the agency is

expecting with very little ambiguity. Upon acceptance of the improvement plan, districts should know how to

proceed without question. The plan should be in definitive, easy comprehensible and be able to pass the "stranger

test" just like effective IEP goals. Providing effective reliable clarification on the different stratums of 504, RtI and

Special Education would be a great resource for all parties involved. This information would dispel Internet myths

that parents may run across and provide clear opinion for LEAs. In addition, clarification on serving students with

dyslexia and related disorders for LEA's should be a priority.

Additionally, please utilize every opportunity to explain to the legislature of the need for additional funding. I

realize it is out of TEA's power to delegate funds that are not approved by the legislature, however, my special

education budget is already fairly strained as it is. We may not have as many students as we have had in the past,

but the students that we have are more complex, requiring more services to maintain progress. It seems that the

legislature cutting corners is what has landed us here in the first place.

It would also be helpful to prioritize public school special education experience when hiring staff. Candidates with

special education experience in the public school setting should be prioritized for all of these positions, and the pay

for these positions should be commensurate with the required expertise.

Finally, guidance on the initial referral of students should be sooner rather than later as districts prepare for the

upcoming year.

Thank you for your time.

Respectfully,

[redacted]

[redacted]

To: TexasSPED

Subject: Comments on Draft Corrective Action Plan

Date: Wednesday, April 18, 2018 10:01:04 AM

Good Morning,

We are writing, as parents of a child with a lifelong severe visual impairment who has been denied special education services, to comment on the TEA's Draft Special Education Improvement and Corrective Action Response dated March 19, 2018.

Our daughter is one of the many thousands of children in Texas that has been denied special education services over the course of her time in school. And, like thousands of other families, denial of services required our family to find an alternate educational environment for our daughter.

Of specific concern to us is that nowhere in these draft plans is child find, outreach, or data collection, compensatory services, etc. of children in private schools mentioned.

As TEA has noted outside of the Corrective Action Plan process, "Central to IDEA and its implementing regulations is the requirement that all states have policies and procedures in place to ensure that all children with disabilities within the state who are in need of special education and related services are "identified, located and evaluated." This duty, referred to as "child find," includes children with disabilities who are homeless, wards of the state, or

attending private schools as well as highly mobile children and children who are suspected of being a child with a disability and in need of special education, even though they are advancing from grade to grade."

Yet, the TEA's Draft Special Education Improvement and Corrective Action Response dated March 19, 2018 does not mention private schools at all. Not once. TEA's plan only mentions children enrolled in ISD's. For example, TEA notes the need to "identify, locate, and evaluate children enrolled in the ISD who should have been referred for an initial evaluation under the IDEA." This ignores the child find duty to children who are attending private schools.

TEA's Draft Special Education Improvement and Corrective Action Response also mentions numerous times the importance of "significant stakeholder input" including "educators" and "parents," but does not include input from private school educators, and in particular does not include private schools for children with learning and other disabilities or parents of children at private schools. If these educators, schools, parents, and students are not included in the discussion and process, how can child find monitoring be fully implemented? And for the families that were forced out of the public education sphere because of denial of services, how do those families learn about their rights?

In addition, TEA's Draft Special Education Improvement and Corrective Action Response talks about data collection, but does not mention ways to find or track students at private schools. The data should also include, at a minimum, children at private schools referred for evaluations, children with evaluations that are in private school, any services provided through a service plan, and whether services are direct or indirect services. How would an ISD accurately determine proportionate share expenditures without this information?

TEA's Draft Special Education Improvement and Corrective Action Response also ignores anyoutreach to private school educators, parents, and students. In particular, it ignores outreach to private schools that educate children with disabilities. While the public school may or may not have a different obligation to students in private schools, the 8.5% cap allowed public schools to systematically deny services and left many families having to find other learning environments for their child. In the aftermath, it is only right that these children

should be included in the population of all students denied evaluations and/or services.

Also, with regards to outreach, TEA's Draft Special Education Improvement and Corrective Action Response notes "outreach may include targeting students in underserved and hard to reach populations such as those in hospital settings, homebound, homeschool, residential treatment facilities, and correctional settings." This is concerning because it completely ignores students in private school settings. This essentially means that students/families previously denied services and forced to find other educational environments, such as private school, will be excluded from the outreach process.

Another aspect of this Draft Special Education Improvement and Corrective Action Response that will undermine TEA's stated process of creating a "system that supports ongoing efforts to achieve strong outcomes for all students with disabilities" is the section on compensatory services. Specifically, this plan states, "The following are some examples of when it could be difficult to determine if a child should have received IDEA services:

• Parent or guardian made a verbal request and it is not documented;

• Request was made in writing, but the school or LEA does not have a copy or record (parent may), due to misfiling, a staff member not forwarding the request, etc.;

• Staff who received the request may not be employed by the LEA or may no longer remember;

• Records retention policies may limit the records that are available for retroactive review; or

• Whether alternate supports that were provided to the child outside of IDEA can be applied to decisions related to compensatory services provided through IDEA."

This type of catch-all does not improve on the current culture of placing undue responsibilities on the parent/guardian and excusing the ISD/TEA of their legal responsibilities.

We would appreciate it if you could let us know that our comments have been received.

Thank you,

[redacted]

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Comments regarding 3-18-18 Draft SPED Strategic Plan

Date: Wednesday, April 18, 2018 12:04:49 AM

To Texas Education Agency,

My name is [redacted], and I am the mother of [redacted] in a preschool program for children with disabilities in [redacted] He is currently in an inclusive [redacted] in our home school. He is thriving in this setting and growing and developing. He is one of the lucky ones you could say because he got to check off many of the boxes allowing him to be eligible for special education services. There was no way that he could have been denied services under the 8.5% cap that TEA implemented throughout the state of Texas. Even though he wasn't affected, I have many friends that have not had the same "luck" that we have, and today, I write you on their behalf and all of the other Texas children that were harmed by this cap.

First, any individuals that are still employed at TEA that were associated with the 8.5% cap or any that were decisions makers that made this decision that affected thousands of children should be fired. In any other industry, they would have lost their jobs. The identification of this cap has caused massive mistrust by special education parents, and the only remedy is removing any staff that played a role in implementing or maintaining the cap.

Second, I know that the TEA has determined it will not alter how the allotment of funds to actually go to directly improve things for students receiving special education. I strongly disagree with this decision. TEA should not be rewarded with hiring more employees after implementing the 8.5% cap for the last decade and robbing Texas children from the FAPE that they deserved over the last decade. This is wrong. I absolutely think creative thinking and ways to use the money earmarked for the TEA should be revamped and legislative action about how funds are distributed should be taken. There is a lot of respect to guidelines about how money is spent, and not enough respect for the fact that the agency that broke the law is now claiming the laws prevent them from getting funds more directly to LEAs. To prioritize monitoring over services is a mistake. There is nothing to monitor if things don't improve at the ground level. It is a moral imperative to prioritize CHILDREN over the TEA. Do what needs to be done to make this right and stop focusing on barriers to distributing funding. If all the

feedback you receive is saying this in a different way, perhaps that feedback should be listened to.

Page 3, paragraph 1. The purpose of special education should be “to provide sufficient support to students with disabilities have available to them a free appropriate public education and related services designed to meet their unique needs so that those students can obtain academic success and to prepare them for employment and independent living.”

Page 3, paragraph 2. If they are acknowledging school districts are the ones to do the heavy lifting, they need to acknowledge funding themselves first is a misstep.

Page 4 change all the “mays” to “ wills”.

Page 4 and 5 Basing any kind of graduation rates on the STAAR is fundamentally flawed. Because aspects of disability may manifest itself in diminished assessment taking skills, they should look too at alternative certificate numbers or who completed the coursework but could not pass this EOC. This data point is essentially moot. They would have to look at IGC meeting stats.

Page 6 again, the STAAR results are irrelevant, since there is too much variation in disability to really know how much disability affects a student’s ability to meaningfully take an assessment. Just the number of students with dyslexia in the state would skew the reading numbers.

Page 7. What are the broader steps to go far beyond the USED corrective action plan? All I see is the TEA bulking up their numbers, and that won’t translate into better outcomes for students.

The phrase “ should not narrowly focus on process and legal requirements, but rather guided by an effort to support the most effective practices that lead to improved outcomes for students” I STRONGLY disagree with this statement. Those laws dictate best practices and we are not in compliance with the laws, which is why we are in this mess.

Page 10. The escalation unit needs to include people who know special education and be diverse (include people of color, including a bilingual/bicultural person Spanish/English).

Page 10 Review Process Development “ TEA may work with a partner organization..” This needs to be more clearly defined. Will there be a bid process? Who will the stakeholders be? The vagueness makes me uneasy and doesn’t define who will pay for this.

Page 11 Data collection: " Coding of dyslexia, dyscalculia, and dysgraphia AND RELATED DISORDERS".

Page 13. TEA Evaluation Support. How exactly will LEA's predict the approximate number of students and other relevant info to create a schedule?

Page 13. How will it be proved that students need compensatory services if there is no paperwork about their academic progress and they were just passed through? Will this be like ESY, that is impossible to prove regression?

Page 13. What will the bid process be for the in-state and out-of-state organizations? It says a competitive solicitation process? Will this require a RFP and actual review of costs and benefit?

Page 14. Why would we allocate$65 million dollars to LEAs for compensatory services but not require that money to be used for those services? The current document states "LEAs may be able to use this money in any way they choose, but TEA guidance may strongly suggest use towards compensatory services, as needed." This does not make sense.

Page 14 Change .." TEA MAY solicit feedback… to "WILL solicit feedback

Pg 15 Training and Development: "professional development should focus on peer reviewed, research based best practices and provide strategies for effective implementation …

Page 15 Additional Evaluation Capacity: the language needs to be changed from "may" to "will" when it comes to bilingual evaluators (SUPER important to me)

Also, "short term" needs to be defined. It says 2018, but the plan is due in Jan of 2019. If only 2018, then any items in this section would not have to be completed due to time expiring on their requirements.

The NETWORKS need to be revamped to not be disability specific. It creates a hierarchy of need and perpetuates division and prejudice. It should be based on need.

The following feedback is only relevant if the networks are not revamped:

Network 3 under activities that may support… needs to include guidelines for PPCD classrooms to teach classroom behavior expectations that mirror the general education classroom, so they can transition in a supported way.

Network 5 under activities, please include " promotion of the principles of self determination "

Network 6 needs to include mobility impairment and medically fragile kids.

Network 7: Require TVIs that work with students to become Perkins CVI Endorsed. CVI is the leading cause of visual impairment in first world countries and Texas lacks qualified TVIs to identify and support students with Cortical Visual Impairment.

Network 9: The goal of child centered transitions is not to provide assistance that increases knowledge, builds capacity… It is so the student can make the most meaningful progress in LRE with general ed curriculum.

Network 9: The best way to improve outcomes is to have high expectations for all Texas children and to provide supports for inclusive education. Children with disabilities and in special education services will eventually leave school, and they need to be prepared to enter the workforce with “typical” peers. Promoting segregated settings within our schools does not provide students in special education or their general education peers to learn to navigate our diverse society. With properly planned and executed inclusive education, all Texas children win.

Network 9: Please include in activities “guidelines for self-contained classrooms to teach behavioral expectations in a uniform way so the student can transition to general education settings”. The fact is, kids in exclusively special education settings are not being taught the necessary basics to have success in general education classrooms. Teachers are not prepared to deal with them, and they get stuck in segregated settings."

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments Regarding Draft SpEd Strategic Plan

Date: Wednesday, April 18, 2018 7:59:39 AM

My concerns with the second draft plan are as follow:

1. There are many instances of statements of what TEA MAY do. Some of these things are

budgeted and some are not. If TEA does not perform the actions that are budgeted, where will that money go?

2. In reference to the monitoring portion of the plan (pages 8-12), TEA needs to conduct a thorough examination of information currently collected through PEIMS as well as duplicative information submitted through multiple channels.

3. The draft describes ONLY the escalation team as special education specialists. What will be the required qualifications of the onsite and desk monitoring team?

4. In reference to the review process development (pages 10-11), what qualifies an organization as a partner organization to TEA?

5. It is not clear in this draft if we (LEA) would receive the monitoring report prior to its publication on the TEA website. We should be allowed that review and have a process for disagreement and collaboration for agreement should this need arise prior to publication.

6. Why is providing additional information on corrective actions steps listed as a possible opportunity for LEAs and not a guaranteed option?

7. Why are pre-support and support visits listed as possible actions of TEA? At whose expense would these visits occur?

8. Stating "will likely" develop an independent review is not an actual commitment to do so. How does this relate to the "internal reviewing mechanism" mentioned? In the funding chart, there is a one-time $200,000 expense budgeted for this.

9. In reference to data collection (page 11), The additional data to be collected COULD include several listed items and mentions that additional indicators MAY be identified on a rolling basis. TEA needs to thoroughly examine what data is already submitted by LEA's so we are not duplicating submissions.

10. In reference to other related work (page 12), TEA will review and POTENTIALLY REVISE Administrative Code rules over the next 12 months. It's clear that administrative rules will need revision; this needs to be a commitment from TEA to do so with extreme transparency and opportunity for public feedback.

11. In reference to identification, evaluation and placement - child find (pages 12-15, is there a reason that charter school would not be included in the required action as noted in Appendix

C?

12. The statement regarding re-enrollment "to age 21" and the "same funding" is not entirely accurate. This would need to reflect "through age 21" and describe the instances in which funding would not be provided or capped.

13. In reference to targeted LEA Outreach (pages 12-13), what does significant period of time mean? Who will define it?

14. Comment: Not all students in this population are suspected of having a disability that requires specially designed instruction under IDEA.

15. What is meant by "opportunity for a special education evaluation?" Does that mean the LEA must always evaluate on request?

16. The corrective action directive specifically referred to "enrolled" students; this expands on that directive. By specifically noting in the draft that evaluation has always been and will continue to be the responsibility of the LEAs, how will LEAs be expected to comply with this expansion without additional assistance?

17. What is meant by TEA's development of evaluative resources?

18. What specific roles will the LEA play in the outreach campaign? I see that a one-time cost of 3 million is set aside from state funds. Would this cover the cost of postage, media ads, staff time for town halls etc.?

19. In reference to the TEA Evaluation Support (page 13), this is another example of TEA stating it MAY perform certain actions. It is unclear if LEAs would incur costs for this support regardless of whether they request it directly from TEA or when they facilitate contract support independently.

20. What is meant by TEA in saying it "may not" provide definitive rules in regard to compensatory services? If not TEA, who will? What type of guidance will be provided?

21. When reviewing the funding for compensatory services, $65 million is coming from IDEA allocations for LEAs. The funds are required to go to the LEAs regardless of the corrective action plan.

22. In reference to Ongoing Action Steps for TEA (pages 14-15), Updated Guidance on Identification and Evaluation (page 14). TEA MAY put in place guidelines around formal

process for initial evaluation. TEA WILL LIKELY lead a series of trainings for LEAs on conducting evaluations. What are they not definite actions?

23. On page 14 under complaints, how will expanding the complaints process meet the needs of all stakeholders? Why would this action be listed as a commitment while there are so many others left as possible actions? Are there cost-free alternatives?

24. Clarification and guidance referenced on page 15 is what we need the most. Please describe this in further detail. I want to hit the mark that is being created but the target seems to always be moving.

25. In reference to training, support, and development (pages 15-18), TEA MAY provide technical assistance and resources to ensure availability of evaluation staff. This should be a priority. We are already tapped to the max with testing now. Twelve to fifteen hour days, everyday, are no longer cutting it. We are salaried and working 18-20 hours everyday to meet the needs we have right now.

26. Will training institutes be required? Who covers the cost of attendance, mileage, possible lodging? Who are the third parties? Does the term "educators" include administrators?

27. TEA MAY expand the call center. Who would be included on the list of "state-funded experts?"

28. Dyslexia Specific Support has long been confusing at best and certainly inconsistent guidance. TEA MAY provide support but it is budgeted as a one-time $500,000 expenditure. That seems to be shooting very low this critical piece that is needed.

29. What is the purpose of the Dyslexia and Related Disorders Reporting Study (pages 17-18)? It is stated that the study is already in progress; what is the status? How is this a zerodollar expense?

30. In reference to the student, family and community engagement action steps for TEA (pages 18-19) How will TEA define and locate process experts to staff the call center?

31. More detail is needed regarding the RFP criteria and the structure of the partnership.

**********Confidentiality Notice**********
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From: [redacted]

[redacted]

Subject: Comments to Draft SPED Strategic Plan

Date: Wednesday, April 18, 2018 12:53:52 AM

Importance: High

Thank you for the opportunity to provide input regarding the Draft SPED Strategic Plan (which I will refer to as the plan). My comments are based on multiple experiences with Texas public schools, which I believe you will find qualifies me to provide a deeper and broader point of view regarding the current issues. As a lifetime citizen of Texas, I've been a student in Texas public schools, a parent of children and grandchildren in Texas public schools and a professional educator (retired) in Texas public schools. [redacted] My experiences as a parent included raising one child with special needs and one child without special needs. [redacted] who attended Texas public schools throughout his lifetime and was never identified as having dyslexia until he became an adult. Thus, I believe my experiences provide me with a unique understanding of the issues from all perspectives.

I'd like to begin with some general comments before addressing some specific concerns with the plan. First, I believe it goes without saying that the past two years have resulted in much controversy and concern about public education in Texas. As a result of the OSEP visits and the

subsequent Letter of Findings, there is significant distrust between and amongst the stakeholders, including parents, LEAs, and the TEA. Reestablishing a level of trust will take time, transparency, and effort from everyone involved, but particularly from the TEA. This is why I believe there needs to be a “two-pronged” approach to the plan, instead of a unitary focus on regulation and compliance. Unlike many other states, the TEA has traditionally functioned mostly in a regulatory capacity rather than as an agency that provides guidance and supports. However, what is needed more than anything is guidance and support. The LEAs in the state of Texas are functioning beyond capacity with regards to special education staffing, teacher retention, and funding, among other things. For the past several years, special education referral rates have increased substantially, making it almost impossible for LEAs to meet timelines and provide quality services. Furthermore, as a result of the OSEP Letter, more referrals to special education are anticipated, if not already occurring. Although the plan provides for some relief to LEAs for contracting with external diagnosticians and psychologists, there appears to be a lack of understanding from TEA regarding the availability of these professionals. Texas already has a critical shortage of these professionals and is but one of a handful of states that credentials educational diagnosticians. In fact, there are only a few states that utilize educational diagnosticians. Almost every other state uses school psychologists, not educational diagnosticians. Thus, LEAs can’t draw from surrounding states for temporary access to these professionals. Likewise, Texas does not offer reciprocity for school psychologists in surrounding states who wish to become licensed in Texas because we are the only state that licenses school psychologists (called LSSPs in Texas, not psychologists.) In all but a few states, school psychologists are credentialed through the education department and are not licensed by the psychology board like here in

Texas. So, it appears there are some issues related to the availability of assessment personnel, of which TEA is unaware and may need to further research. Despite these anticipated increases in referrals and lack of available assessment staff, there are no action steps in the plan to address these critical needs of LEAs.

In summary, while the plan offers some supports through ESCs, it primarily focuses on compliance and regulation and does not address the much-needed guidance and support that LEAs will require for system improvements. This unitary approach taken by TEA does nothing to improve system outcomes. It merely provides a method for reprimanding LEAs who do not follow the plan. While compliance is absolutely necessary, it is not sufficient to promote improvement. Without guidance, supports and resources, the mechanisms for improvement are nonexistent and will likely result in increased needs for more funding just to support a monitoring system that is ineffective at improving outcomes.

Next, I will direct my comments to some specific concerns I have with the plan. I do not support the TEA's plan for Technical Assistance Networks and Structures. Specifically, I am opposed to Networks four and five.

Network 4 (Autism) discriminates against every student who happens to have one of the other 12 disability conditions. Unless the TEA devotes a network to each and every one of the 13 disability conditions, this is discriminatory. It seems this could place the TEA in a very vulnerable position in which they might find themselves on the receiving end of a class-action lawsuit. While students with autism have a complex set of needs, providing a special network devoted to this one condition is unequitable for other, equally needy students with disabilities. Consider the following:

(1) Students with social, emotional, and behavioral challenges have

not been well-served by special education. In fact, the outcomes for students with emotional disturbance (ED) are worse than the outcomes for any of the other 13 disability categories. More than 70% of these students become involved with the legal system within three years of exiting high school, if they graduate at all. Most discipline referrals in schools disproportionately affect ED students as compared to students with other disabilities, not to mention the disproportionate rate of discipline, in general, as compared to non-disabled students. School programming for these students focuses more on managing behavior than on teaching and intervening with behavior. Advocacy for these students is virtually nonexistent. Unlike parents of students with autism (who are very vocal advocates for their children), these students' parents have so many negative interactions with school personnel and subsequently with law enforcement personnel, that they become exasperated and hopeless. With virtually no support available to them, they often give up on their children. Given these outcomes, it would seem that TEA would want to target this population of students and devote a network to this condition, as well.

(2) Research has consistently shown that special education for students with specific learning disabilities has not been successful. It is this research that led to significant changes in IDEA and required SEAs and LEAs to begin implementing a response to intervention approach to addressing the needs of struggling learners before considering students as having a disability. Unfortunately, RtI in Texas has never been successfully implemented in most LEAs in our state. As a result, nothing much has changed for children with learning disabilities. It would seem

that TEA would want to target this population of students (since it is one of the largest disability groups in Texas) and devote a network to this condition, as well.

Without going over data for each disability category, I think it can be said that there is a case for each of these groups to have a targeted network, but that would not be efficient. Nor is it efficient to have one network devoted to autism.

Finally, I would like to comment on Network 5 (Intervention Best Practices). While I am not opposed to this network, I believe the TEA has too narrowly focused on the scope and purpose of this Network. There is substantial literature showing the need for Social and Emotional Learning (SEL) in schools. As supported in this substantial body of literature, this requires schools to look at behavior as a symptom of a much greater need – social, emotional learning and character development. The TEA's plan narrowly focuses on behavior and does not address the overarching need for SEL in schools. It also neglects the substantial amount of work that already has been done through a 6-year project funded by TEA in the past. That project culminated in a state model for SEL, for which training was provided to all 20 ESCs and was being implemented in some schools in the state. Yet, once this project was "subsumed" under the Behavior Network, it was never to be heard from again. It would be in TEA's and the Texas public schools' best interest if they resurrected the work done by this state-level stakeholder committee, since it was based on years of research and supports the five key SEL competencies identified by the Collaborative for Academic and Social Emotional Learning (CASEL), as well as the Aspen Institute. Why reinvent the wheel?

In closing, I would like to say that, as a parent of a former special needs child in Texas public schools, I do not feel the system helped my child. Despite this belief, I am supportive of public education and believe that

Texas' school children receive a quality education, in general. I remain an avid supporter of public education in Texas and I hope these comments are helpful. I welcome your response and look forward to hearing from you. Please feel free to contact me.

[redacted]

"When it comes to the future, there are three kinds of people: those who let it happen, those who make it happen, and those who wonder what happened."
-John Richardson, Jr., Professor of International Development

From: [redacted]

To: TexasSPED

Subject: Comments

Date: Wednesday, April 18, 2018 11:53:53 AM

Dear TEA,

[redacted]. The findings by the DOE only add to the fears and concerns we had about the state of special education in Texas and contribute to the reasons why we will likely continue to homeschool our child with disabilities throughout her school years. [redacted] My perspective and my opinion to parents on the prospect of homeschooling their child with disabilities and/or special needs speaks to my experience [redacted] While I've drafted my own thoughts for corrective actions, I cannot state it better than has been stated by the [redacted]:

TEA's Legislative Appropriations Request must reflect the priorities put forward in the Corrective Action Plan. TEA should state how much compensatory services will cost in the plan. Texas has an extraordinary opportunity in front of us to improve special education services in Texas . Let's seize it! We cannot look at the 8.5% in a silo. Use

definitive language that shows commitment. Replace “TEA may” and “will likely” with “TEA will.”

Use some of the new fulltime employees or network grants to create a special education advocacy program outside of TEA to assist students and parents with navigating special education services.The State Improvement Plan must be thoughtfully drafted with goals, measurable outcomes and elevated aspirations for students with disabilities.

The corrective action plan and strategic plan’s responses are open and transparent. TEA and LEA’s materials and supports should always be available in English and Spanish.

Monitoring should focus on:

o Peer - reviewed, r esearch - based s uccessful practices in s pecial education

o Fair hearings, ARD disputes and IEPs that are not signed by all parties in the ARD committe e must be expedited for review

o Mandatory feedback from families

o Accountability for districts who fail to comply

While it is paramount to emphasize TEA’s fiduciary duty to secure legislative funding to fully implement their corrective action plan. The stated areas of improvement are also critical to ensuring both quantitative and qualitative changes for children with a disability and their parents.

We do have some questions and concerns about the call to “Create a special education advocacy program outside of TEA to assist students and parents with navigating special education services, which includes initial evaluations, ARD meetings, fair hearings and IEP implementation.”

One of the primary concerns is the funding required to create and maintain a separate special education advocacy program outside of TEA. There are many questions and unknowns surrounding this topic, so additional inquiry and discussion are needed.

Creating a special education advocacy program outside of TEA will not only

have initial start-up costs, but will remain a ongoing annual expense. Where will those funds come from - the state? Will the Texas legislature even provide the initial $65,000,000 in funding TEA is requesting? Will the legislature provide funds above the $65,000,000 to implement additional programs such as a an outside special education advocacy program? If the legislature does provide additional funding, would the stakeholders prefer such funds be used for an advocacy program, or to provide evaluations, therapies and other compensatory education services? Could some of the function and tasks of the envisioned outside advocacy program be incorporated into the duties of the expanded TEA call center ombudsman, or as an additional feature added to the existing SpedTex website?

Another concern with creating a special education advocacy program is there are already several excellent special education advocacy programs, support groups and non-profits, outside of TEA.

1) Disability Rights Texas (DRTX) the state-wide protection and advocacy group, provides consultation, advice, ARD meeting representation and dispute resolution for those within their grant servicing authority. For those who do not fall within DRTX's grant service authority, additional legal representation may be available through legal aid, or volunteer lawyers assistance. (In Houston, the Houston Volunteer Lawyers Association (HVLA) has trained pro-bono attorneys to provide legal advice, guidance, and ARD meeting attendance for those in need, without regard to income.)

2) Partners Resource Network, the Texas Parent Training and Information Center (PTI) funded through the Department of Education, provides free information, technical assistance and ARD support to parents of children with a disability. They regularly hold informative webinars on Texas specific parent and student rights, hold conferences and speak at conferences and

parent support groups, throughout the state.

3) Texas Project FIRST is an activity of the Texas Continuing Improvement Process (TCIP) under the auspices of the Texas Education Agency (TEA) and Region 9 Education Service Center. It is focused on helping fulfill the goals of TEA and the Parent Training Committee. Texas Project FIRST is also a project of Family to Family Network. (Some excellent parent information and support groups include Family to Family Network, Texas Parent to Parent, and other local parent support groups).

4) Local parent support groups and non-profits (such as The Arc chapters) also provide information and advice about the special education process, student and parent rights, conduct IEP reviews and offer ARD meeting attendance.

Opportunities for Improvement

While TEA has yet to finalize a majority of the details of the plan and we strongly encourage TEA to do that with significant stakeholder engagement after the plan is approved, there are areas of the draft plan that are absent of critical information and action steps. Those areas include:

<!--[if !supportLists]-->· <!--[endif]-->Funding for The Plan and TEA Legislative Appropriations Request (LAR)

<!--[if !supportLists]-->· <!--[endif]-->Monitoring

<!--[if !supportLists]-->· <!--[endif]-->Support for Students and Families

<!--[if !supportLists]-->· <!--[endif]-->The Denied Class

<!--[if !supportLists]-->· <!--[endif]-->Developing the New Network Grants

<!--[if !supportLists]-->· <!--[endif]-->Time

Funding for The Plan and TEA LAR

Although TEA stated in the plan that they cannot appropriate funds, it's incumbent upon TEA—and their fiduciary duty to the citizens of Texas—to accurately state in the plan an educated determination of funding they feel the Legislature must appropriate

to meet the demands of the US Department of Education and the actions put forward the plan. Furthermore, TEA's LAR must reflect the priorities of the plan. Without acknowledging the funding aspects of the plan which is fundamental to providing the services students with disabilities would have received if Texas did not violate the Federal Individuals with Disabilities Education Act (IDEA), The Arc of Texas is adamant that Texas will not be compliant with the demands of the US Department of Education.

Monitoring

The plan details extensive monitoring activities to ensure school districts are complying with the plan and IDEA. TEA must quickly evaluate where school districts are failing to provide a free and appropriate public education (FAPE). To accomplish this, in addition to the monitoring actions proposed in the updated plan, TEA should update the plan to include the following provisions:

--[if !supportLists]-->· <!--[endif]-->The desk reviews of the monitoring must include an audit of school district and campus policies and procedures. These policies and procedures should not be contrary to federal and state law and must align with the plan.

--[if !supportLists]-->· <!--[endif]-->Fair hearings, ARD disputes and IEPs that are not signed by all parties in the ARD committee must be expedited for review. Understanding these disputes is the quickest way TEA can gather information, monitor campus level activities and address areas of noncompliance with the plan and IDEA.

Support for Students and Families

Support for students and families in the plan remains undeniably inadequate to absolve the failures found by The US Department of Education and improve Texas' struggling special education system. While monitoring is an important element of this plan, enhanced support efforts for students and parents must be equally prioritized and will ultimately compliment the goals of the plan.

--[if !supportLists]-->· <!--[endif]-->Use some of the new FTEs included in the

updated plan and the network grants to create a special education advocacy program outside of TEA to assist students and parents with navigating special education services, which includes initial evaluations, ARD meetings, fair hearings and IEP implementation.

--[if !supportLists]-->· <!--[endif]-->The call center should include duties typically characteristic of an ombudsman. The call center should have the authority to expedite significant concerns and complaints i.e. delayed evolutions, denial of services and inappropriate use of RTI. The escalation teams must review these concerns and complaints and act promptly to resolve them and work with the school district and campus to remediate. Certain categories of concerns and complaints must have a designated timeframe in which they are resolved.

--[if !supportLists]-->· <!--[endif]-->Questions, concerns and complaints should be reported regularly to TEA, the Legislature and the public.

Define the Denied Class in The Plan

The updated plan fails to define and acknowledge the groups of students who were affected by the 8.5% cap. TEA must include these groups of students in the plan and specifically outline how the plan will help them receive the services they were denied and/or should be receiving. The denied class includes:

--[if !supportLists]-->· <!--[endif]-->Students K – 12

--[if !supportLists]-->· <!--[endif]-->Students 18 – 22 years old

--[if !supportLists]-->· <!--[endif]-->Students who have since graduated

--[if !supportLists]-->· <!--[endif]-->Students in foster care

--[if !supportLists]-->· <!--[endif]-->Students involved in the criminal justice system

Developing the New Network Grants

The Arc of Texas appreciates TEA's efforts to renegotiate and improve the network grants with the ESCs to meet the needs of students with disabilities and school districts. There are immense opportunities to elevate expectations, promote system change and provide the support needed to comply with the plan and IDEA. TEA must include in the plan a commitment to receive significant stakeholder input and

guidance in the development of the new network grants.

Time

While The Arc of Texas appreciates Governor Abbott's urgency in developing the plan, TEA may need more time to craft a meaningful plan that systemically improves special education services in Texas. The State Improvement Plan must be thoughtfully drafted with goals, measurable outcomes and elevated aspirations for students with disabilities. A plan that The Arc of Texas hopes to see from TEA may take longer than the deadline initially offered by Governor Abbott. The current version of the plan still remains inappropriately discretionary and must be amended to reflect TEA's commitment to the Corrective Action Plan and State Improvement Plan.

Again, thank you for the opportunity to provide input in the development of the Special Education Improvement Plan and the Corrective Action Plan.

The Arc of Texas is committed to working with TEA at all stages of the development and immediate implementation of this plan.

The U.S. Department of Education Office of Special Education and Rehabilitative Services has directed TEA to develop a corrective action plan based on four areas:

--[if !supportLists]-->1. <!--[endif]-->Documentation that the State's system of general supervision requires that each ISD identifies, locates, and evaluates all children suspected of having a disability who need special education and related services, in accordance with section 612(a)(3) of the IDEA and its implementing regulation at 34 CFR §300.111, and makes FAPE available to all eligible children with disabilities in accordance with section 612(a)(1) of the IDEA and its implementing regulation at 34 CFR §300.101.

--[if !supportLists]-->2. <!--[endif]-->A plan and timeline by which TEA will ensure that each ISD will (i) identify, locate, and evaluate children enrolled in the ISD who should have been referred for an initial evaluation under the IDEA, and (ii) require IEP Teams to consider, on an individual basis, whether additional services are needed for children previously suspected of having a disability who should have been referred for an initial evaluation and were later found eligible for special education and related

services under the IDEA, taking into consideration supports and services previously provided to the child.

--[if !supportLists]-->3. <!--[endif]-->A plan and timeline by which TEA will provide guidance to ISD staff in the State, including all general and special education teachers, necessary to ensure that ISDs (i) ensure that supports provided to struggling learners in the general education environment through RTI, Section 504, and the State's dyslexia program are not used to delay or deny a child's right to an initial evaluation for special education and related services under the IDEA; (ii) are provided information to share with the parents of children suspected of having a disability that describes the differences between RTI, the State dyslexia program, Section 504, and the IDEA, including how and when school staff and parents of children suspected of having a disability may request interventions and/or services under these programs; and (iii) disseminate such information to staff and the parents of children suspected of having a disability enrolled in the ISD's schools, consistent with 34 CFR §300.503(c) .

--[if !supportLists]-->4. <!--[endif]-->A plan and timeline by which TEA will monitor ISDs' implementation of the IDEA requirements described above when struggling learners suspected of having a disability and needing special education and related services under the IDEA are receiving services and supports through RTI, Section 504, and the State's dyslexia program.

Noted Progress in the Updated Plan Includes:

--[if !supportLists]-->· <!--[endif]-->Enhanced and increased monitoring

--[if !supportLists]-->· <!--[endif]-->Enhanced call center for parents, students and teachers

--[if !supportLists]-->· <!--[endif]-->Reorganized Networks

Opportunities for Improvement

While TEA has yet to finalize a majority of the details of the plan and we strongly encourage TEA to do that with significant stakeholder engagement after the plan is approved, there are areas of the draft plan that are absent of critical information and

action steps. Those areas include:

<!--[if !supportLists]-->· <!--[endif]-->Funding for The Plan and TEA Legislative Appropriations Request (LAR)

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Monitoring

The plan details extensive monitoring activities to ensure school districts are complying with the plan and IDEA. TEA must quickly evaluate where school districts are failing to provide a free and appropriate public education (FAPE). To accomplish this, in addition to the monitoring actions proposed in the updated plan, TEA should update the plan to include the following provisions:

--[if !supportLists]-->· <!--[endif]-->The desk reviews of the monitoring must include an audit of school district and campus policies and procedures. These policies and procedures should not be contrary to federal and state law and must align with the plan.

--[if !supportLists]-->· <!--[endif]-->Fair hearings, ARD disputes and IEPs that are not signed by all parties in the ARD committee must be expedited for review. Understanding these disputes is the quickest way TEA can gather information, monitor campus level activities and address areas of noncompliance with the plan and IDEA.

Support for Students and Families

Support for students and families in the plan remains undeniably inadequate to absolve the failures found by The US Department of Education and improve Texas' struggling special education system. While monitoring is an important element of this plan, enhanced support efforts for students and parents must be equally prioritized and will ultimately compliment the goals of the plan.

--[if !supportLists]-->· <!--[endif]-->Use some of the new FTEs included in the updated plan and the network grants to create a special education advocacy program outside of TEA to assist students and parents with navigating special education services, which includes initial evaluations, ARD meetings, fair hearings and IEP implementation.

--[if !supportLists]-->· <!--[endif]-->The call center should include duties typically characteristic of an ombudsman. The call center should have the authority to expedite significant concerns and complaints i.e. delayed evolutions, denial of services and inappropriate use of RTI. The escalation teams must review these concerns and complaints and act promptly to resolve them and work with the school district and campus to remediate. Certain categories of concerns and complaints must have a designated timeframe in which they are resolved.

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and/or should be receiving. The denied class includes:

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Developing the New Network Grants

The Arc of Texas appreciates TEA's efforts to renegotiate and improve the network grants with the ESCs to meet the needs of students with disabilities and school districts. There are immense opportunities to elevate expectations, promote system change and provide the support needed to comply with the plan and IDEA. TEA must include in the plan a commitment to receive significant stakeholder input and guidance in the development of the new network grants.

Time

While The Arc of Texas appreciates Governor Abbott's urgency in developing the plan, TEA may need more time to craft a meaningful plan that systemically improves special education services in Texas. The State Improvement Plan must be thoughtfully drafted with goals, measurable outcomes and elevated aspirations for students with disabilities. A plan that The Arc of Texas hopes to see from TEA may take longer than the deadline initially offered by Governor Abbott. The current version of the plan still remains inappropriately discretionary and must be amended to reflect TEA's commitment to the Corrective Action Plan and State Improvement Plan.

Again, thank you for the opportunity to provide input in the development of the Special Education Improvement Plan and the Corrective Action Plan.

Best regards,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Concerns for Dyslexic students in Texas

Date: Wednesday, April 18, 2018 12:26:05 AM

I am writing in response to the TEA Corrective Action Plan as it relates to my dyslexic student.

My concerns about the Corrective Action Plan are as follows:

1. Evaluations and Services:

As a parent to a 5th grader in the Austin ISD school system, we have effectively been denied Dyslexia/Dysgraphia services for my child until we took the district into mediation the summer of 2017. We now have Dyslexic services for the 5th grade (not Dysgraphia) after our parental initial concern in the 2nd grade. We were refused Dyslexic testing by the Austin ISD school district and finally did a full educational evaluation at our personal expense in the 3rd grade.

We repeatedly requested evaluation during the 2nd grade for Dyslexia and were denied. It was not until we hired a advocate and took the district into mediation, did we finally receive services.

2. Disputes need to be addressed:

I don't see a dispute resolution plan outlined in the TEA Corrective Action plan.

3. Data Privacy

The Corrective Action Plan addresses student privacy concerns with relation to any published reports but not about student privacy within the school district private records nor about releasing a student's private data to 3rd party entities. There are ways to hash personal data that will not tie to a particular student's data. And parents did not sign up to have their children's information to be released to 3rd party companies when they are only trying to get services. Please address this issue.

4. STAAR Assessments:

The STAAR assessment does a big disservice to dyslexic/dysgraphic students.

It assumes a one-size-fits-all approach to reading, comprehension, and even math.

How can you expect a Dyslexic student to pass the reading assessment or writing

if they can't understand the words in the assessment question. It's made worse by poorly worded questions that almost always include a turn-of-phrase, shifting the meaning from what is expected. Please address.

And please change the wording from "state testing" to "state assessments".

5. Funds:

Paying for the STAAR Assessments is diverting funds that school districts can use for evaluation and services. The STAAR Assessments are a waste of funds, time and energy for our teachers and students.

6. Administrator Education:

Our school has repeatedly stated that Dyslexia remediation does not fall under SPED. Further education is needed at the school administrator level to address this issue. And to make sure Dyslexia is included under SPED services for a IEP.

Regards,

[redacted]

To: TexasSPED

Subject: Concerns Regarding the Draft Special Education Strategic Plan

Date: Wednesday, April 11, 2018 11:55:05 AM

Concerns Regarding the Draft Special Education Strategic Plan:

· There are overwhelming instances of statements that TEA may engage in certain actions. It is unclear as to which items TEA will be required to do and which ones are optional. There should be more specificity on what TEA will actually do.

· There are many action items that TEA may do that are budgeted for. What happens to that money if TEA decides not to implement that item?

· There are many action items that will require districts to submit documentation, prepare for audits, etc.; however, there is no additional funding for districts.

· I have concerns regarding the special education escalation team and the qualifications of those employees.

· I have concerns/questions regarding the statements on #3 (p. 12-13) of the plan. “TEA is

updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a section 504 plan, or were exclusively in a dyslexia or dyslexiarelated program. Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation."

1. There are some students who are in RtI, 504 and/or dyslexia and are making progress. It may not be appropriate for the student to be evaluated for a disability.
2. Districts need guidance on what is meant by an opportunity for a special education evaluation.
3. Does this mean that we will need to evaluate every student whose parent requests an evaluation?

· When discussing compensatory services (p. 13), TEA states they will not provide definitive rules; however, LEAs will be monitored and possibly cited through a TEA Complaint regarding Compensatory services without guidance from TEA. This is a concern.

· Clarification is needed with regard to compensatory services. Are Federal Funds available to support this action item? Will TEA monies be available for this use? If not, it will take away services from students who are currently in Special Education.

· Clarification by the TEA regarding the requirements for RtI, Section 504 and dyslexia, is necessary, not optional.

· TEA may dedicate resources to ensure the availability of evaluators (p. 15). It's anticipated that the LEAs will not be able to meet the timelines for all requested evaluations.

· Clarification is needed regarding the statement in the plan, "LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services." (p. 16) Our LEA needs guidance on what that means for a student with a Learning Disability and also has dyslexia. Is TEA meaning they would get both dyslexia and special education services? Please clarify what is meant in #6 Dyslexia-Specific Support (p. 17).

· Professional development may be conducted. This needs to be clarified. Who will be given the professional development? Will it be required? Who will provide the staff

development? It also needs to be clarified who would be responsible for this expense.

· While I am hopeful that TEA is truly focusing on supports to districts and improved outcomes for students in Special Education, the current plan is simply too ambiguous to establish the role and responsibilities for the TEA, which only creates more confusion as to the true responsibilities of the LEA's. No specific accountability for the TEA is outlined in the current CAP. LEA's have worked diligently to appropriately serve special education students and meet their needs, despite limited funding, all the while attempting to maintain unrealistic compliance standards established by the TEA. The spirit of this corrective action plan is to address the discriminatory practices imposed on LEA's by the TEA. However, the current plan places the burden on LEA's while the TEA may or may not be held accountable for their actions, once again, creating a punitive system rather than SUPPORTING education and the students we serve.

[redacted]

Special Education Coordinator

[redacted]

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[redacted]

Penny Schwinn

Chief Deputy Commissioner of Education

Texas Education Agency

1701 North Congress Avenue

Austin, TX 78701-1494

RE: Corrective Action Plan – Special Education - Consolidated Comments

April 18, 2018

CTD is pleased to provide a consolidated version of the comments we have submitted before the first draft of the corrective action plan, after the first released draft of the corrective action plan and on the most recent Draft Special Education Improvement Plan and Corrective Action Response. In addition, we would like to thank TEA staff for the many stakeholder meetings to discuss important issues between each release.

CTD has chosen to submit this consolidated version as many of our comment remain relevant and may provide further guidance and solutions. In addition, we felt that all of our comments should be on record for TEA staff and others in the disability community.

Best Regards,

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Thank you for this opportunity to provide our initial comments and input for the Corrective Action Plan.

The Coalition of Texans with Disabilities (CTD) is pleased to be a part of this process and looks forward to continuing this discussion and is excited about other initiatives that TEA can undertake to remediate the harmful actions of the 8.5% enrollment cap to create an equitable and successful public school special education system.

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first step to rebuild trust for parents and ensure that a case that might fall under the (DOE) concerns does not continue.

· It is critical to fast-track the assisted resolution concept, as described by TEA executive staff during the past two meetings. CTD suggests that the expanded staff should include a specialist on evaluations to help Local Education Authorities (LEA's) (and potential contractors) to navigate the potential increase in evaluations.

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· Terminology matters, and CTD has spoken with several SPED parents who are unclear about what the DOE refers to in the corrective action letter because TEA and school districts use different terminology or definitions as vernacular use in Texas.

o As a rule, CTD prefers that respectful and consistent language is used in regards to people. Respectful language can soften communications problems and help parents and educators understand and implement federal guidance(s).

o For example, Texas uses Admission, Review, Dismissal (ARD) and the DOE uses IEP Team. The use of IEP Team has collaborative implications and would be part of the culture shift that needs to occur.

o Perhaps adoption of DOE terminology might be particularly useful if any training materials from outside the Texas market are found to be useful for teacher and parent training.

· CTD is concerned that simply using "Dyslexia" and not using "Dyslexia and Related Disorders" may continue to ignore many children with associated learning disabilities. DOE identifies this distinction in their letter; however, it is imperative that the corrective action plan use inclusive terminology.

· The English Language Learners (ELL) who also receive SPED, 504 or RTI services need significant focus and procedural changes throughout the entire public education system. The lack of a Spanish STAAR Alternate test is simply atrocious. In addition, as stated below, PBMAS incorrectly aggregates ELL students with disabilities in several areas. A comprehensive revamp on how non-English speaking students with disabilities are regarded, accounted for and served is in order.

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[redacted] to TEA to address a short term plan. However, we feel that the original (as-filed) bill has great value as long-term planning guidance. We have attached the bill and the bill analysis (see attached).

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o As TEA is charged with having policies and procedure to ensure “Child Find” from ages 3-21, a more consistent mechanism must be in place to ensure that children who are in ECI are tracked and evaluated when entering PPCD (Preschool Program for Children with Disabilities) or kindergarten. Many children who should receive ECI no longer qualify for this important support and many more do not utilize PPCD after age three. CTD suggests TEA review the collaboration with ECI staff at HHSC in order to create a tracking system that identifies children who received ECI and who may have been referred as required by Child Find but did not qualify for or receive services.

o Perhaps accepting evaluations for those who have existing ECI or pre-k evaluations and/or IEPs at initial school district intake might streamline the initial IEP Team meetings as so many schools struggle to find evaluators and teachers during the summertime.

o CTD suggests that ECI contractors are uniquely qualified and experience with providing detailed evaluations. Therefore, leveraging these contractors to meet the potential obligation for new evaluations, in particular for those children who may be entering kindergarten, would alleviate the pressure on LEA evaluators.

· Extended school hours (ESH) and school year (ESY)

o Extended school hour and school year programs are extremely difficult for children with disabilities to qualify for. The general education students have much greater access to tutors, summer school and other remediation opportunities due to the focus on accountability testing. CTD suggests that accountability measures be added so LEA’s must track and report on the use of ESH and ESY.

o Many students regress over the summer break; possibly more so for students with disabilities. However, CTD believes it is imperative that ESH and ESY should be utilized on an as needed basis and follow the same guidelines as non-SPED students in order to provide additional instruction when students struggle. Equity is important for all student populations.

o Both after school tutoring and summer school will be a very useful tool for those who are eventually recognized as unidentified or received inadequate services due to the 8.5% enrollment cap.

Response to Intervention (RTI)

· The passage of SB 1153 significantly addresses many of the issues cited in the DOE letter with RTI. However the implementation needs to be fast-tracked in order to impact the next school year.

· In addition, it is imperative that teachers and parents receive adequate training on what RTI is, how it can help the student, and when an evaluation for SPED should occur. RTI appears to be a mystery to LEA's and parents and must be made transparent.

· Significant amounts of teacher in-service training and parent training are absolutely needed.

Section 504 (accommodations)

· I have heard many teachers refer to 504 as the only option for students with disabilities and equate 504 with SPED, "same services and everything." As this is obviously not true, it has become clear that basic teacher and parent training are clearly needed statewide.

Dyslexia

· As the DOE letter specifies, Texas' handling of dyslexia and related disorders needs a complete overhaul. As the State Board of Education (SBOE) is tasked with aspects such as the Dyslexia handbook and the implementation of HB 1886 it is imperative to ensure that the SBOE adequately works towards all efforts delineated in the corrective action plan.

· It is unclear exactly how TEA should proceed when the Handbook is not technically in TEA purview. However, SBOE support is crucial for positive change.

Accountability

· It is clearly ironic that monitoring the corrective actions needed for accountability must use the PBMAS system

o Additional modifications to PBMAS must be made to track and incentivize enrollment increases and other accountability standards expressly stated in the DOE letter.

· In addition, advocates made extensive joint comments (see attached) during the comment period for the 2017 amendments to the PBMAS manual. Those comments were not

incorporated into the final published manual.

o CTD would suggest these changes be reviewed and incorporated into an amended manual as soon as possible.

o In addition, CTD believes that significant aggregation of data decreases accountability and skews results, for instance:

・ STARR Spanish has been used as the denominator on multiple indicators as there is no Spanish STAAR Alternative assessment. Recommendation: remove the STAAR Spanish from #'s 1, 2, & 4 indicators and creating 3 new SPED indicators in the BE/ESL indicators section (exactly as has been done in the CTE Indicators section when special education students are relevant to that set of indicators).

o Absolutely no SPED Indicator should be considered "Report Only"

o Dropout and Graduation rates appear to disregard students who may stay in school from 18-21 years of age. It is crucial that these kids are tracked and districts are held accountable.

5

Teacher Training and Certifications

・SB 529 did not pass in the previous legislative session but provides a great templet for teacher training at the LEA and University levels that will be extremely helpful in ongoing efforts to provide special education training and the required certification guidelines for current and future teachers (see attached).

o This bill was negotiated later in the session as a tiered system for current certified teacher trainings. This model could be potentially helpful considering the costs of training, teacher availability and demands, and the demand on trainers. Suggestions included trainings to begin with general education teachers and aides who currently serve an IEP being trained first, then anyone who works with a student with and IEP, and so on until all teachers and aides have received training. Training topics included behavioral training, focused intervention on students with IDD, autism, dyslexia and

related disorders, and many more.

o Two additional bills that did not pass (HB 3244 & HB 1918) (see attached) would have provided incentives and support to teachers to extend their professional development specifically for special education, 504, dyslexia and related disorders, and autism. A pilot project using grants, or other incentives to pay for training could jumpstart aspects of the corrective action plan. Education Service Centers have the experience and responsibility and should be leveraged to the fullest extent to provide a significant amount of training for the summer of 2018.

Additional Guidance

· Sunset Recommendations

o The Texas Sunset Commission has reviewed TEA several times over the past decade. Minor parts of the recommendations became legislation, but an actual omnibus Sunset bill has never passed. TEA was always continued with another limited purpose review to be done the following session. Potential agency changes were recommended over multiple reports and some recommendations (including management recommendations) were agreed to be implemented by previous TEA executive management. Unfortunately most of these were never implemented. In particular, repetitive recommendations about stakeholder input and contracting. A review of the

[redacted]

o To address meaningful stakeholder engagement and input, HB 3815 (see attached) was filed as standalone bill. The bill derived from the previous Sunset recommendations and legislation. HB 3815 would have directed TEA to create a public input policy that focuses on public involvement, complaints, negotiated rulemaking, alternative dispute resolution, and adds potential Commissioner appointed advisory committees. This bill did not pass. However, CTD suggests that TEA could use this bill as a guideline to build trust, increase stakeholder input and professionalize the stakeholder input process. In addition, changes outlined in the bill would align TEA with many other state agencies.

[redacted]

CTD has provided a short list of potential changes that would address some of the issues highlighted in the DOE letter. CTD feels that having advocate and parental input into the creation of this corrective action plan is a great first step to achieving success. Please feel free to contact staff member[redacted], with questions and follow up.

Sincerely,

[redacted]

2/20/2018 – 1st Draft Comments for the Corrective Action Plan

Thank you for this additional opportunity to provide our comments and input for the Corrective Action Plan Draft. The Coalition of Texans with Disabilities (CTD) is pleased to be a part of this process and is excited about other initiatives that the Texas Education Agency (TEA) can undertake to remediate the harmful actions of the 8.5% enrollment cap to create an equitable and successful public school special education system.

General Observations:

· We feel many of the initial comments that we made on January 15th are still relevant and important and should be addressed in the next iteration of the Corrective Action Plan. We have attached our initial comments for ease of reference.

· The stakeholder roundtable has requested multiple times to be provided with an accounting report (or chart) with descriptions of the current uses of IDEA discretionary funds and riders that influence the spending of these funds. CTD believes that understanding how funding streams are currently allocated will increase transparency and facilitate meaningful future budgetary discussions.

· CTD suggests that TEA request a limited purpose review by the Legislative Budget Board to assess the distribution and use of IDEA funds to provide third-party transparency. A limited purpose review would provide legislators with important information in preparation of the 86th Legislative Session in January of 2019.

Concerns:

Funding

As discussed at the Special Education Community Stakeholders Meeting on February 9th, we feel

that it is important that the Corrective Action Plan address comprehensive systemic reforms to special education in Texas. We feel it is a lost opportunity to limit the corrective action plan to

existing identifiable discretionary funds. If the corrective action plan is fundamentally limited in scope, we believe that the effectiveness of the corrective action plan will be undermined.

CTD is convinced that this is an opportunity to jumpstart many needed positive changes; beginning with Department of Education (DOE) Corrective Action letter and continuing with increasing the quality of special education in Texas after the Supreme Court decision in Endrew F. v. Douglas County School District. We are concerned that the disability community will not embrace a corrective action plan that is not comprehensive and does not fully address the needs of children with disabilities in public education.

However, we fully understand that resources are limited and that any corrective action plan must receive financial support for both TEA and the Local Education Authorities (LEA's). Therefore, we feel a tiered approach should be implemented:

1. Use of IDEA funds to support LEA's expected increases in assessments and compensatory services
2. Supplemental funding request for 2018-2019 school year for TEA monitoring and startup expenses
3. One-time expenditure request for specific corrective action plan implementation (2020-2021 budget)
4. Creating a new funding goal, objective, and strategy in TEA's Legislative Appropriations Request for the next biennial budget

Use of IDEA funds to support LEA's expected increases in assessments and compensatory services

We strongly believe that all IDEA discretionary funds at this time should be expended only to serve students with disabilities - not used for staffing needs that TEA has outlined to meet the monitoring requirements of the corrective action plan.

Therefore, TEA should set up IDEA discretionary fund grant pools for LEA's to provide for the:

· expected increases in assessments, evaluations, screenings,

· increases in special education staff time to perform the assessments,

· additional staff time for IEP Team Meetings (ARD),

· compensatory services for students with disabilities who were denied services or are not on grade due to the lack of services.

CTD expects that there will be a surge in parents requesting assessments, evaluations, and screenings due to the outreach efforts described in the corrective action plan. These initial services will require additional LEA staff time (and potentially non-staff consultants) to provide these services in a timely manner as mandated by Federal law. In addition, TEA should explore concepts that increase the potential workforce of qualified individuals to provide assessments, evaluations,

or screenings, including third party contractors, accepting third-party evaluations, and leveraging ECI providers.

TEA should also consider changing the current standard operations of Extended School Year (ESY) and Extended School Hours (ESH) by LEA's to address the need for compensatory services. Students without disabilities use ESY and ESH on a regular basis when remediation is needed. However, students with disabilities must show regression (rather than a failure in accomplishment) to qualify for limited extended services. ESY and ESH could provide cost-effective solutions for compensatory services but will require significant changes in current policy and procedure.

Supplemental funding request for 2018-2019 school year for TEA monitoring and startup expenses

TEA must request supplemental funding from the Texas Legislature to provide funds for additional TEA staff and startup funds for the monitoring objectives of the corrective action plan. A supplemental request would allow for much greater funding and flexibility for TEA to fully deploy the needed staff to address monitoring concerns; rather than limiting monitoring staff to available IDEA discretionary funds.

One-time expenditure request for specific corrective action plan implementation (2020-2021 budget)

TEA must seek one-time funding (not an exceptional item) for targeted funds to implement initial corrective action plan objectives such as outreach that require a single massive effort. A single funding request would be beneficial to increase transparency and to provide well-defined and achievable activities that relate directly to the goals and directives of the corrective action plan.

Creating a new funding goal, objective, and strategy in TEA's Legislative Appropriations Request for the next biennial budget

Lastly, TEA must commit to creating a new funding goal, objective, and strategy that focuses on implementation of the long-range goals of the corrective action plan. It is imperative that TEA make the goals of the corrective action plan a permanent and persistent effort that will receive consistent funding to ensure students with disabilities receive the proper supports and services.

With years of Texas legislative experience, CTD believes that a multifaceted funding structure will successfully meet the needs of children in special education and will provide the opportunity for the disability community to support these requests during the 86th Texas legislative session. Without funding request from state agencies, CTD has found it very difficult to educate lawmakers on the importance of program and plans like the corrective action plan.

CTD looks forward to continuing this dialogue and supporting TEA's efforts to submit a corrective action plan that address the areas of concern and provides resources and supports for TEA and the

[redacted] with questions and follow up.

Sincerely,

[redacted]

4/3/2018 - Draft Special Education Improvement Plan and Corrective Action Response (presented to the Special Education Continuing Advisory Committee)

[redacted]

We are pleased to have had the opportunity to offer public comment at the meeting held on April, 3, 2018 and understand that you have just begun a lengthy and arduous process to review the Texas Education Agency's (TEA's) Special Education Improvement Plan and Corrective Action Response. This will be a long-term project. Meanwhile students with disabilities are without the necessary supports and services to be successful and thrive. Considering this lengthy process, there are four action items that we believe the CAC should recommend to the TEA for immediate action.

We encourage the Special Education Continuing Advisory Committee to provide the following four recommendations to TEA:

1. TEA should help school districts to leverage all available and qualified professionals to meet federal guidelines to conduct evaluations after a request for evaluation has been made (45 days). This can be accomplished by passing rules immediately that allow for temporary staffing relief by:

o Drafting Memorandums of Understanding (MOU's) with Education Services Centers (ESC's) to share staff outside of traditional school district boundaries

o Leveraging extending qualified and experienced service providers such as Early Childhood Intervention (ECI) providers

o Allowing exemptions for qualified and experienced medical professionals and licensed therapists such as: pediatricians, primary care physicians, specialists, licensed speech and occupational therapists and other qualified medical professionals to verify disability and recommend service and support needs

・ exemptions would provide a knowledgeable and qualified method for "advanced placement" for children to begin services pending a full school district or third-party evaluation

・ allow other evaluators and diagnosticians more time to conduct evaluations for children whose disabilities are not currently under a doctor's or therapists care

o Exploring other opportunities that could provide the temporary expansion of the workforce

2. TEA should create a new agency strategic plan goal with appropriate funding levels to "Improve Special Education" and a strategy for that goal to "Implement the Corrective Action Response and the Special Education Strategic Plan" in the upcoming Legislative Appropriation Request (LAR) for the 2019-2020 biennium. It is crucial that both plan initiatives become a funded agency goal and strategy; rather than an exceptional as there is no guarantee any funds will be allocated in a difficult budget cycle for any exceptional item.

o Currently, there is no consistent, dedicated, or long-term funding mechanism to implement the Corrective Action Response or the Special Education Strategic Plan. Most of the current allocated funding budgeted for both initiatives is unallocated Individuals with Disabilities Education Act (IDEA) funds, which should only be used in direct supports and services for children with disabilities. Both plans need dedicated long-term funding to be effective.

3. TEA should dedicate a significant pool of funds to cover the costs of compensatory services for students who were impacted by the 8.5% indicator. Compensatory services are a crucial part of helping those who were unidentified or received minimal services and supports in the past 15 years. The amount of funds needed may be significant but some dedicated amount must be set aside by TEA to encourage school districts to identify students who need remediation to achieve their Individualized Education Plan (IEP) goals.

4. TEA should pass rules or formally adopt both the Corrective Action Response and the Special Education Strategic Plan. Neither plan, which many of us have spent so much time on, is legally codified in any way. Various options exist outside of passing a state law such as:

o The TEA Commissioner could formally pledge to implement the plan in a written declaration, or begin the rulemaking process immediately to adopt the plans in agency rules. While legislative directive is useful and may be necessary during the upcoming 86th legislative session, TEA's formal adopting of both plans will send a strong message to the Department of Education, school districts and parents that TEA is dedicated to achieving strong outcomes for all students with disabilities.

The Coalition of Texans with Disabilities appreciates the time and effort that the committee is dedicating to students with disabilities. We are excited to see the CAC's enthusiasm and diligence.

Please feel free to contact us if you have any questions about the suggestions above or for any future needs regarding special education,

Penny Schwinn

Chief Deputy Commissioner of Education

Texas Education Agency

1701 North Congress Avenue

Austin, TX 78701-1494

RE: Corrective Action Plan – Special Education - Consolidated Comments

April 18, 2018

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[redacted]

[redacted]15/2018 – Pre-draft Comments

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o CTD suggests that ECI contractors are uniquely qualified and experience with providing detailed evaluations. Therefore, leveraging these contractors to meet the potential obligation for new evaluations, in particular for those children who may be entering kindergarten, would alleviate the pressure on LEA evaluators.

· Extended school hours (ESH) and school year (ESY)

o Extended school hour and school year programs are extremely difficult for children with disabilities to qualify for. The general education students have much greater access to tutors, summer school and other remediation opportunities due to the focus on accountability testing. CTD suggests that accountability measures be added so LEA's must track and report on the use of ESH and ESY.

o Many students regress over the summer break; possibly more so for students with disabilities. However, CTD believes it is imperative that ESH and ESY should be utilized on an as needed basis and follow the same guidelines as non-SPED students in order to provide additional instruction when students struggle. Equity is important for all student

populations.

o Both after school tutoring and summer school will be a very useful tool for those who are eventually recognized as unidentified or received inadequate services due to the 8.5% enrollment cap.

Response to Intervention (RTI)

· The passage of SB 1153 significantly addresses many of the issues cited in the DOE letter with RTI. However the implementation needs to be fast-tracked in order to impact the next school year.

· In addition, it is imperative that teachers and parents receive adequate training on what RTI is, how it can help the student, and when an evaluation for SPED should occur. RTI appears to be a mystery to LEA's and parents and must be made transparent.

· Significant amounts of teacher in-service training and parent training are absolutely needed.

Section 504 (accommodations)

· I have heard many teachers refer to 504 as the only option for students with disabilities and equate 504 with SPED, "same services and everything." As this is obviously not true, it has become clear that basic teacher and parent training are clearly needed statewide.

Dyslexia

· As the DOE letter specifies, Texas' handling of dyslexia and related disorders needs a complete overhaul. As the State Board of Education (SBOE) is tasked with aspects such as the Dyslexia handbook and the implementation of HB 1886 it is imperative to ensure that the SBOE adequately works towards all efforts delineated in the corrective action plan.

· It is unclear exactly how TEA should proceed when the Handbook is not technically in TEA purview. However, SBOE support is crucial for positive change.

Accountability

· It is clearly ironic that monitoring the corrective actions needed for accountability must use the PBMAS system

o Additional modifications to PBMAS must be made to track and incentivize enrollment increases and other accountability standards expressly stated in the DOE letter.

・In addition, advocates made extensive joint comments (see attached) during the comment period for the 2017 amendments to the PBMAS manual. Those comments were not incorporated into the final published manual.

o CTD would suggest these changes be reviewed and incorporated into an amended manual as soon as possible.

o In addition, CTD believes that significant aggregation of data decreases accountability and skews results, for instance:

・ STARR Spanish has been used as the denominator on multiple indicators as there is no Spanish STAAR Alternative assessment. Recommendation: remove the STAAR Spanish from #'s 1, 2, & 4 indicators and creating 3 new SPED indicators in the BE/ESL indicators section (exactly as has been done in the CTE Indicators section when special education students are relevant to that set of indicators).

o Absolutely no SPED Indicator should be considered "Report Only"

o Dropout and Graduation rates appear to disregard students who may stay in school from 18-21 years of age. It is crucial that these kids are tracked and districts are held accountable.

Teacher Training and Certifications

・SB 529 did not pass in the previous legislative session but provides a great templet for teacher training at the LEA and University levels that will be extremely helpful in ongoing efforts to provide special education training and the required certification guidelines for current and future teachers (see attached).

o This bill was negotiated later in the session as a tiered system for current certified teacher trainings. This model could be potentially helpful considering the costs of training, teacher availability and demands, and the demand on trainers. Suggestions

included trainings to begin with general education teachers and aides who currently serve an IEP being trained first, then anyone who works with a student with and IEP, and so on until all teachers and aides have received training. Training topics included behavioral training, focused intervention on students with IDD, autism, dyslexia and related disorders, and many more.

o Two additional bills that did not pass (HB 3244 & HB 1918) (see attached) would have provided incentives and support to teachers to extend their professional development specifically for special education, 504, dyslexia and related disorders, and autism. A pilot project using grants, or other incentives to pay for training could jumpstart aspects of the corrective action plan. Education Service Centers have the experience and responsibility and should be leveraged to the fullest extent to provide a significant amount of training for the summer of 2018.

Additional Guidance

. [redacted]

o [redacted] has reviewed TEA several times over the past decade. Minor parts of the recommendations became legislation, [redacted] TEA was always continued with another limited purpose review to be done the following session. Potential agency changes were recommended over multiple reports and some recommendations (including management recommendations) were agreed to be implemented by previous TEA executive management. Unfortunately most of these were never implemented. In particular, repetitive recommendations about stakeholder input and contracting. A review of the [redacted] for TEA.

o To address meaningful stakeholder engagement and input, HB 3815 (see attached) was filed as standalone bill. The bill derived from the previous Sunset recommendations and legislation. HB 3815 would have directed TEA to create a public input policy that focuses on public involvement, complaints, negotiated rulemaking, alternative dispute resolution, and adds potential Commissioner appointed advisory committees. This bill

did not pass. However, CTD suggests that TEA could use this bill as a guideline to build trust, increase stakeholder input and professionalize the stakeholder input process. In addition, changes outlined in the bill would align TEA with many other state agencies.

6

[redacted]

CTD has provided a short list of potential changes that would address some of the issues highlighted in the DOE letter. CTD feels that having advocate and parental input into the creation of this corrective action plan is a great first step to achieving success. Please feel free to contact staff member Chris Masey, Senior Policy Specialist, with questions and follow up.

Sincerely,

[redacted]

2/20/2018 – 1st Draft Comments for the Corrective Action Plan

Thank you for this additional opportunity to provide our comments and input for the Corrective Action Plan Draft. [redacted] (CTD) is pleased to be a part of this process and is excited about other initiatives that the Texas Education Agency (TEA) can undertake to remediate the harmful actions of the 8.5% enrollment cap to create an equitable and successful public school special education system.

General Observations:

· We feel many of the initial comments that we made on January 15th are still relevant and important and should be addressed in the next iteration of the Corrective Action Plan. We have attached our initial comments for ease of reference.

· The stakeholder roundtable has requested multiple times to be provided with an accounting report (or chart) with descriptions of the current uses of IDEA discretionary funds and riders that influence the spending of these funds. CTD believes that understanding how funding streams are currently allocated will increase transparency and facilitate meaningful future budgetary discussions.

· CTD suggests that TEA request a limited purpose review by the Legislative Budget Board to assess the distribution and use of IDEA funds to provide third-party transparency. A limited purpose review would provide legislators with important information in preparation of the

86th Legislative Session in January of 2019.

Concerns:

Funding

As discussed at the Special Education Community Stakeholders Meeting on February 9th, we feel that it is important that the Corrective Action Plan address comprehensive systemic reforms to special education in Texas. We feel it is a lost opportunity to limit the corrective action plan to

existing identifiable discretionary funds. If the corrective action plan is fundamentally limited in scope, we believe that the effectiveness of the corrective action plan will be undermined.

CTD is convinced that this is an opportunity to jumpstart many needed positive changes; beginning with Department of Education (DOE) Corrective Action letter and continuing with increasing the quality of special education in Texas after the Supreme Court decision in Endrew F. v. Douglas County School District. We are concerned that the disability community will not embrace a corrective action plan that is not comprehensive and does not fully address the needs of children with disabilities in public education.

However, we fully understand that resources are limited and that any corrective action plan must receive financial support for both TEA and the Local Education Authorities (LEA's). Therefore, we feel a tiered approach should be implemented:

1. Use of IDEA funds to support LEA's expected increases in assessments and compensatory services
2. Supplemental funding request for 2018-2019 school year for TEA monitoring and startup expenses
3. One-time expenditure request for specific corrective action plan implementation (2020-2021 budget)
4. Creating a new funding goal, objective, and strategy in TEA's Legislative Appropriations Request for the next biennial budget

Use of IDEA funds to support LEA's expected increases in assessments and compensatory services

We strongly believe that all IDEA discretionary funds at this time should be expended only to serve students with disabilities - not used for staffing needs that TEA has outlined to meet the monitoring requirements of the corrective action plan.

Therefore, TEA should set up IDEA discretionary fund grant pools for LEA's to provide for the:

· expected increases in assessments, evaluations, screenings,

· increases in special education staff time to perform the assessments,

· additional staff time for IEP Team Meetings (ARD),

· compensatory services for students with disabilities who were denied services or are not on grade due to the lack of services.

CTD expects that there will be a surge in parents requesting assessments, evaluations, and screenings due to the outreach efforts described in the corrective action plan. These initial services will require additional LEA staff time (and potentially non-staff consultants) to provide these services in a timely manner as mandated by Federal law. In addition, TEA should explore concepts that increase the potential workforce of qualified individuals to provide assessments, evaluations,

or screenings, including third party contractors, accepting third-party evaluations, and leveraging ECI providers.

TEA should also consider changing the current standard operations of Extended School Year (ESY) and Extended School Hours (ESH) by LEA's to address the need for compensatory services. Students without disabilities use ESY and ESH on a regular basis when remediation is needed. However, students with disabilities must show regression (rather than a failure in accomplishment) to qualify for limited extended services. ESY and ESH could provide cost-effective solutions for compensatory services but will require significant changes in current policy and procedure.

Supplemental funding request for 2018-2019 school year for TEA monitoring and startup expenses

TEA must request supplemental funding from the Texas Legislature to provide funds for additional TEA staff and startup funds for the monitoring objectives of the corrective action plan. A supplemental request would allow for much greater funding and flexibility for TEA to fully deploy

the needed staff to address monitoring concerns; rather than limiting monitoring staff to available IDEA discretionary funds.

One-time expenditure request for specific corrective action plan implementation (2020-2021 budget)

TEA must seek one-time funding (not an exceptional item) for targeted funds to implement initial corrective action plan objectives such as outreach that require a single massive effort. A single funding request would be beneficial to increase transparency and to provide well-defined and achievable activities that relate directly to the goals and directives of the corrective action plan.

Creating a new funding goal, objective, and strategy in TEA's Legislative Appropriations Request for the next biennial budget

Lastly, TEA must commit to creating a new funding goal, objective, and strategy that focuses on implementation of the long-range goals of the corrective action plan. It is imperative that TEA make the goals of the corrective action plan a permanent and persistent effort that will receive consistent funding to ensure students with disabilities receive the proper supports and services.

With years of Texas legislative experience, CTD believes that a multifaceted funding structure will successfully meet the needs of children in special education and will provide the opportunity for the disability community to support these requests during the 86th Texas legislative session. Without funding request from state agencies, CTD has found it very difficult to educate lawmakers on the importance of program and plans like the corrective action plan.

CTD looks forward to continuing this dialogue and supporting TEA's efforts to submit a corrective action plan that address the areas of concern and provides resources and supports for TEA and the

[redacted]

LEA's. Please feel free to contact staff member [redacted]

the Special Education Continuing Advisory Committee)

To: CAC@tea.texas.gov

RE: Public Testimony 04/03/2018

Dear Madame Chair and Continuing Advisory Committee Members,

We are pleased to have had the opportunity to offer public comment at the meeting held on April, 3, 2018 and understand that you have just begun a lengthy and arduous process to review the Texas Education Agency's (TEA's) Special Education Improvement Plan and Corrective Action Response. This will be a long-term project. Meanwhile students with disabilities are without the necessary supports and services to be successful and thrive. Considering this lengthy process, there are four action items that we believe the CAC should recommend to the TEA for immediate action.

We encourage the Special Education Continuing Advisory Committee to provide the following four recommendations to TEA:

1. TEA should help school districts to leverage all available and qualified professionals to meet federal guidelines to conduct evaluations after a request for evaluation has been made (45 days). This can be accomplished by passing rules immediately that allow for temporary staffing relief by:

o Drafting Memorandums of Understanding (MOU's) with Education Services Centers (ESC's) to share staff outside of traditional school district boundaries

o Leveraging extending qualified and experienced service providers such as Early Childhood Intervention (ECI) providers

o Allowing exemptions for qualified and experienced medical professionals and licensed therapists such as: pediatricians, primary care physicians, specialists, licensed speech and occupational therapists and other qualified medical professionals to verify disability and recommend service and support needs

- exemptions would provide a knowledgeable and qualified method for "advanced placement" for children to begin services pending a full school district or third-party evaluation
- allow other evaluators and diagnosticians more time to conduct evaluations for children whose disabilities are not currently under a doctor's or therapists care

o Exploring other opportunities that could provide the temporary expansion of the workforce

10

2. TEA should create a new agency strategic plan goal with appropriate funding levels to "Improve Special Education" and a strategy for that goal to "Implement the Corrective Action Response and the Special Education Strategic Plan" in the upcoming Legislative Appropriation Request (LAR) for the 2019-2020 biennium. It is crucial that both plan initiatives become a funded agency goal and strategy; rather than an exceptional as there is no guarantee any funds will be allocated in a difficult budget cycle for any exceptional item.

o Currently, there is no consistent, dedicated, or long-term funding mechanism to implement the Corrective Action Response or the Special Education Strategic Plan. Most of the current allocated funding budgeted for both initiatives is unallocated Individuals with Disabilities Education Act (IDEA) funds, which should only be used in direct supports and services for children with disabilities. Both plans need dedicated long-term funding to be effective.

3. TEA should dedicate a significant pool of funds to cover the costs of compensatory services for students who were impacted by the 8.5% indicator. Compensatory services are a crucial part of helping those who were unidentified or received minimal services and supports in the past 15 years. The amount of funds needed may be significant but some dedicated amount must be set aside by TEA to encourage school districts to identify students who need remediation to achieve their Individualized Education Plan (IEP) goals.

4. TEA should pass rules or formally adopt both the Corrective Action Response and the Special Education Strategic Plan. Neither plan, which many of us have spent so much time on, is legally codified in any way. Various options exist outside of passing a state law such as:

o The TEA Commissioner could formally pledge to implement the plan in a written declaration, or begin the rulemaking process immediately to adopt the plans in agency rules. While legislative directive is useful and may be necessary during the upcoming 86th legislative session, TEA's formal adopting of both plans will send a strong message

to the Department of Education, school districts and parents that TEA is dedicated to achieving strong outcomes for all students with disabilities.

The Coalition of Texans with Disabilities appreciates the time and effort that the committee is dedicating to students with disabilities. We are excited to see the CAC's enthusiasm and diligence.

Please feel free to contact us if you have any questions about the suggestions above or for any future needs regarding special education,

[redacted]

1) Initiate all dyslexia assessment through an FIE. Request that TEA document specific, explicit direction to All ESC's and LEA's including specific guidance that ALL student referrals of a suspected disability must be initiated through an FIE. This includes referrals for dyslexia, dysgraphia, dyscalculia and all dyslexia related disorders regardless of (perceived) severity.

a) All requests for dyslexia evaluation are moved to FIE process.

b) Parents receive copy of Procedural Safeguards and Parent's Guide to the ARD Process.

c) PWN within 15 days

d) Appropriate training (and re-educating) regarding: providing for the IDEA rights to identify, locate and serve students with disabilities, regardless of severity and ensuring the IDEA rights of all students currently receiving specialized instruction and modified coursework due to their learning disability.

e) Accountability through loss of funding when LEA's are non-compliant.

2) Align practice of providing specialized instruction to definition of "specialized instruction" within the IDEA.

a) Students currently receiving "specialized instruction" for dyslexia are receiving Special

Education without the protection of an IEP under IDEA.

b) Texas has systematically denied access to IDEA rights to children and families who have

been receiving what Texas public schools refer to as “Dyslexia Programming” without

protection of IDEA rights.

3) Streamline Special Population Staff within ESC’s Consistent with TEA

a) Dyslexia consultants and GT Consultants moved under Special Education Department at

ESC’s.

b) Direct LEA’s to move Dyslexia Coordinators and GT Consultants under Special

Education Department within ISD’s.

c) Streamline “Dyslexia and Related Disorders” training through Special Education

Department.

[redacted]

To: TexasSPED

Subject: Corrective Action Comments: Twice Exceptional Students

Date: Wednesday, April 18, 2018 11:59:02 AM

Thank you for including [redacted] as part of the corrective action plan. These unique and gifted

students comprise approximately 5% of our student population.

Please include guidance to LEA’s regarding:

1) Eligibility Guidelines for identifying 2e students in each of the 13 areas under IDEA.

2) Guidance to LEA’s on who and how will be responsible for tracking these students, ensuring they have the

specialized instructional support and social/ emotional support they need appropriate to high cognitive ability

students.

Many Thanks!

Will continue praying for wisdom, guidance, and unity as our Education Agency moves forward making decisions

that impact all our children in the staye of Texas.

From: [redacted]

To: TexasSPED

Subject: Corrective Action Feedback

Date: Wednesday, April 18, 2018 1:08:44 PM

TEA Special Education Strategic Plan:

1. TEA cannot legally commit additional funds outside of those appropriated by Texas Legislature and US Congress: Has anyone calculated the additional costs that each district will acquire due to the increased number of evaluations that districts will now receive? All districts will see an increase in the number of evaluations and all districts will require additional evaluators to complete the evaluations. If all districts will be in need of additional staff, hired or through contract, 100% compliance is highly unlikely. Will initial timelines be adjusted?

2. Unannounced Visits: Will such visits have parameters determined prior? Will appropriate stakeholders be available on these unannounced visits? Who will be the stakeholders? Many variables to consider...

3.Opportunities to request "support visits": This is an appreciated addition to the first corrective action.

4. TEA is updating rules to require every LEA to identify all students who were in RtI for significant period of time: We will need a definition of "significant period of time". Does each LEA make the determination of this definition?

5.TEA Evaluation Support: Short-term relief...every district will need additional evaluation support. Will we be able to locate additional contractors? Will our current staff resign in order to assist TEA's efforts of short term relief in contracting?

6. Hearing Officer Support: PLEASE conduct due process hearing and mediation training with hearing officers and mediators regarding provisions of Child Find. Great addition to the first corrective action!

7. TEA may provide clarification on the requirements of RtI, 504 and dyslexia related topics to support individual decisions for students: Remove the word "may"...provide clarification. I did not count how many times the word "may" was utilized throughout the corrective action plan, but remove it. State the clarifcation.

Thank you for reading all of the submitted feedback!

Sincerely,

A Concerned Educator

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan - Special Education - Consolidated Comments

Date: Wednesday, April 18, 2018 10:06:25 PM

[redacted]

[redacted] 2018

[redacted] pleased to provide a consolidated version of the comments we have submitted before the first draft of the corrective action plan, after the first released draft of the corrective action plan, and on the most recent Draft Special Education Improvement Plan and Corrective Action Response (see attached). In addition, we would like to thank TEA staff for the many stakeholder meetings to discuss important issues between each release.

CTD has chosen to submit this consolidated version as many of our comments remain relevant and may provide further guidance and solutions. In addition, we felt that all of our comments should be on record for TEA staff and others in the disability community.

Best Regards,

[redacted]

To: TexasSPED

Subject: Corrective Action Plan Feedback

Date: Wednesday, April 18, 2018 8:00:02 AM

April 18, 2018

Dear Texas Education Agency,

I am a special education leader in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

- Throughout the plan, there is an inordinate number of activities and efforts that TEA may do. Alternatively, there

are an inordinate number of activities that the Agency has committed local education agencies to perform. The

work will be done at the district level yet there is no financial support. This is essentially another unfunded mandate

by TEA!

Will TEA hold Charter Schools accountable for all activities? In my professional opinion that has not been the case

in the past.

-Why is TEA looking at using on federal dollars? This has been identified by OSEP as a state issue so why isn't the

state making funding available?

-The activities identified for districts will be both staff and time intensive and generate additional paperwork

burdens. Much of the data being requested will be a duplication of what is already submitted to TEA!

-The plan states that TEA will potentially revise Administrative Code rules. It is imperative that special education

administrators from a variety of local education agency types and sizes and other education association

representatives be included in this process.

-The draft plan includes an additional required outreach effort by LEAs to parents of students who received

Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation plan

under Section 504, and who received instruction through the dyslexia program under state law. If this additional

outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an evaluation

would be required. The requirement to evaluate should be only for those students in these populations who are

thought to have a disability as defined by federal and state law and who are thought to need special education and

related services.

- TEA must develop a timeline regarding when "resources" listed in the plan will be developed and published. Local

education agencies need immediate guidance in relation to resolving requests for initial evaluations!

-Districts are seeing many requests for initial evaluations. TEA must provide guidance and have the program to offer

assistance from certified evaluators before the beginning of the 2018-19 school year!

- Districts need immediate and interim guidance on how to effectively serve students with dyslexia and related

disorders.

-Many statements described in the evidence of progress column in Appendix C describe actions of LEAs and not of

TEA. TEA must consider and state more meaningful actions as proof that the Agency is providing the required -

and more importantly, consistent and accurate

technical assistance.

Sincerely,

From:

To: TexasSPED

Subject: Corrective Action Plan Feedback

Date: Tuesday, April 17, 2018 8:19:31 PM

April 17, 2018

Dear Texas Education Agency,

Thank you for the opportunity to respond today in regard to the March 2018 DRAFT Special Education Strategic

Plan published by TEA on March 19, 2018.to I am extremely dedicated to the students and families of children with

disabilities. For the past 25 years, I have worked in a variety of special education positions and have been fortunate

to serve as a Special Education Director in three different districts in Texas over the last thirteen years. Over the last

two years years, I have had many conversations with staff, parents, and other stakeholders on the issues related to

Child Find and the “8.5” cap in Texas. I appreciate TEA’s willingness to be transparent and engage in collaboration

as we move forward on improving special education services in Texas. I offer the following suggestions and

comments:

Issue interim guidance on dyslexia and related disorders. Districts need specific guidance on how to effectively

serve students with dyslexia and related disorders. TEA must clarify to all stakeholders the issue related to students

qualifying for LD due to Dyslexia versus students qualifying for Dyslexia under the Texas Dyslexia program. The

eligibility issue is very confusing for parents. Students tested under the Dyslexia program often lack a Full

Evaluation that may determine the lack of reading progress is due to another issue (perhaps an issue that would be

identified in an FIE under the IDEA). However, the Dyslexia program has overstepped in my opinion and often

there are students who qualify for Dyslexia under the Dyslexia program who are later evaluated under IDEA and do

not meet LD criteria. This creates chaos and confusion. We need clear guidance regarding evaluation and

eligibilities.

In addition, it seems the Dyslexia program has overstepped and created a program that requires "specialized

instruction" which should indicate the need for special education services. In my professional opinion, if a student

identified under the Dyslexia program requires direct explicit instruction such as an Orton Guillngham approach to

reading, this service should be provided via special education services. Parents are being mislead and their children

are not being given access to the protections available under IDEA. The Dyslexia Handbook specifically indicates

the "

delivery of a dyslexia program must be in accordance with the way the program was designed to be

delivered. Therefore, when a district or open-enrollment charter school has purchased a program, the

amount of time for instruction/intervention reflected in the author's/publisher's program mandates the

amount of time required to deliver the instruction (e.g., 45 minutes, 5 times per week)." This guidance is dictating

"specialized instruction" and is an overstep under the program and this type of decision should be left up to ARD

committees not defined by the Dyslexia Handbook.

I suggest the Dyslexia program be eliminated in its current form and students should be considered for special

education evaluation and services if that have a need for "specialized instruction.

I am also highly concerned that TEA is pushing many corrective action plan activities to districts with little no

additional funding . Throughout the plan, there is an inordinate number of activities and efforts that TEA may do.

Alternatively, there are an inordinate number of activities that the Agency has committed local education agencies to

perform. To implement a meaningful plan, and frankly to address the responsibility placed by the Department of

Education on TEA's failures, this strategic plan must describe, at minimum, the activities and efforts that TEA

commits to performing and specify the funding made available to Districts .

I am happy to provide TEA specific details on how this corrective action plan in its current form will negatively

impact special education services for students in [redacted] as well as continue to contribute to the confusion for

students served under the Dyslexia program. Please don't hesitate to contact me.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Wednesday, April 18, 2018 8:22:18 AM

I'd like to begin by offering my thanks for the efforts TEA took to include stakeholder

feedback after the initial draft of the Corrective Action Plan was made public. It is clear to

me that some of the feedback received was incorporated into the revised version of the

plan published on March 19th.

Some pieces of the revised plan that I think are especially positive include:

· Differentiation of the type / amount of support across LEAs

· Voluntary pre-support district visits

· Training for mediators and hearing officers

· Emphasis on a coaching model to support districts

· Consideration of inter-local agreements to problem solve staff shortages

The revised plan has some components that still cause me concern, including:

· Emphasis on increased monitoring. It was not a lack of monitoring that created this situation. I truly believe we have sufficient monitoring, and I would prefer to see the money spent in a way that more directly impacts services for students.

· The name of the escalation team. The very name sounds negative and predisposed to assume a district has made an error. If parents have a complaint, there is already a process in place for them to file that complaint with TEA.

· The lack of clear guidelines when considering compensatory services. It is possible for a student not to demonstrate an educational need for specialized instruction at a younger age, then later demonstrate a need as an achievement gap develops due to not being able to make a year's progress in a year's time.

· The outreach campaign to all students served through 504, general education dyslexia programming, and/or Tier 2 or Tier 3 interventions. These students have been identified as having special needs and support has been provided, even though that support is not special education services. If even a small percentage of those parents request special education testing, the number of assessment staff needed in our district would double. In addition, the very act of having the LEA contact parents undermines a district's ability to decline to test, even when there are clear and compelling reasons not to evaluate.

I'm greatly concerned about the financial and human resources needed to respond to the dramatic increase in evaluations that may result from the outreach campaign.

Thank you for the continued opportunity to provide feedback on the Corrective Action Plan.

Respectfully,

[redacted]

Special Education Educator

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Wednesday, April 18, 2018 11:02:43 AM

I'd like to begin by offering my thanks for the efforts TEA took to include stakeholder

feedback after the initial draft of the Corrective Action Plan was made public. It is clear to me that some of the feedback received was incorporated into the revised version.

Some pieces of the revised plan that I think are especially positive include:

Differentiation of the type / amount of support across LEAs

Voluntary pre-support district visits

Training for mediators and hearing officers

Emphasis on a coaching model to support districts

Consideration of inter-local agreements to problem solve staff shortages

The revised plan has some components that still cause me concern, including:

Emphasis on increased monitoring. It was not a lack of monitoring that created this situation. I truly believe we have sufficient monitoring, and I would prefer to see the money spent in a way that more directly impacts services for students.

The name of the escalation team. The very name sounds negative and predisposed to assume a district has made an error. If parents have a complaint, there is already a process in place for them to file that complaint with TEA.

The lack of clear guidelines when considering compensatory services. It is possible for a student not to demonstrate an educational need for specialized instruction at a younger age, then later demonstrate a need as an achievement gap develops due to not being able to make a year's progress in a year's time.

The outreach campaign to all students served through 504, general education dyslexia programming, and/or Tier 2 or Tier 3 interventions. These students have been identified as having special needs and support has been provided, even though that support is not special education services. If even a small percentage of those parents request special education testing, the number of assessment staff needed in our district would double. In addition, the very act of having the LEA contact parents undermines a district’s ability to decline to test, even when there are clear and compelling reasons not to evaluate.

I'm greatly concerned about the financial and human resources needed to respond to the dramatic increase in evaluations that may result from the outreach campaign.

Thank you for the opportunity to provide feedback on the Corrective Action Plan.

Respectfully,

[redacted]

Teacher, Business Education

In the State of Texas

--

Respectfully,

[redacted]

[redacted]

Special Education

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan

Date: Wednesday, April 18, 2018 1:32:29 PM

Texas Education Agency:

There is one main "fundamental flaw" which is at the root of the entire plan:

TEA has not and will not create nor follow any main objective to serve the students and children of the state who are are may be eligible under IDEA, Section 504 and other federal codes as their main priority that supersedes the self-centered objectives of School Legal Defense Firm's proxy organizations of TCASE, TASB and TASA, and of course, other taxwrite-off associations - who have a central theme of keeping control of school funding away from the parents - who are the primary stakeholders.

Organizations who have their main objective to keep primary stakeholders from having control on how their public funds are being used,have, by design, become organizations who work to deprive parents and children of their individual rights regarding that public education.

As attached with this letter, TCASE has never strayed away from "Chicken Little." In fact, your agency has worked with TCASE to develop this "corrective action plan" while only allowing "lip service" from the primary stakeholders.

TEA, you have deliberately kept the transcriptions from the Texas Listening Sessions away

from public viewing, especially from the lawmakers who had two special sessions. You, TEA have no desire to listen to all that you (TEA) and your contriving legal defense firms have forced upon Texas children and their families . All of the collective suffering, and the collective damage, have resulted with unestimable catastrophic losses of the economic and social viability of an entire generation of children.

Not only have you - abandoned your responsibilities - but you (TEA and it's private law partners) have also contrived to ensure that these children would not have any access to justice - from which you still maintain.

TEA your agency and your TCASE contributors do not want to be held accountable for all of the children they may have destroyed. NO WHERE in your corrective action plan includes:

: An INVESTIGATION of professional educator misconduct regarding the forfeiture of services under IDEA because of the cap - which was already illegal.

: An INVESTIGATION for criminal/abuse of power educator misconduct for false and misleading calls to CPS and law enforcement.

; An INVESTIGATION of educator and criminal educator misconduct of perjury and aggravated perjury in SEA due process and other judicial proceedings.

:An INVESTIGATION of educator misconduct for the expulsion and inappropriate placement-especially with those with criminal penalties or fines - of children from which the district refuse to identify -- including educator misconduct of school counselors who seek local prosecution of children who they know or should have known that the child had or was suspected of a disability.

: An INVESTIGATION of professional misconduct of the LSSP's and other Licensed professionals, including psychologists who "tweaked" evaluation information or had made unethical findings that resulted in a child/student losing IDEA eligibility and many losing SSI/SSI medicaid benefits. These cause lasting harm.

: An INVESTIGATION with state law enforcement over any and all personal injury claims being stated in your agency's complaint system. There are a large number of children who have been harmed by educators.

:An INVESTIGATION with state law enforcement or other agencies regarding TCASE 'Hate

Group" mentality which has your agency's support. The investigations for this is to see if all of the categorical losses of students are not partially or completely the result of hate crimes. Document after document of TCASE show clearly the collusion - with administrator threats of retaliation - to erode the children's educational rights and to have all the rights guaranteed by IDEA and other federal guidelines inaccessible.

[This includes the un-restricted use of retaliation tactics - which would otherwise be known as terroristic threats - to parents and other educators who "are not team players." The terroristic threats are the threats made by special education and school administrators themselves for countless calls to CPS and law enforcement agencies . This form of retaliation escalated after the listening sessions were over.]

:There IS NOTHING that addresses these worst forms of retaliation. There is NOTHING that addresses CHILD AND STUDENT SAFETY when criminal and assaultive educator misconduct have been reported under your present special education complaint system.

: The "LACK OF CEASE AND DESIST" of TEA Special Education Due Process Hearings.

The hearing officers are still under the false presumption that a FAPE is being provided.

The hearing officers and TEA complaints division are ignoring the problems cited by federal investigators regarding DYSLEXIA, RTI and other programs.

The hearing officers and TEA allow and promote perjury from educators.

The hearing officers are often abandoning civil procedures. Particularly, the procedure that compares the "facts" to the "truth." They also do not follow civil procedure when it is discovered during the case process or at the hearing that the school district abused discovery (did not produce documents) and especially when perjury has occurred. The "you lie you lose" doctrine is not observed. Also, fraud on the court is ignored.

The hearing officers act and make decisions on the assumption that the Special education due process hearing is an actual criminal court of law. This is especially evident when abuse and/or injury has occurred. The hearing officers now assume they have jurisdiction over all felony claims -- parents now have to prove criminal wrongdoing in this biased and limited forum of a special education DP hearing.

The hearing officers presume they are state district attorneys and state district judges - despite

the fact that there is no state law giving them these powers.

The "Procedural Safeguards" do not legitimately tell parents of the current limitations lawespecially and to the point - a reminder that any concerns or disputes over an IEP or an ARD issue have the time tolling from when the parent "should have known" there was a problem AND that the school will NOT let the parent know when and/or how the IEP will NOT be followed.

The "Procedural Safeguards" also do not tell the parents how the "Assumptions" are guaranteed and how they are enforced. That is because THEY ARE NOT and TEA WILL NOT ASSURE COMPLIANCE on demand.

The "Procedural Safeguards" do NOT GIVE THE PARENT the outlined educational consequences of approving STAAR-ALT. In fact, the Procedural Safeguards do not state that ARD agreement is a requirement.

The "Procedural Safeguards" do not cover rights under SHARS or other health services. Under SHARS the parents have the right to choose the providers, but under TCASE, parents don't even have the right to have their own highly trained private duty nurse.

TEA has not and did not include LEA's to cover rights regarding health services, their providers and how these services are paid for with public and or private funding sources to the parents.

:TEA has no plan to work with the public to identify those children who were pushed out of the system nor do they want to specifically identify the reasons WHY. For my case and others, the parent has to choose between guaranteeing a child's physical safety or voluntarily forfeit those safety concerns for a "de-minimus, "floor opportunity," free public education. [This is not much more than baby-sitting in most isd's]

Instead, your agency wants to throw unrestricted funds to the persons who are personally responsible for all of this suffering. Your agency wants to distribute millions under the label "compensatory services" that will go to compensate their attorneys instead in order to harass and terrify parents of children needing (or have needed) services even more.

In other words, your agency should have, and needs to have, to develop a corrective action plan THAT CORRECTS ABUSIVE AND HIGHLY DISCRIMINATORY BEHAVIOR of

LEA personnel and their attorneys, by creating a template for parent contributions. This template-or corrective action plan SHOULD HAVE BEEN GUIDED BY PARENTS AND PARENT ADVOCATES - WHOSE CHILDREN WERE THE END VICTIMS. You should have minimized school administrator and their attorney's input into the plan formulation because they are the ones who have and continue to drive these children and families away from the public education system.

We need TEA's corrective action plan to STRENGTHEN IDEA and not DESTROY IT. This is what has happened and this is what is still happening.

The integral framework for TEA should evolve and facilitate the PARENT-TEACHER collaborative that has gainful, relevant and measurable academic progress that includes developmental milestone acquisitions - where the ADMINISTRATORS work to FACILITATE the child's needs with the professional educator - not the school district's need for fiscal control or SPED administrators need for unlimited and unaccountable power to control a child's educational (and societal) placement.

We can still turn this back around AND RESTORE AND REBUILD THE PARENTTEACHER RELATIONSHIP!

Since this is beyond the deadline, I will forward this to the appropriate committees at the State Capitol. Thank you for allowing us to contact you.

Here is for hope,

[redacted].

[redacted], Texas

[redacted]

Fwd: State lawmakers

--

Securely sent with [redacted]. Claim your encrypted mailbox today!

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Plan/Strategic plan comment

Date: Wednesday, April 18, 2018 11:34:23 AM

Thank you for this opportunity to provide comments to TEA's Strategic Plan.

This comment regards Network Six: The list given in this section makes the educator or parent think in terms of labels to qualify for using this Network.

As soon as you mention labels, you eliminate many, many students. There are too many conditions in existence to possibly list the varied physical anomalies, intellectual anomalies, damages that happen slowly (from seizures, rescue drugs, chemo, vision, hearing, nervous system losses), or quickly, that do not fit neatly into the labels on this page.

We suggest that you instead say that this Network serves students with unusual or high needs who are not covered by another Network, by assisting regular educators, special educators and school therapists to understand how to design accommodations and instruction. And leave it at that, please.

And because it is a catch-all for intense situations not covered by another network, maybe move it into the tenth position?

Thank you for your consideration of these comments.

Best regards,

[redacted]

Public Policy Specialist - [redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Comments on Special Education Improvement Plan

Date: Wednesday, April 18, 2018 10:22:39 AM

Attachments: TEA Corrective Action Plan_The Arc of Texas_Comments_FINAL_02.2018.docx

Corrective Action Plan_The Arc of Texas_Comments_FINAL_04.2018.docx

Please accept these comments. The comments are pasted in this email below. They are also attached. The comments

from The Arc of Texas that were submitted in February are also attached for further consideration.

Please contact me with any questions.

Sincerely,

[redacted]

Thank you for the opportunity to provide comments on the second draft of the Corrective Action Plan, which is now

integrated within the proposed Special Education Improvement Plan. Please accept these comments on Behalf of

[redacted] who are signatories to these comments.

[redacted] promotes, protects and advocates for the human rights and self-determination of Texans with

intellectual and developmental disabilities (IDD). These comments were developed by [redacted] in

partnership with the [redacted] and from members of [redacted] across the Texas. Our Board of Directors,

Government Affairs Committee and members consist of self-advocates, students who use special education, Local

Chapters, parents, family members, special education teachers, and professionals in disability policy.

The US Department of Education found that Texas violated the Federal Individuals with Disabilities Education Act

(IDEA). The findings are unprecedented and requires far reaching, thoughtful and unfaltering action by TEA and

coordination with stakeholders to fix the vast issues the 8.5% cap caused and improve Texas' struggling special

education system. The 8.5% cap systematically denied and delayed services to thousands of students with

disabilities, created a culture where schools were positioned to fight against students' special education needs and

the trust in TEA has diminished. Texas needs more than a plan. This is an extraordinary opportunity to evaluate

Texas' current system and make the improvements necessary to lead the nation in special education services. We

must seize the moment—students with disabilities and their families are depending on it.

Thank you for considering, and hopefully including, the substantial amount of input included in these comments and

the comments we submitted to TEA in February 2018. The comments we submitted in February 2018 are attached.

Many of the suggestions are still relevant to the updated Special Education Improvement Plan and Corrective Action

Plan (the plan). [redacted] is committed to working with TEA at all stages of the development and immediate

implementation of this plan.

Corrective Actions

The U.S. Department of Education Office of Special Education and Rehabilitative Services has directed TEA to

develop a corrective action plan based on four areas:

1. Documentation that the State's system of general supervision requires that each ISD identifies, locates, and

evaluates all children suspected of having a disability who need special education and related services, in

accordance with section 612(a)(3) of the IDEA and its implementing regulation at 34 CFR §300.111, and makes

FAPE available to all eligible children with disabilities in accordance with section 612(a)(1) of the IDEA and its

implementing regulation at 34 CFR §300.101.

2. A plan and timeline by which TEA will ensure that each ISD will (i) identify, locate, and evaluate children

enrolled in the ISD who should have been referred for an initial evaluation under the IDEA, and (ii) require IEP

Teams to consider, on an individual basis, whether additional services are needed for children previously suspected

of having a disability who should have been referred for an initial evaluation and were later found eligible for

special education and related services under the IDEA, taking into consideration supports and services previously

provided to the child.

3. A plan and timeline by which TEA will provide guidance to ISD staff in the State, including all general and

special education teachers, necessary to ensure that ISDs (i) ensure that supports provided to struggling learners in

the general education environment through RTI, Section 504, and the State's dyslexia program are not used to delay

or deny a child's right to an initial evaluation for special education and related services under the IDEA; (ii) are

provided information to share with the parents of children suspected of having a disability that describes the

differences between RTI, the State dyslexia program, Section 504, and the IDEA, including how and when school

staff and parents of children suspected of having a disability may request interventions and/or services under these

programs; and (iii) disseminate such information to staff and the parents of children suspected of having a disability

enrolled in the ISD's schools, consistent with 34 CFR §300.503(c) .

4. A plan and timeline by which TEA will monitor ISDs' implementation of the IDEA requirements described

above when struggling learners suspected of having a disability and needing special education and related services

under the IDEA are receiving services and supports through RTI, Section 504, and the State's dyslexia program.

Noted Progress in the Updated Plan Includes:

[redacted] appreciates TEA's effort to take a wholistic approach with the Special Education Improvement

Plan that aims to build a stronger special education system in Texas. Some of the highlights of the updated plan are:

* Enhanced and increased monitoring

* Enhanced call center for parents, students and teachers

* Reorganized Networks

Opportunities for Improvement

While TEA has yet to finalize a majority of the details of the plan and we strongly encourage TEA to do that with

significant stakeholder engagement after the plan is approved, there are areas of the draft plan that are absent of

critical information and action steps. The 8.5% cap cannot be addressed in a silo. There are systemic consequences

of the 8.5% cap that cannot remain unresolved. Areas that must be addressed in final plan that TEA submits to the

US Department of Education include:

* Funding for the plan and an acknowledgment that TEA will request appropriations through their Legislative

Appropriations Request (LAR) for the plan

* Monitoring

* Support for Students and Families

* The Denied Class

* Developing the New Network Grants

* Time

Funding for The Plan and TEA LAR

The current plan does not adequately fund the proposed actions. Although TEA stated in the plan that they cannot

appropriate funds, it is incumbent upon TEA—and their fiduciary duty to the citizens of Texas—to accurately state

in the plan an educated determination of funding they feel the Legislature must appropriate to meet the demands of

the US Department of Education and the actions proposed in the plan. Furthermore, TEA's LAR must reflect the

priorities of the plan. Specifically, TEA should determine and include in the plan an estimate of how much it will

cost for compensatory services, to evaluate students with disabilities and serve the denied class of students. [redacted]

[redacted] appreciates that TEA found $65,000,000 to help with evaluating students; however, that funding is only

available for one year of the plan. This plan will take multiple years to implement.

Acknowledging the funding aspects of the plan is fundamental to rebuilding Texas' special education system. [redacted]

[redacted] is adamant that Texas will not be compliant with the demands of the US Department of Education if

the cost of the plan remains unclear to students, parents, teachers, school districts and the public.

Monitoring

The plan details extensive monitoring activities to ensure school districts are complying with the plan and IDEA.

TEA must quickly evaluate where school districts are failing to provide a free and appropriate public education

(FAPE). To accomplish this, in addition to the monitoring actions proposed in the updated plan, TEA should update

the plan to include the following provisions:

· The desk reviews of the monitoring must include an audit of school district and campus policies and

procedures. These policies and procedures should not be contrary to federal and state law and must align with the

plan. This will help TEA identify trends that do not meet the requirements of the plan and IDEA.

· Fair hearings, ARD disputes and IEPs that are not signed by all parties in the ARD committee must be

expedited for review. Understanding these disputes is the quickest way TEA can gather information, monitor

campus level activities and address areas of noncompliance with the plan and IDEA. Again, this will help TEA

identify trends that do not meet the requirements of the plan and IDEA. Students and parents should have the

opportunity to contact the escalation team to review their case.

Support for Students and Families

Support for students and families in the plan remains undeniably inadequate to absolve the failures found by The US

Department of Education and improve Texas' struggling special education system. While monitoring is an important

element of this plan, enhanced support efforts for students and parents must be equally prioritized and will

ultimately compliment the goals of the plan. The plan should address the needs of students and families by

incorporating the following additions.

· Use some of the new FTEs included in the updated plan and the redeveloped network grants to create a

special education advocacy program outside of TEA to assist students and parents with navigating special education

services, which includes initial evaluations, ARD meetings, fair hearings and IEP implementation.

· The call center should include duties typically characteristic of an ombudsman. The call center should have

the authority to expedite significant concerns and complaints i.e. delayed evolutions, denial of services and

inappropriate use of RTI. The escalation teams must review these concerns and complaints and act promptly to

resolve them and work with the school district and campus to remediate. Certain categories of concerns and

complaints must have a designated timeframe in which they are resolved.

· Questions, concerns and complaints should be reported regularly to TEA, the Legislature and the public.

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The updated plan fails to define and acknowledge all of the students who were affected by the 8.5% cap. TEA must

include these groups of students in the plan and specifically outline how the plan will help them receive the services

they were denied and/or should be receiving. The denied class includes:

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by Governor Abbott. The current version of the plan still remains inappropriately discretionary and must be

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Signatories:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

for Windows 10

Achieve with us.

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Achieve with us.

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you for the opportunity to provide additional input in the development of the Special Education

Improvement Plan and the Corrective Action Plan.

Signatories:

[redacted]

From: [redacted]

To: TexasSPED

Subject: Corrective Action Response Feedback

Date: Wednesday, April 18, 2018 11:55:20 AM

I am writing i regard to the Technical Assistance Networks, particularly the Sensory Impairment Network. I have grown up in Texas as a student with a visual impairment and now work at an ESC as the VI and DHH Specialist.

I am very concerned about the combining of the existing SLSBVI Network with the DHH Network. While it is true that these students share some unique needs, it is important to maintain separate networks for these populations because they have many needs that are unique. I am not sure how combining the Networks will ensure that the VI, DHH, and Deafblind populations will receive support to meet each one's unique needs.

Instead of "watering down" we need to maintain the current Networks. The two networks could work collaboratively in regard to students with dual sensory loss.

Additionally, the proposed action to engage in "Professional training and nontraditional certification opportunities for educators, administrators and support professionals". We need

to maintain the traditional routes to certification as requirements so that we have professionals

who not only have the complete educational background in vision loss, but who have proven

their competency.

Please feel free to contact me regarding this. 4

Sincerely,

[redacted]

--

[redacted]

Phone: [redacted]

Email: [redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: Draft Corrective Action Plan

Date: Wednesday, April 18, 2018 7:10:30 AM

My concern about this plan is there is nothing that speaks to the districts receiving resources to help them self -

monitor the child find and eligibility determination process. Districts could establish these systems if they have not

yet done so, with funding for positions.

Secondly, I'm concerned that some of the actions around finding families are not well defined. Districts are already

competing for qualified professionals and contracting for evaluations appears to have limited benefits. I'm not

hearing of a plan to connect with high education partners to aggressively seek out undergraduates who may be

interested in becoming LSSPs and others so we can increase the pool across the state.

[redacted]

Assistant Superintendent

Office of Special Education Services

REMOVING BARRIERS. RAISING EXPECTATIONS.

[redacted] (Office). [redacted] (FAX)

To: TexasSPED

Subject: Electronic comments for sped

Date: Wednesday, April 18, 2018 12:36:53 AM

Least restrictive hierarchy must be respected and understood to mean that a child must be as fully included as is

possible within his home school. No “centralized schools”

or “well, we can’t serve he/she here.” Inclusion has to be better!!!!

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Feedback - Special Education Improvement Plan

Date: Wednesday, April 18, 2018 11:03:38 AM

To Whom it may concern,

Regarding the improvement plan and corrective actions, as a parent of a dyslexic child an a

aunt to another child, I feel earlier interventions are needed.

My son, who turned 9 yesterday (3rd grade) was diagnosed at the very end of last school year

with Dyslexia/Dysgraphia. The last week of school we finally got the answers we were

looking for. He also has ADHD, but with meds, he is able to work well in school. Based on

what I know now, based on all my repeated concerns, and based on his progress (or lack of),

since kinder he could've been identified or flagged for dyslexia. The possibility that he could

be reading above grade level now had he had earlier intervention, are heartbreaking. Yet,

because it took so long and there was so much red tape has left him dreading reading when he

used to love it so much before.

A few quick questions/Notes:

1. Where is there Manager of SpEd Review and Support-Escalation Team for San Antonio? I

see an Austin-Based, but how does that support south Texas?

2. Training, support and development for all educators is important and key. Luckily, my son had the best 2nd grade teacher who was willing to push him forward and also help advocate for him where I couldn't. Without her we may not have gotten the results. Most kids across the state, even in our city, don't have that because of a knowledge gap. Educators need a better system, a broader education base, and extended support to be successful at their job. Any hindrance or lack of process just make their already hard job, harder, and leaves kids with less progress.

3. Student, Family, and community Engagement- My family has had a difficult time understand and finding ways to help him develop and build his self-confidence. A resource place would make the parent/teacher/student relationship significantly better and provide a better outcome.

4. Improved Student Outcomes - I don't know what I don't know, therefore I can't always advocate for the best goal and get a successful outcome. What is good for my kid, isn't good for the next. I want to know specifics and ensure that no matter where he is he's getting and working toward a successful outcome.

5. As a taxpayer and mother of a child with a learning disability, I am writing to urge you to restrict service provision to nonprofit and public entities. Tools, education, supplies are critical to the success of all kids, especially those with disabilities.

6. I have grave concerns with "Child Find". Serving those out of school, compensating to fix mistakes, and the work all of this will leave on those supporting the current kids and those yet to be identified. Something a bit more realistic needs to happen here. Will there be additional funding to create positions to fill those needs?

Thank you,

[redacted]

Mom to a bright and wonderful son!

From: [redacted]

To: TexasSPED

Subject: FEEDBACK - TEA Corrective Action Plan

Date: Wednesday, April 18, 2018 12:40:55 PM

Good morning. I'd like to begin by offering my thanks for the efforts TEA took to include stakeholder feedback after the initial draft of the Corrective Action Plan was made public. It is clear to me that some of the feedback received was incorporated into the revised version of the plan published on March 19th.

Some pieces of the revised plan that I think are especially positive include:

Differentiation of the type / amount of support across LEAs

Voluntary pre-support district visits

Training for mediators and hearing officers

Emphasis on coaching model to support districts

Consideration of inter-local agreements to problem solve staff shortages

The revised plan has some components that still cause me concern, including:

Emphasis on increased monitoring. It was not a lack of monitoring that created this situation. I truly believe we have sufficient monitoring, and I would prefer to see the money spent in a way that more directly impacts services for students.

The name of the escalation team. The very name sounds negative and predisposed to assume a district has made an error. If parents have a complaint, there is already a process in place for them to file that complaint with TEA.

The lack of clear guidelines when considering compensatory services.

It is possible for a student not to demonstrate an educational need for specialized instruction at a younger age, then later demonstrate a need as an achievement gap develops due to not being able to make a year's progress in a year's time.

The outreach campaign to all students served through 504, general education dyslexia programming, and/or Tier 2 or Tier 3 interventions.

These students have been identified as having special needs and support

has been provided, even though that support is not special education services. If even a small percentage of those parents request special education testing, the number of assessment staff needed in our district would double. In addition, the very act of having the LEA contact parents undermines a district's ability to decline to test, even when there are clear and compelling reasons not to evaluate.

I'm greatly concerned about the financial and human resources needed to respond to the dramatic increase in evaluations that may result from the outreach campaign.

Thank you for the continued opportunity to provide feedback on the Corrective Action Plan.

[redacted]

[redacted]

[redacted] - 504

[redacted]

[redacted]

It is in change that we find purpose. ~ Perecletus

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Wednesday, April 18, 2018 10:47:21 AM

[redacted]

[redacted]

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a special education teacher, leader, and parent of a child with a disability in Texas public schools. I am writing

today in regard to the March 2018 DRAFT Special Education Strategic Plan published by TEA on March 19, 2018.

In an effort to provide feedback on this improvement plan for special education in Texas, I offer the following

suggestions and comments:

The language is vague and does not commit to what the agency will do, leaving schools, parents, and community

members wondering what exactly they will be offered and/or responsible for.

Once again, we have directives that will require resources and funding, yet money and resources will not accompany

the directives. As a parent and educator, I know districts and staff are stretched beyond measure already. You are

once again asking us to do more with less.

Consider people with real world experience in public schools when assigning positions for the evaluation of the

directives. Politicians and non-educators do no understand the workings of a public school system.

The amount of paperwork and staff that will be needed to be in compliance with the directives is again adding a

burden to already stretched staff. Many districts and schools within Texas are experiencing budget cuts in the

coming years, and don't have resources to comply with the initiatives.

All required targeted outreach to certain student populations must be aligned with the needs and disabilities defined

by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students who

received Response to Intervention (RtI) services for a significant period of time, who has or had an accommodation

plan under Section 504, and who received instruction through the dyslexia program under state law. If this

additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when an

evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services.

-Provide evaluation guidance now. Some local education agencies are currently seeing many requests for initial

evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before

the beginning of the 2018-19 school year. Assessment staff are already overloaded and working beyond the hours of

the typical school week. You are asking once again for districts to do more work with less staff and or money.

Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th

Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need

immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Wednesday, April 18, 2018 10:37:21 AM

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a special education leader in [redacted] I am writing today in regard to the March 2018 DRAFT Special

Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

In [redacted] we have always had a healthy process for identifying students with disabilities and we are being equally

criticized with those districts that do not. The burden of the plan as written will negatively impact services to

students with disabilities. The plan as written places a significant burden of responsibility on the district instead of

the agency.

The plan will create the need to hire additional evaluation staff because, we feel, we will be inappropriately testing

students because the plan will require us to do so. This will likely create havoc with our already tight budget.

Having more staff at TEA will not improve services but will create more oversight- which are not the same thing.

We already have so many indicators and compliance processes in place and unfortunately they seem to take away

from a focus on instruction and place it on checking the right boxes.

-Consider the Agency's obligation to reduce paperwork burdens. The draft plan includes many new and some

possibly duplicative items that the Agency may require local education agencies to collect and report. It is critical

that TEA analyze what data is already collected through current reporting systems and assist in easing the burdens of

submitting new data, including the creation of templates and spreadsheets.

-Establish stakeholder working groups to assist the Agency in determining necessary Administrative Code rule

changes. The plan states that TEA will potentially revise Administrative Code rules. It is clear from this plan that

rules will require revision. Engaging stakeholders to assist in this process could make the process more efficient and

would help in prioritizing the schedule of needed changes. Special education administrators from a variety of local

education agency types and sizes and other education association representatives must be included in this process.

-Any required targeted outreach to certain student populations must be aligned with the needs and disabilities

defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students

who received Response to Intervention (RtI) services for a significant period of time, who has or had an

accommodation plan under Section 504, and who received instruction through the dyslexia program under state law.

If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when

an evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services.

-Provide a timeline for Child Find resource development and guidance in the interim. In addition to the

commitments TEA needs to provide to the plan's activities, the Agency must develop a timeline regarding when

these resources will be developed and published. Local education agencies also need immediate guidance in relation

to resolving requests for initial evaluation or for immediate changes in policy and procedures before the Agency has

published its resources.

-Provide evaluation guidance now. Some local education agencies are currently seeing many requests for initial

evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before

the beginning of the 2018-19 school year.

-Issue interim guidance on dyslexia and related disorders. Absent legislation that may be passed in the 86th

Legislative Session in 2019 and forthcoming changes to the dyslexia handbook, local education agencies need

immediate and interim guidance on how to effectively serve students with dyslexia and related disorders.

-Focus the evidence of progress described in Appendix C on TEA's obligations to improve student outcomes and the

technical assistance it is required to provide. Several statements described in the evidence of progress column in

Appendix C describe actions of LEAs and not of TEA. For example, in the response to provide documentation that

TEA's system of general supervision requires that each LEA must identify, locate, and evaluate all children..., TEA

uses an existing assurance requirement by LEAs when they apply for federal grant funds. It is unclear how this

proves TEA's compliance with the directive. In other places, it refers to several instances of the receipt of

information and materials by LEAs as TEA's evidence of progress. TEA must consider and state more meaningful

actions as proof that the Agency is providing the required - and more importantly, consistent and accurate - technical

assistance.

Sincerely,

[redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Wednesday, April 18, 2018 8:17:19 AM

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a special education leader in Texas public schools and I am the parent of a child who receives special education

services in the public school. I am writing today in regard to the March 2018 DRAFT Special Education Strategic

Plan published by TEA on March 19, 2018. In an effort to provide feedback on this improvement plan for special

education in Texas, I offer the following suggestions and comments:

1. There does need to be clear guidelines and regulations for special education and there does need to be appropriate

oversight to make sure this is being done correctly. However, it appears that the way that Texas has chosen to deal

with this in the past has been to tell school districts how many children with special needs that they can serve and to

cut the state budget significantly so that the districts can not afford to serve the children. I feel that it is wrong in a

corrective action to add layers and layers of people making sure the districts are serving the students. Instead, Texas

needs to fund public schools appropriately and the federal government needs to do the same. Have oversight that is

effective but not burdensome and expensive. The majority of the money being spent needs to be going into the

district and school level to help the students not to pay lots of people to be doing only oversight of the programs.

2. There needs to be more education and support in our schools so that our educators know how to help our students

and that our students are given the best education possible.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Feedback on Corrective Action Plan

Date: Wednesday, April 18, 2018 10:27:15 AM

[redacted]

[redacted]

[redacted]

April 18, 2018

Dear Texas Education Agency,

I am a LSSP (School Psych) in Texas public schools. I am writing today in regard to the March 2018 DRAFT

Special Education Strategic Plan published by TEA on March 19, 2018. In an effort to provide feedback on this

improvement plan for special education in Texas, I offer the following suggestions and comments:

-Commit to the activities and provide funding to school districts for the additional duties created by the plan. TEA

has also budgeted only federal dollars to this plan; our state must respond accordingly.

The current burden of the paperwork involved in the Special Education system is already overwhelming. TEA needs

to review existing paperwork and incorporate new paperwork to streamline the process.

-Any required targeted outreach to certain student populations must be aligned with the needs and disabilities

defined by federal law. The draft plan includes an additional required outreach effort by LEAs to parents of students

who received Response to Intervention (RtI) services for a significant period of time, who has or had an

accommodation plan under Section 504, and who received instruction through the dyslexia program under state law.

If this additional outreach effort is retained in the final plan, this needs to be clarified in terms of the situations when

an evaluation would be required. The requirement to evaluate should be only for those students in these populations

who are thought to have a disability as defined by federal and state law and who are thought to need special

education and related services.

-Provide a timeline for Child Find resource development and guidance in the interim. In addition to the

commitments

-Provide evaluation guidance now. Some local education agencies are currently seeing many requests for initial

evaluation. TEA must provide guidance and have the program to offer assistance from certified evaluators before

the beginning of the 2018-19 school year.

-Issue interim guidance on dyslexia and related disorders to state will be included under Special Education under

Reading Disability.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Feedback on Draft Correction Action Plan

Date: Tuesday, April 17, 2018 10:37:48 PM

As an Licensed Specialist in School Psychology (LSSP) in the state, I am highly concerned about how evaluators will meet the significant increase in requests for evaluations as a result of this corrective action plan. At my campuses that I service, I have more than 300 students on 504 plans and many more are in the RTI process. If even a fraction of those families request evaluations, there will be no way humanly possible to meet 45-day timelines and quite frankly many evaluations will simply be out of compliance. The additional evaluation/report writing time notwithstanding, each referral will result in a minimum of 2 additional meetings that the evaluator must attend. Currently, members of our evaluation teams – both LSSPs and diagnosticians – are working upwards of 65 hours per week. This is BEFORE the corrective action mandates. I have 19 years of experience and am considering leaving the field due to unreasonable work requirements. I have heard from many other experienced evaluators of their plans to leave education due to conditions we are currently experiencing coupled with the fear of what is to come. I work in one of the most desirable districts in the state and we are having difficulty finding skilled candidates to fill a position that is being vacated by a LSSP leaving the field due to lack of work/life balance – I am sure TEA is aware of the nationwide shortage of School Psychologists.

I understand TEA may have no option but to offer these evaluations to meet corrective action requirements from USED. I would task TEA to brainstorm ways to support evaluators to be able to more efficiently complete these evaluations or we will be facing an even greater shortage of evaluators across the state due to mass attrition. Perhaps the use of uniform evaluation “forms” to be used in every district and/or “grandfathering” private Licensed Psychologists and Licensed

Psychological Associates to complete these evaluations without having to jump through the hoops of getting on each districts' approved vendor list are ideas that should be considered. If you chose to seek further evaluator stakeholder input, I would be glad to answer any further questions you may have

Regards,

[redacted]

To: TexasSPED

Subject: feedback on Draft Strategic Plan

Date: Wednesday, April 18, 2018 11:56:36 AM

I am writing in regard to the March 2018 DRAFT Special Education Strategic Plan. I am a special education

leader in my district. I have a few comments in general about the plan as well as comments directed at the

Child Find and evaluation sections of the plan as supervising those activities in my district is my primary

responsibility.

In general -

I noticed that throughout the plan there are many things that TEA MAY do while there are many activities

that LEAs must do. I think it is important that TEA be clear about what they are committed to doing and

providing.

I think it is very important that as TEA hires staff need to implement the plan at the state level, they look for

and give priority to people who have special education experience in Texas.

While appropriating funding is not the purview of TEA, I would hope that the agency would advocate for

increased funding from the legislature to continue to improve special education services in Texas. It is

unrealistic to believe that we can make significant changes in special eduction services without an increase

in funding.

Specific to child find and evaluation -

Recognizing that each decision of whether or not to evaluate a child is an individual one based on the needs

of the child is very positive. That needs to be clearly communicated in the outreach documents that are

developed.

Specific guidelines on dyslexia and related disorder evaluations are desperately needed. It is currently very

confusing as to what things districts and parents should consider in deciding whether or not a special

education evaluation is appropriate for a particular student and when it would be appropriate to pursue

other pathways. I believe districts want to do right by these students (and we thought we were in our

district) but many are not sure what that means. If all students suspected of having dyslexia or a related

disorder should receive an evaluation for special education, that should be made clear.

Please note that there are several references to "psychologists" or "school psychologists" providing services

in public/charter schools. The correct term in Texas for what I believe is meant is Licensed Specialist in

School Psychology (LSSP). This is the title/credential recognized by the Texas State Board of Examiners of

Psychologists to provide school psychological services in Texas.

Some child find/evaluation activities initiated by the agency are scheduled to be completed in during

particular school years. For those activities, it would be helpful for the agency to provide interim guidance

for what districts should do from the beginning of a school year to the time the final activity is

implemented. This will aid districts in providing consistent services to students rather than having to make

changes in programming or procedures in the middle of a school year.

Thank you for the opportunity to comment,

[redacted]

Student Support Services

Special Education

Phone: [redacted]

Other: [redacted]

eanes-email-logo.png

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From: [redacted]

To: TexasSPED

Subject: feedback on revised corrective action plan

Date: Wednesday, April 18, 2018 8:48:31 AM

The revised plan has some components that still cause me concern, including:

Emphasis on increased monitoring. It was not a lack of monitoring that created

this situation. I truly believe we have sufficient monitoring, and I would prefer to see

the money spent in a way that more directly impacts services for students.

The name of the escalation team. The very name sounds negative and

predisposed to assume a district has made an error. If parents have a complaint,

there is already a process in place for them to file that complaint with TEA.

The lack of clear guidelines when considering compensatory services. It is

possible for a student not to demonstrate an educational need for specialized

instruction at a younger age, then later demonstrate a need as an achievement gap

develops due to not being able to make a year's progress in a year's time.

The outreach campaign to all students served through 504, general education

dyslexia programming, and/or Tier 2 or Tier 3 interventions. These students

have been identified as having special needs and support has been provided, even

though that support is not special education services. If even a small percentage of

those parents request special education testing, the number of assessment staff

needed in our district would double. In addition, the very act of having the LEA

contact parents undermines a district’s ability to decline to test, even when there are

clear and compelling reasons not to evaluate.

I'm greatly concerned about the financial and human resources needed to respond to

the dramatic increase in evaluations that may result from the outreach campaign.

Thank you,

--

[redacted]

Special Education Instructional Coach

[redacted]

Phone: [redacted]

Instruction Website

Inter-campus mail-[redacted]

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From: [redacted]

To: TexasSPED

Subject: Feedback to Corrective Action Plan due on April 18th

Date: Wednesday, April 18, 2018 9:57:10 AM

Other things I would like you all to consider:

* TEA's Legislative Appropriations Request must reflect the priorities put forward in the

Corrective Action Plan. TEA should state who will receive compensatory, how long, and how

much compensatory will cost in the plan.

* Use definitive language that shows commitment. Replace "TEA may" and "will likely" with TEA will.

* Use some of the new full time employees or network grant's to create a special education advocacy program outside of TEA to assist students and parents with navigating special education services.

* The State Improvement Plan must be thoughtfully drafted with goals, measurable outcomes, and elevated aspirations for students with disabilities. We may need time beyond the April 18th deadline.

* The Corrective Action Plan and Strategic plan's are open and transparent.

* TEA and LEA's materials and supports should always be available in English and Spanish.

* Monitoring should focus on:

o Peer- reviewed, research- based successful practices in special education.

o Fair hearings, ARD disputes and IEP's that are not signed by all parties in the ARD committee must be expedited for review.

o Mandatory feedback from families.

o Accountability for districts who refuse to comply.

* Can not not look at 8.5% through a silo. Improve Texas Special Education.

Thank you for your consideration.

[redacted]

To: TexasSPED

Subject: feedback

Date: Tuesday, April 17, 2018 6:17:24 PM

Hello,

Thank you for the opportunity to provide feedback on the strategic plan. I think there are many noble elements to the plan such as casting a broader net for those who may be in need of

services and ensuring that all students in need receive FIEs, etc... However, in reading the expectations for assessment, identification and instruction of students and considering this within the context of a system of special education services already stretched extremely thin, I think it is completely untenable to realistically think that the additional LEA responsibilities can be accomplished with no additional funding. Admittedly, the students who qualify will receive weighted funding, but the road to identification will be fraught with many nonqualifying students, especially with a net cast as widely and publically as the one proposed.

The timeline for this assessment and lack of funding seem extremely unrealistic. This is an opportunity for Texas to step up, advocate for special needs students, and not leave LEAs in a massive bind (which, by the way, will likely result in challenged services for existing special ed students while resources are drastically redirected to meet the goals of the strategic plan).

Thank you for receiving this feedback and hopefully acting in a way that is within reason.

[redacted]

--

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From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Fw: Comment for Corrective Action Plan

Date: Wednesday, April 18, 2018 11:13:09 AM

From: [redacted]

Sent: Wednesday, April 18, 2018 11:09 AM

To: TexasSPED@tea.texas.gov

Cc: [redacted];

Subject: Comment for Corrective Action Plan

It just dawned on me that I neglected to include my thoughts on the "slow learner" in my prior communication with you. Please know that a student who does not meet any special education criteria is the saddest scenario because there are not any good answers from general education or special education. I believe that we are not giving FAPE to a child like this because he cannot keep up with the general ed curriculum, nor can he access special education due to a lack of a disability. I think these parents have a real reason to ask for more from the school. I would hope that this Corrective Action Plan might include some thoughts about students who are currently not having their educational needs met, and how that can be addressed. A slow learning profile is a distinct profile, and the student does have specific learning needs and it is not 'drill and kill'. Rather the teacher needs to provide all of the incidental learning that occurs naturally in other students, but instead needs to be taught directly/strategically to this type of student. Establishing good teacher - student relationships is a key factor also, giving the child a place for much of the incidental learning to occur. Perhaps your committee can come up with some different types of classes to be offered at each grade level in elementary schools. With different types of instruction we are better able to meet the needs of more types of children. With this type of differentiated instruction available, there will be more satisfied children in our classrooms. As with dyslexia, it could be a multi-grade smaller group with intense experiential learning being offered to slow learners, just as one example.

Again thank you for the opportunity to give my opinions around issues I work with everyday.

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Fw: Regarding Corrective Action Plans

Date: Wednesday, April 18, 2018 9:23:37 AM

Attachments: image2018-04-18-091934.pdf

Thank you for the opportunity to express opinions regarding this issue. I was unaware of the opportunity earlier, as it was not widely publicized to the staff in my school district. This is my attempt to mention several critical thoughts/suggestions as a current diagnostician.

1. PARENT TRAINING I have long thought that the school has a rich opportunity to build relations with the community by offering basic training on what special education is, why your child might or might not need special education, what are the benefits of an individual evaluation, and what the general procedures are. If all parents who had concerns about their child's performance in school were asked to attend a discussion meeting prior to the consent meeting for testing, it might truly help the parents. There are so very many details, procedures, questions, preconceived ideas from the past, emotional concerns, etc. It is so much information to digest, and is fertile ground for misunderstanding . I feel it would be very helpful to have diagnosticians and counselors spend time with groups of parents prior to any decisions regarding testing. Many general issues can be addressed at this level, and assure parents how the school deals with struggling students.

2. The evaluation phase is seldom understood by others, and always shocked at how much time it takes to really complete a thorough assessment, report, and all the associated responsibilities for each student. I have attached a simple description that I wrote for another reason several years ago, but it gives an idea of what is included in an assessment. Please see the attachment for understanding how in depth an evaluation is.

3. In our district there is a shortage of test kits, support staff and basic needs that would assist in the effectiveness in completing jobs. When you have to drive to other schools to borrow test kits, it eats time that could be spent more effectively. The special education staff in our district typically does not have designated places to work in any of the elementary schools either. I have been asked to move in the middle of a testing sessions because someone else needed the room I was in. There is a very challenging logistical aspect to a diagnostician's job in the public school. We are continuously told

that we do not have funds to meet the needs of diagnosticians, and so our job becomes more challenging each year with more responsibilities given to us, with less resources. Funding is a problem.

4. Everything that we do is based on federal and state law. As a result, many do not understand the limitations or the breadth/depth of what we do. Many feel that they have a right to have an evaluation, without regard to the goal of our evaluations, which is determining whether disability criteria for special education is met or not. If the public school feels that every child has a right to an evaluation for the sake of evaluation, it should not fall solely on the shoulders of special education staff to complete them. We are always overworked, pressed to meet state/federal timelines and scrambling to take new cases. It is beyond my comprehension how it would be possible to allow anyone who desires an evaluation to have it available ONLY from special education diagnosticians. It seems to me that general education should be sharing in this responsibility by helping with the burden of additional testing by also hiring staff to take these evals that are not for the purpose of admission into special education classes. Perhaps new timelines could be created for these types of evaluations, rather than using the existing timelines. Perhaps existing data could be used in place of standardized testing for the academic portion - there is already quite a bit of information available for every child prior to the assessment phase.

5. Having people who are not educators make decisions about public school is very frustrating, and many times the changes that are made are not good choices. For example, the time line change that the legislature recently made, has made the timelines more challenging, not less. Even administrators currently in schools do not always understand the processes for an evaluation. This is another example of how misunderstanding arises. If the public is unhappy with the system, it should seek to change the laws, and not pick out one aspect of education and force an extra burden on the staff who is responsible for doing the work that a committee has requested. It is the committee that is responsible, and NOT only the diagnostician. This is an overwhelming burden for evaluation personnel to bear alone. We are already stretched to our

maximum in our district.

6. It is a possibility that TEA could issue some judgments to assist in the efficiency of these evaluations also. Rather than having a long narrative report, a state wide report rubric could be developed, similar to what the dyslexia team uses for their test reporting. This would trim some of the necessary time off of the process for these evaluations.

7. It would also be helpful for TEA to NOT require a diagnostician to attend EVERY ARD meeting, or require different specific staff to be the designated person to administer the ARDs. The time required to complete this is astounding, and makes the testing/report writing component even more difficult. At this point right now I have 22 evaluations to complete before the last day of school, and over 45 ARD meetings to lead, write the minutes for the meeting, and disperse all of the information afterwards. Anyone is challenged to the maximum to accomplish this type of work load.

PLEASE HELP US AND DO NOT FORCE ADDITIONAL CASES ON OUR ALREADY MAXIMUM CASE LOADS. PLEASE FIND WAYS TO MAXIMIZE OUR TIME; FIND WAYS TO USE OTHER RESOURCES (GENERAL EDUCATION), AND CONSIDER UNIQUE SOLUTIONS TO REPLACE OUTDATED ONES (REPORT WRITING, ADMINISTERING ARD MEETINGS); AND THANK YOU SO MUCH FOR ALLOWING US A CHANCE TO EXPRESS OUR OPINIONS.

[redacted]

Educational Diagnostician

[redacted]

[redacted]

From: [redacted]

Sent: Wednesday, April 18, 2018 8:19 AM

To: [redacted]

Subject:

From: [redacted]

To: TexasSPED

Subject: Guidance needed for SLD identification in the gifted population prior to ISD Child Find Corrective Action

Date: Wednesday, April 18, 2018 11:26:35 AM

Before OSEP Requirement #2 is implemented, please provide guidance for school districts to appropriately identify specific learning disabilities (dyslexia, dysgraphia, dyscalculia) in the gifted population.

I am concerned without appropriate guidance, struggling learners suspected of having a disability will again be delayed or denied the specialized instruction they need.

It is up to each state to develop criteria to determine whether a child has a disability, including whether a particular child has an SLD. States have the flexibility to use alternative models for determining whether a child has an SLD and is eligible for special education and related services (Federal Register Monday, August 14, 2006).

Texas (gtequity.org) recognizes that twice exceptional children require flexible assessment and identification procedures, but falls short on specific guidance to districts.

Digest the growing body of research regarding twice exceptional children and clarify expectations for our districts. Let our LEAs know specifically what alternative models and procedures are appropriate for determining whether a gifted child has a specific learning disability. Clarify “educational need” in the context of a gifted learner. When a twice exceptional child falls short of SLD identification and eligibility, clarify expectations to address learning gaps and needs throughout the child’s education.

References:

Federal Register 46648, Monday August 14, 2006: Alternative Research-Based Procedures

New §300.307(a)(3) (Proposed §300.307(a)(4)): Discussion: New §300.307(a)(3) (proposed §300.307.(a)(4)) recognizes that there are alternative methods to identify children with SLD that are based on sound scientific research and gives states flexibility to use those models. For example, a state could choose to identify children based on low achievement and consideration of exclusionary factors as one criterion for eligibility. Other alternatives might combine features of different models for identification. We believe the evaluation procedures in section 614(b)(2) and (b)(3) of the Act give the department the flexibility to allow States to

use alternate, research-based procedures for determining whether a child has an SLD and is eligible for special education and related services.

Gtequity.org, Twice-Exceptional Students and G/T Services, Assessment and Identification

Assessment and identification of twice-exceptional learners can be challenging and requires those vested in the education of these learners to be knowledgeable of a myriad of facets of the unique characteristics and behaviors demonstrated by these learners. Oftentimes, the disability masks the giftedness, which places emphasis on barriers to learning instead of the potential that the learner has as a result of the gifted attributes. Conversely, the giftedness may mask the disability, which may result in the learner experiencing gaps in the learning compounded by the disability, thus affecting how the learner perceives his abilities.

Since twice-exceptional learners can possess both gifted characteristics and characteristics associated with one or more specific disabilities, it is important that district guidelines incorporate flexible gifted/talented (G/T) and special education (SE) assessment and identification procedures and should be individualized for each student as they as often not typical of either population.

Therefore, it is important for educators to recognize the characteristics unique to twiceexceptional learners in order to identify specific exceptionalities and provide services as appropriate.

Critical Issues in the Identification of Gifted Students With Co-Existing Disabilities, The Twice-Exceptional https://doi.org/10.1177/2158244013505855

From: [redacted]

To: TexasSPED

Subject: HELP THE ARD PROCESS

Date: Wednesday, April 18, 2018 11:35:02 AM

A required training for principles and ard facilitators on the procedural rights of families.

From: [redacted]

To: TexasSPED

Subject: IEP feedback

Date: Thursday, April 12, 2018 1:01:30 PM

My son attends [redacted] in [redacted] TX he is diagnosed with ADHD ,speech delay, and insomnia

... I have definitely felt that the staff isn't qualified and properly trained for these children. Coming from Northern

California where teachers need so many credentials and child development classes it shocked me to learn how easy

you can be in the public school system in Texas and that itself is the main set back. More requirements to obtain a

teaching credential need to be implemented by the state.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Improvement plan

Date: Thursday, April 19, 2018 5:01:06 AM

The draft special education improvement plan includes this statement:

“The purpose of special education is to provide sufficient support to our students with

disabilities, on an individualized basis, so that those students can obtain the same level of

academic success typical of their peers." (p. 3)

I believe this is a common misunderstanding of purpose that sets special education up for

judgment that it does not “work” because it never can do that. If “peers” refers to students of

similar age who do not have disabilities, then the expectation for special education is for the

impossible (certainly impossible if the comparison is of means of populations; certainly not

possible, either, if this expectation applies in all individual cases of disability). The correct

comparison would be of those individuals with disabilities who receive special education with

those with similar disabilities who do not receive special education.

A more reasonable statement of purpose would be: The purpose of special education is to

provide sufficient supports to our students with disabilities, on an individualized basis, so

that those students can acnieve as much academic success as they can and obtain a level

of academic success higher than they would without those supports.

Special education endangers itself and endangered by others who fail to question poor thinking and fail to ask reasonable, rational questions about propositions. I think we (I am a retired special educator) too often acquiesce in outrageous, thoughtless comparisons of populations. The draft statement of purpose is a certain set-up for special education's failure. The correct comparison would be of those individuals with disabilities who receive special education with those with similar disabilities who do not receive special education. Educators too often fail to point out the irrationality of comparisons or expectations that put special education on a certain road to failure. You might check out the following:

Kauffman, J. M. (2005). Waving to Ray Charles: Missing the meaning of disability. Phi Delta Kappan, 86, 520-521, 524.

Or, for more, you might read:

Kauffman, J. M. (2004). The president's commission and the devaluation of special education. Education and Treatment of Children, 27, 307-324.

Kauffman, J. M. (2008). Would we recognize progress if we saw it? A commentary. Journal of Behavioral Education, 17, 128-143. doi:10.1007/s10864-007-9060-z

Or, even:

Kauffman, J. M. (2010). The tragicomedy of public education: Laughing and crying, thinking and fixing. Verona, WI: Attainment.

Kauffman, J. M., Hallahan, D. P., Pullen, P. C., & Badar, J. (2018). Special education: What it is and why we need it (2nd ed.). New York: Routledge. (Coming out in July)

Certainly SOME students, depending on the type and severity of their disability, can be expected to learn like their peers without disabilities, but to set ALL of special education up for certain failure by ignoring individual differences and spreading the idea that it should somehow magically "close the gap" is both irrational and unconscionable. So, I hope you will change that statement of purpose to make it reasonable for special education as a whole.

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: Input Corrective Action Plan

Date: Wednesday, April 18, 2018 11:03:51 AM

Corrective Action Draft Input - [redacted]

Dyslexic Students and families in our state have an expectation and right to have their needs addressed in our public education

system and that has always included and avenue denied them through IDEA - TEA policy going forward and corrective action

taken must ensure all students and families have access and info to make informed consent decisions.

Dyslexia does not stem from poor teaching, it is not due to lack of intelligence, nor is it due to a delay in maturation - kids will

not out grow it; Dyslexia is a neurobiological brain difference apparent at birth, it is well researched and hereditary. Not all

reading struggles are dyslexia but it is by far the most common cause of ongoing reading struggles.

There are specialized instructional techniques and accommodations that are well researched and effective. These should not

be optional, all schools must support the use of and monitor progress of dyslexia interventions for all students who need them.

this is irregardless of placement in RTI, IDEA or Gen ed.

The [redacted] is here to support anyone who works on behalf of

dyslexics and their families and we encourage you to continue to reach out to us as partners in the process of ensuring our

state supervision of education supports students above all else.

Penny, you drafted a letter dated February 26th, 2018, To The Administrator Addressed on Responsibilities and Timelines. I

sat down with a Superintendent of a large school district on April 16th, the letter was discussed, I brought it up, it was

shrugged off. There is NO UGENCY to change, the letter has no impact. As your letter is referenced in the corrective action

plan in appendix C, I can tell you it is no where near enough. The TEAs supervisory role must include robust enforcement of

IDEA.

I urge you to craft and submit a plan both in appendix C and the state plan, with much stronger monitoring and compliance

mechanisms, one that informs parents as equals with schools when dealing with IDEA. If our collective goal is to support

student success, meaningful family engagement, supports and rights must now be front and center. We all have an obligation

to support student success, that is what we should be focusing on and it can't continue as a school top down, talking down to

parents model any longer. My suggestions below:

1. Real Time Monitoring - Urge TEA to shift monitoring to an online portal accessible and initiated by both parents and

schools to support and monitor child find activities in the state. The Online Monitoring Portal would be the beginning of the

Child Find process by creating a transparent trackable process started by the parent - school - LEA and the TEA where

important timelines are started and tracked, triggering reminders and supports, access to resources in real time either mailed or

online, having everyone on the same page will foster collaborative relationships among all stakeholders. Timeline and

Determination decisions would be tracked and logged, parent satisfaction surveys given in real time, contains a dispute input

area with corrective action steps captured and monitoring and supports from TEA could happen in real time. This would

create a transparent, data driven process which triggers real time proactive, supports and efficient child first use of state and

local resource and a bonus of aggregating data to help guide budget decisions at the SEA, LEA and Campus level, based on

determination decisions logged and resources used.

2. We would like to see more time developing the 10 Networks listed in the current Draft, these should be revisited and

updated as per TXERS chart revisions. RTI should be housed under the Child Find network #1 it really is a process that leads

to, or not, formal Child Find processes under IDEA. Additionally, Dyslexia should not be assigned into any one Network nor

should any disability be placed in a network, children with dyslexia and all disabilities have needs that change over time and

the Networks should support all students in various stages of educational need, multiple networks may be needed and that

should be clear. Bias around disability must stop and each child should be viewed as an individual with individual needs that

vary over time.

3. While the first letter Penny sent on February 26th was written well, it seemed to be not taken seriously, We encourage the

Commissioner to double down and come out with a more formal statement to all TEA staff, ESC grant awardees,

Superintendents, School Boards, LEA's and Attorneys dealing with Special Education/504 about dyslexia which falls under

IDEA SLD category and students and families should be encouraged to explore any and all avenues available to help their

children obtain FAPE. - This can and should be addressed in a stronger letter from commissioner Morrath and must be

distributed to all families in the state.

4. Because many districts do some form of testing for dyslexia already, to comply with the corrective action and process

via 34 C.F.R. §§300.300-300.311, a huge backlog of FIE's may slow a necessary process - suggest:

a. Allowing/Encouraging the use of prior testing for dyslexia be considered as part of future FIIE to eliminate redundancy.

b. Allowing the use of Private Testing provided by Parent from Qualified Testers suffice.

c. Explore/Encourage other avenues to qualify for IDEA services including failure to respond to RTI and Prolong specialized

instruction in a 504 plan to meet the threshold of SLD - Dyslexia under IDEA.

5. A robust effort to educate all level of educators and administrators in our state on the intent of the Child Find process under

IDEA. - This is not understood or is purposefully being disregarded. Parent are central to the IDEA process and yet districts,

circumvent IDEA Child Find mandates by offering parallel misuse of 504 - Re-Training must be part of the corrective action

plan and made clear that their does not have to be a second condition present besides dyslexia under IDEA. This is a large part

of the violation exposed by the OSERS report state - Parents must also be given training on knowing what services are and

their rights to participate equally under IDEA - Informed Consent MUST be a priority in outreach going forward.

6 Knowledgeable, trained and certified teachers (also known as CALTs or similarly certified) on best practice for dyslexia

should continue to offer services under the RTI model outside of SPED, and additionally must also be working with students

under IDEA SLD for Dyslexia, regardless of if they have a SPED license. Specialty Certification should trump any generalist

certification! The students needs should dictate the services and if the student needs specialized dyslexia instruction a CALT

or similarly trained specialist should be employed to cary this out.

7. All students who are suspected of having reading and writing problems and because of this either the parent or school is

requesting further evaluations should be given Full Initial Individual Evaluations (FIIEs) under the ChildFind Process 34

C.F.R.300.300-300.311 including Specific Learning Difference (SLD) and dyslexia.

Evaluators, special education staff, and dyslexia staff need retraining in current research regarding best practices for

identification of Specific Learning Disabilities.

The relationship between the dyslexia handbook and Texas education law / code should be strengthened so that schools are

accountable to follow the handbook guidelines. Also, language in the dyslexia handbook should be strengthened so that

schools do not view compliance as optional.

And my equally important Cut and Paste!

In the updated dyslexia handbook and additionally in the Corrective Action Plan, please address the following issues:

* Identification - Schools should be more accepting of professional private evaluations for learning differences.

* Placement - Allow decisions about student placement in 504 or Special Education to be made through local ARD/504

committees vs. assuming most dyslexic students should be served in 504 plans.

* Curriculum - Require schools to use evidence-based curriculum designed for dyslexia instruction. Provide contact

information for a TEA office that can review curriculum for schools and concerned parents. Require implementation with

fidelity based on research (frequency, duration, grade level, group size etc)

* Instructor training - Provide guidelines on appropriate certifications/training to ensure highly-trained professionals are

delivering dyslexia instruction. Ask districts to provide information to parents about the credentials of the educator providing

instruction.

* Parent info - At diagnosis, provide the Texas Dyslexia Handbook to parents, even if electronically.

* Progress monitoring - Require schools to provide specific, individualized progress monitoring regardless of where a student

is served. RTI now requires this, but all levels of instruction should include Progress monitoring sto assess both a student's

progress in the dyslexia curriculum and progress in transferring those skills across the school day through gains in

standardized measurements. Provide guidance for additional support after remediation is complete (and when classes become

more challenging and complex) - this should be given to both school staff and students and families.

* Assistive technology - Provide more specific in-depth info on: audiobooks via Learning Ally and Bookshare such as the

benefits of audiobooks and how to access at home & school. Also, integrate the "Technology Integration for Students with

Dyslexia" plan into the handbook so that parents are aware of it and schools are accountable for it, especially for 504

students who don't have access to district assistive technology personnel.

* Adaptive / personalized learning - Direct schools to research and enable accommodations and modifications within

software used in classrooms so that the needs of dyslexic students are met when adaptive technology is used. [redacted] has

well documented systems and should be utilized as a resource.

* Exit criteria - Require schools to develop exit criteria that must be met before ending dyslexia instruction and to

communicate these criteria to parents.

I hope this is helpful in crafting a plan that helps our state move forward and students succeed.

The Very Best,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Input on March 19th Special Ed Improvement Plan

Date: Wednesday, April 18, 2018 11:52:26 AM

I appreciate that you recognize the need to go beyond the USED corrective actions & "to help more fully support students with disabilities in Texas in every aspect of their education, focused not just on access to supports but also on improved outcomes from those supports."

1. It is important that the complaint process is addressed. Pg 14. Changes need to go just beyond dealing with increased cases. Some ESC, & TEA staff should function as an ombudsman. Like a less formal mediation process. This should begin asap. The public should see that TEA really wants to hear from the public, & facilitate communication between the school & parents. Telling them to do a resolution meeting really helps very little.

2. The 3rd responsibility for the Review & Support team is to "escalate LEAs experiencing significant challenges as well as to highlight those LEAs who demonstrate clear success." What is this trying to say??

3. Pg 10 Who might be the partner organization be, & how might they get stakeholder feedback? Some feedback can be collected from improved complaint process (#1) state parent groups (PTI, P2P, ARC, PTAs, etc) & call centers.

4. Use of compensatory services funding needs some guidelines. As written this $ could be spent on the superintendent's salary or sports teams. Should include access to dyslexia specialists.

5. Focus on training, support, & development. 5 Stars *****

6. Activities regarding Dyslexia on pages 16-17 are good, but should start with increased training by ESCs this summer for teachers, & for CALTs (Dyslexia specialists). Parents of students with Dyslexia, or struggling readers are frustrated with the services their child received, & are still receiving. Guidance from TEA, & ESCs should begin asap.

7. Dyslexia should be one of the networks.

8. Give districts direction, guidance on allowing parent observation in classrooms. Limiting, restricting, or not allowing observations upsets parents, & does not create an image of cooperation.

9. Increase efforts to decrease the overuse of disciplinary practices, & the pushing out of students with disabilities.

10. Allow, & encourage schools to use extended school services (ESY) for some students to catch up, but do not “regress”.

11. Dissolve the SPEDTEX project at [redacted] Use some of the funds to contract with a parent association or PTI to do key SPEDTEX functions, & the rest for dyslexia training.

Thanks.

[redacted]

[redacted]

From: [redacted]

[redacted]

Date: Wednesday, April 18, 2018 11:26:51 AM

Dear Texas SPED:

1. My son's were not Dx dyslexia until 8th and 11th grade - dispite my repeated requests. It took PHD level diagnosticians who were CALTs. (The gen ed and the diagnosticians could not see the dyslexia in the diagnostic data - review by my expert showed the school the evidence in their then K-3 reading scores like TPRI and Dibels). My oldest diagnostic scores from the school said his IQ was 90 and that he was severely dyslexic. As an 11th

grader he was making A's and B's - so he spent 6 months being told he was a liar and a cheat on his diag scores because no way with an IQ of 90 he was making A's and B's. I was also accused of teaching him to fail the diagnostic testing. In the ARD I told them his IQ was higher but I accepted the 90 because it was how he functioned with his Dyslexia. 6 months later they offered me an IEE and his IQ is over 115+, but could not be determined after 3 instruments were used because he didn't stop answering questions correctly.

My sons have been moved form 504 to IEP based on resources necessary to help them during the day. My oldest now struggles to attend school, feels inadequate - he's made A's and B's and I am still told how high his IQ must be for the good grades with the lack of attendance. However, the point is - he's not received Dyslexia instruction, refuses the low level since they only apply programs written for 2nd grade and do not use the words he is required to be able to read at his grade level.

2. We've been in 5 schools in 5 cities. In each and every one - a different dyslexia program was offered from the beginning - so my youngest has been in 5 different programs at the beginning and is done now with 'cat' 'hat' 'health' 'smooth'. He is refusing to attend because the words don't meet his reading level requirements and he reads above the grade level the program can provide. He will not finish a single one of the 2nd grade level dyslexia programs which can only produce a 4th grade level reader. He reads at 5th grade level and no one will identify a program or plan to get him to 12 grade reading. He also makes all A's and B's and is dependent on a coteach, resource teachers, tech to survive. His IQ is also above average!

3. My HS students have been told to get out of classes - because these science instructors do not believe they are required by law to provide accommodations. They demand my students be put in a co-teach class where a SPED teacher can do the work of accommodations. My kids make

A's and B's across the board and in Science which has always been a strength for them. But they have been told in front of entire classes, in public, to get out of their classes. This is LD discrimination which we've experienced at all 5 schools in 5 different cities. LD Discrimination!! Instructor bullying which has always inevitably lead to student bullying which has lead to Dx Anxiety/PTSD and attendance only in BMC where they feel safe.

4. Choir - choir teacher refused my student access to choir. He sings beautifully, memorizes music readily, sings 2 different positions and was told to get out. Publicly. Behavior: every teacher states that he behaves very well, polite, compliant. Teacher refused to listen to any LD issues, refused to work with IEP/BMC staff, refused. What was the issue? My son was playing violin in orchestra for a cross musical production - Choir, Orchestra and Band with drama students and tech theatre (my son helped build the settings in this class) - and the instructor knew he was in the program. My son knew all the music for the Choir productions. Case Manager refused to act as liaison to ensure this was worked out ahead of time or during the issue. Choir teacher refused to recognize his speech/communication issues - and my son made the effort to work this situation out - refused.

5. My children are being shunted out of career ready classes, denied test prep for college entrance exams, not taught to TEKS and refusal to determine which TEKS are missing and refusing the requirements in the TEKS to ensure they have learned...and then are 'lowered expectations' for those English classes and denial of ALgebra 2. Science teachers refuse to teach them higher level science classes because they refuse to accommodate and they are being shunted to senior year afternoon work programs. They have above average IQs.

6. We are not receiving grade level reading, not receiving grade level

reading programs, not receiving adequate dyslexia services, I've had to get a TEA investigator to get an unsatisfactory dyslexia program. Neither of my son's received their FAPE in reading, writing or math. Above average IQs.

7. AP World History professor refused accommodations for audio for supplemental reading that was chosen to be their primary source material. Both my son's make A's in History, Social Studies.

8. Refusal of access to AP - LD discrimination

9. No access to CALT to provide grade level and individual needs in writing, reading and math. This is necessary because I cannot locate a HS level reading intervention, writing intervention program - so that requires the expertise that a CALT brings to ensure FAPE.

10. It is a constant battle to ensure equality in education, to receive needed and timely resources and testing, to receive adequate identification without requiring calls to TEA investigators, district administrators, threats of OCR. This isn't FAPE if we cannot get reasonable instruction and timely accommodations unless we bring an advocate or lawyer to the table.

11. Local Control means programs are always shifting, inadequate programming, inadequate services, lack of continuity of programming if family moves, lack of real awareness and knowledge of even IDEA or 504 laws - so that the parent is the most knowledgeable in the room and fighting worst practices instead of obtaining best practices.

12. SPED is not prepared to handle Dyslexia - they won't even call it dyslexia despite case law in DOE and Dear Colleague letters to that effect.

13. We cannot get the legal right to the full diagnostic scoring on diagnostic testing nor the protocols - all of which have been ruled by DOE that we have the legal right to obtain. My kids have been Dx @ school with: SLD reading, writing, math, or fluency, comprehension and decoding. Refusal to say Dyslexia, dysgraphia, dyscalculia.

14. HIPPA and FERPA rules are violated all the time. Exposure of LD status

and grades routinely announced to full classes with resulting bullying. DX of ED-anxiety increasing because of these types of situations. Refusal to attend classes, drop out rates, truancy, attendance in [redacted]. All because of refusal to work with LD students and respect of their HIPPA/FERPA rights.

15. [redacted] staff are not HS certified teachers. We were told that the HS certified subject teachers would work with students in [redacted]C - no one is doing that - so they are reducing expectations and denying them access to college because of it. My students cannot pass the TSI - which requires Eng 4 and Algebra 2.

16. Children routinely have their dyslexia services ended because the school's two-year program has ended, not because they no longer need services or further instruction. To my knowledge, my school has not created criteria to determine when a child no longer needs dyslexia instruction.

17. Across the state, schools use one-size-fits all approach with a 2-year dyslexia curriculum with a pre-determined pace. This has not met my child's needs because

* the pace has been too slow, interrupted, denied
* for many schools the group size has been too big
* the program chosen by my school is not a good fit for my child
* my child still needs significant dyslexia instruction after 2 years and nothing more is available
* after completing the dyslexia program only computer based programs were available for further reading interventions - computer based programs don't fit the need or the Texas dyslexia handbook

18. Schools refuse to provide qualifications of teachers despite Texas mandate that they should be certified SPED, taken CEUs in Dyslexia, etc. They say they don't document or track - yet it is a STATE LEGAL REQUIREMENT!!

19. I call for ARDs, emergency ARDs, etc. and do not get them. District

personnel do not respond to emails or phone calls with issues. Directors don't respond to emails or phone calls.

20. Teachers delay entry into the systems for grade reporting. Missing attendance is ignored by case managers who are tasked with ensuring issues in classes are resolved. Teachers refuse to produce work with grades so students can learn from corrections - and so parents can determine issues. Refuse to place in college bound classes.

21. there are so many issues in SPED. On the otherhand, a good SPED teacher, a good SPED team can overcome so much. They are just so poorly trained, so little funding, so little access.

Thank you for listening, I hope that you will commit to resolve problems that are really not that difficult to rectify!!

--

[redacted]

[redacted] hm

[redacted] cell

From: [redacted]

To: TexasSPED

Subject: OSEP Requirement #3: What"s the identification/service plan for 2e learners?

Date: Wednesday, April 18, 2018 12:07:51 PM

OSEP Requirement #3: In developing state guidance to districts to address struggling learners, consider first the twice exceptional population. What's the overall identification/service plan for twice exceptional learners? Does working out the problems inherent in the complex twice exceptional population, who defy all conventional methods, provide a path forward for all struggling learners?

To begin, adopt the National 2e Community of Practice definition of twice exceptional learners. When comparing the National 2e CoP definition with the Texas definition (gtequity.org), notice how the Texas definition hinges on eligibility determinations. The National 2e CoP definition, however, allows children to be recognized as twice exceptional even if they do not meet 504, IDEA, or Gifted

eligibility. The National 2e CoP definition speaks to the reality that twice exceptional learners have needs regardless of being found eligible for 504, IDEA, or Gifted services.

We have an opportunity and a challenge in our state at this point in time to map out how Texas will identify and serve the needs of twice exceptional children (and consequently all struggling learners). Does Texas intend to find 2e learners who need specialized instruction (even dyslexia) eligible for IDEA? If so, how. If not, what's the service plan?

Who is responsible for addressing learning gaps and unmet learning needs in twice exceptional children that:

· Fall short of IDEA eligibility criteria,

· Need interventions and explicit instruction beyond 504 accommodations,

· Fail to trigger RTI,

· Fail to receive early identification/intervention for masked disabilities?

Twice exceptional students are complex and unique. However, if we can clarify identification and resolve problems in servicing this population, we may see a clear path forward for appropriate interfaces between RTI, 504, dyslexia and related disorders for all struggling learners.

What's the plan, Texas?

References:

Texas, Twice Exceptional Definition (gtequity.org)

A "twice-exceptional learner" is a child or youth who performs at — or shows the potential for performing at — a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who:

1. exhibits high performance capability in an intellectual, creative, or artistic area;

2. possesses an unusual capacity for leadership; or

3. excels in a specific academic field (TEC 29.121).

...and who also gives evidence of one or more disabilities as defined by federal or state eligibility (IDEA, 2004) (300.8) (Section 504) criteria such as:

· learning disabilities;

· speech and language disorders;

· emotional/behavioral disorders;

· physical disabilities;

· traumatic brain injury;

· autism spectrum disorder; or

· other health impairments such as ADHD.

National 2e Community of Practice, Twice Exceptional Definition

Baldwin, L., Baum, S., Pereles, D., & Hughes, C. (2015). Twice-exceptional learners: The journey toward a shared vision. Gifted Child Today, 38(4), 206-214.

Twice exceptional (2e) individuals evidence exceptional ability and disability, which results in a unique set of circumstances. Their exceptional ability may dominate, hiding their disability; their disability may dominate, hiding their exceptional ability; each may mask the other so that neither is recognized or addressed.

2e students, who may perform below, at or above grade level, require the following:

· Specialized methods of identification that consider the possible interaction of the exceptionalities

· Enriched/advanced educational opportunities that develop the child's interests, gifts and talents while also meeting the child's learning needs

· Simultaneous supports that ensure the child's academic success and social-emotional well-being, such as accommodations, therapeutic interventions, and specialized instruction.

Working successfully with this unique population requires specialized academic training and ongoing professional development.

From: [redacted]

To: TexasSPED; Callahan, Lauren; Porter, Justin; Schwinn, Penny

Subject: Parent Comments - Draft Special Education Plan

Date: Wednesday, April 18, 2018 9:21:11 AM

As I have said repeatedly over the last decade, along with many other parents, the philosophy of special education in Texas, from TEA down to local districts, has been: How little can we

do for these students and still be legal?

On April 16, 2018, the [redacted] reported on comments made by [redacted], special education director for [redacted], during the recent Texas Education Agency hearing held in [redacted]. [redacted] comments illustrate that this has been the Texas philosophy.

The [redacted] article states: "[redacted], a special education director in [redacted] ISD in [redacted] told state education officials Monday that she planned to hire two diagnosticians, four teachers and two behavioral specialists to handle an anticipated spike in students considered eligible for special education. More than a hundred miles from her school district, [redacted] joined parents and administrators at a public hearing to ask a question repeated many times: How exactly are schools expected to handle that cost? 'We are going to be identifying a lot of students with no projected funds we can count on,' she said."

In a 2014 Facilities Study Report prepared for [redacted] by [redacted], [redacted], the district was described as having 4,586 students, and 6.6% of these students were in special education programs. Under the old "guidelines," TEA would have given [redacted] a goldstar for keeping its special education enrollment so low.

It is curious how [redacted] is now anticipating a "spike" in students eligible for special education. Where does she expect this "spike" to come from? It is unlikely that this "spike" is going to come from students moving into the district, which means it has to come from students who are already there – students that Ms. [redacted] is already aware of as being eligible for special education – students that have previously been denied services. This is a perfect example of how the Texas special education system has operated for years – districts turned a blind eye to the needs of special education students, and TEA supported them in doing so, in order to do as little as possible and still be legal.

The concern that Ms. [redacted] is reported as having expressed is that the school cannot handle the cost of the additional personnel that she believes will be necessary to meet the needs of newly identified special education students. Yet, the [redacted] ISD Strategic Plan states: "We will not allow government restraints to compromise learning opportunities."

It would seem that [redacted] ISD has allowed government restraints to compromise learning

opportunities in the past by keeping its special education enrollment at 6.6%, and it is now going to contend that another government restraint – lack of funding – prevents it from meeting the needs of special education students now and in the future.

What are the requirements for pressboxes in high school football stadiums in Texas? Many stadiums have multi-level pressboxes that are heated and air-conditioned, and some have kitchen facilities. Is this a requirement from the state? When was the last time a school district planned a football stadium with the goal of having one, but not providing anything more than the bare minimum of what was legally necessary?

As another parent said at this [redacted] meeting: "What we need to do is break the system. Break it really good. Go back to the drawing board and rethink everything."

[redacted]

From: [redacted]

To: TexasSPED

Subject: Partial Comment on TEA Special Education Strategic Plan

Date: Wednesday, April 18, 2018 12:03:27 PM

My partial comment on the document titled TEA Special Education Draft.

Significant Stakeholder Input:

The agency did not execute with due diligence that agencies with diverse populations (African American, Latino, Asian, Native American, LGBTQIA, and etc) were not consulted nor their input truly sought in the development of this plan. Parents (such as myself) that were allowed to participate in focus groups were forced to adjust work schedules in order to participate during hours in which most work. And, our focus groups were a challenge because of malfunctions with the computer system and the lack of participation. In my community traditional "go to" groups such as [redacted] are not widely utilized in traditionally diverse populations. Many of their participants in online webinars, meetups and etc. are rarely attended by diverse populations. These groups mainly cater to "white" participants and often ignore the unique needs of populations of color.

The Special Education Community comprise of more than [redacted] and your traditional "mainly white" groups. No one contacted groups dealing foster

care, juvenile justice and etc. It is sorely lacking. And, last I checked, many professional groups such as [redacted] and [redacted]s as well as [redacted] for [redacted]. Many churches such as the [redacted] and [redacted] which actually have national focuses on Special Education were not consulted either along with traditional African American churches and other organizations such as [redacted] were not consulted. In addition, I request that Outreach campaign to identify, locate and evaluate under IDENTIFICATION, EVALUATION AND PLACEMENT (CHILD FIND) subsection Outreach Campaign to Identify, Locate, and Evaluate - take into consideration that Partners Resource Network - The Parent Training and Information Center of the State of Texas should not be the only group in which to do outreach campaign. I request that TEA utilize other organizations in addition to Partners Resource Network in the quest to identify victims of the illegal cap that has lead to the extraordinary amounts of Child Find victims.

Monitoring: Review and Support Team (CA:4.a.)

This section is in need of compliance measures not just "technical assistance". Texas has "technical assistance" with the Educational Service Centers (ESC) which is often underutilized and not respected. Without compliance requirements with consequences; Texas will have monitoring and data without consequences.

There is mention student interviews being conducted as a part of information gathering to review records. I do agree with the need to seek parental consent. I would like to add that TEA seek parental consent for students that are not the age of majority and require due diligence in ensuring legal requirements are met in cases when the parent has legal authority on students past the age of 18 (i.e. guardianships and educational power of attorney).

Immediate Short Term Corrective Actions (Child Find)

Compensatory Services Funding

The compensatory services funding is too small. I wholly doubt that an issue that was created and still continues to exist (for 10 years+) will not be able to be resolved by 65 million dollars. The amount of money is a tragedy. TEA should reconsider more like 80 million dollars. At least the 80 million is closer to what is needed.

Updated Guidance on Identification and Evaluation

There needs to be guidance on identification and evaluations. What I often see is differences between Diagnosticians and what they consider as Specified Learning Disabilities, Dyslexia, and Emotional Disturbance vs. Autism. There needs to be guidance of identification and evaluation because there is too much discord between the school districts. One school district may say SLD or Autism just to reverse course if the student transfers to another district.

Ongoing Action Steps for TEA

Complaints

You should not have to be an attorney to file a complaint. The complaint process and the dispute resolution continuum within the state of texas continues to be overly complex. There is a need to simplify and add safeguards for parents, guardians and others with disabilities. To rely on [redacted] and other non-profit legal organizations, clinics and outreach centers to guide parents with disabilities is overtaxing, not efficient and not sustainable.

Many parents have the same disabilities as their children; so currently, safeguards such as extending statue of limitations for all state complaints to two years as opposed to the one year statue would be a step in the right direction.

State Model Complaint

State Model Complaint Forms should not ask the what is the laws broken? Complaints should be able to be submitted via email or through an online system. Most parents do not have fax machines. And, more often than not, faxing is a costly adventure at $1.00 or more a page. Right now Texas Model Complaint forms are 3 pages without additional complaint page.

Facilitated IEPs

Texas needs to require schools to accept facilitated IEP requests and not give the school an option to decline a request or just simply ignore.

Administrative Hearings and Administrative Law Judges

Due Process should be simple enough for parents to file and due process should be more informal and not require parents to file motions, responses, briefs, etc. All things that attorneys do. Administrative hearings should not run like a court of law; but rather quasi law. And, especially if the parent decides to "move forward" as "pro se". I do believe that

Administrative Law Judges should reveal potential conflicts and there should be more transparency in the ALJs background to ensure a fair hearing.

Hearing Officer Support (CA1.e)

Hearing Officers should be trained in not only Child Find but all of Special Education, implicit bias, unconscious bias and ADA requirements for parents that have disabilities such as mental, cognitive and etc. Additional training from groups such as National Alliance for Mental Illness should be consulted on how accommodations such as extended time for individuals with disabilities is an ADA requirement.

Additional Employees

Texas Education Agency should view California as a model in that Special Education Complaints and Compliance has far more employees. Texas should look at 200 employees just for this division to be "on par" with California which is similar to Texas in the size and scope of the state.

STAT / RTI meetings

Parents should be extended an invitation to RTI meetings. Many parents do not know that their children are in RTI. And, clear disclaimers that RTI includes behavior as well as learning support. Many times schools do not believe that RTI can include behavioral support. Many times RTI is too informal and very little data is required. RTI should be more formal in data collection and more deliberate as well with meetings as well as feedback to parents.

TRAINING, SUPPORT AND DEVELOPMENT - Action Steps for TEA

Ensuring that there are not only bilingual translators and diagnosticians but they have a good working knowledge Special Education. I can not tell you how many times that organizations such as [redacted] are brought in and they do not know anything about Special Education.

[redacted]

Non Attorney Legal & Educational Advocate

[redacted]

[redacted]

"I'm no longer accepting the things I can not change...I'm changing the things I can not accept."

-Angela Davis

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From:

To: TexasSPED

Subject: Public comment

Date: Wednesday, April 18, 2018 11:34:25 AM

Please focus on how you can bring technical assistance from the public Texas universities to train administrators

(District and School) to serve youth with disabilities.

Thank you!

Meagan

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Public comments CAP

Date: Thursday, April 12, 2018 9:39:39 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the students that were denied special education services, nor will it prevent a similar event from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

* TEA enforced monitoring of public schools. Currently, there are little to no consequences for public school employees or schools that break special education law. TEA should enforce the laws that are in place with consequences to individual public school employees that break the law, as well as consequences to the school district that break the law.

* Provide guidance to public schools that allows parents to have the child's private therapist observe the child at school with the parent's permission.

* Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

* Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

* Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

* Pullouts for small group instruction.

* Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

* Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

* Increase in RTI for students that are struggling.

* Require that all Texas public school employees that are on ARD committees be trained indepth on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

* Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

* Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

* Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor this law.

* Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant red-tape that currently exists.

* Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

* Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

* Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If

Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

* Cameras should be installed in all public areas of school buildings.

* Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

* Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

* Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Thank you for your consideration.

[redacted]

[redacted]

Get Outlook for iOS

From: [redacted]

To: TexasSPED

Subject: public comments on corrective action plan

Date: Wednesday, April 18, 2018 8:03:15 AM

The Texas Education Agency (TEA) is currently in the process of developing a corrective action plan (CAP) in response to findings by the U.S. Department of Education that it violated the Individuals with Disabilities Education Act (IDEA). At this time, Disability Rights Texas offers these comments on priority elements in the CAP

that must be addressed to correct TEA's violations of the IDEA.

Fundamentally, the CAP must ensure that:

• School districts and open-enrollment charter schools will engage in Child Find and provide a free appropriate public education to every student with a disability in need of special education services.

• School districts and open-enrollment charter schools will evaluate students who were previously denied initial evaluations as well as reassess the needs of students with disabilities who got special education services late.

• Educators will not delay referrals for initial evaluations and parents will get clear information about the differences between various programs, services, and laws that they might encounter in the search for appropriate interventions and services for struggling learners.

• TEA will effectively monitor school districts and open-enrollment charter schools as well as proactively engage with districts and charter schools struggling with either compliance or producing positive outcomes for students with disabilities.

We have the following specific comments:

· Funding. TEA must include in its legislative appropriations request (LAR) specific funding for the CAP. It should also review all special education budget riders in Article III (education) of the state budget to ensure alignment with the CAP and make appropriate recommendations to the Legislature.

· Compensatory Services. TEA must include in the corrective action response a plan to provide guidance and direction to school districts and charter schools about the award and provision of compensatory services to students harmed by TEA's violations of IDEA.

· Staffing. TEA must include in the strategic plan a plan to address special education personnel shortages. We recommend that TEA convene a special education personnel summit that includes the State Board for Educator Certification, the Texas Higher Education Coordinating Board, Colleges of Education from across the state, and professional organizations. This policy

summit, open to the public, would discuss and develop a specific report about how Texas will meet the staffing needs in special education.

· Professional Development. TEA must include in the corrective action response a plan to inform and educate superintendents, principals, and school administrators about special education process, including Child Find.

· Parent Education. TEA must include in the corrective action response a plan to conduct in-person parent training sessions across the state, provided by organizations that support and assist parents in special education.

[redacted]

Policy Specialist

[redacted] | [redacted] | [redacted]

[redacted] direct | [redacted] main | [redacted] fax

[redacted] | [redacted]

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Public input

Date: Wednesday, April 18, 2018 11:54:27 AM

Please involve universities to help with improving transition services.

Sent from my iPhone

From: [redacted]

To: TexasSPED

Subject: Regarding The Corrective Action Plan

Date: Wednesday, April 18, 2018 9:57:09 AM

Hello,

I am writing about the corrective action plan. I am a dyslexia teacher with [redacted] [redacted] ISD. I would like to dispel rumors I am hearing as it pertains to dyslexia services.

1. Falsehood one: The state is using a "2 year, one size fits all curriculum" to serve dyslexics regardless of individual needs.

[redacted] and [redacted] are the two curriculums used in our district to serve dyslexic students. Both are research based approaches to teaching students with dyslexia. MTA is the curriculum I personally use, and there are built in mastery checks and progress monitoring to ensure that students do not move forward without proper mastery of concepts. The idea that we are pushing through dyslexic students whether or not they are getting the material is simply false. Texas has THE BEST, most research driven practices in the country as it pertains to dyslexia and the idea that we would need a different intervention tool is unfounded and not based in research or best practices.

In short, changing the dyslexia intervention curriculum will not get the state of Texas any closer to its goal of helping all students achieve at a higher level. We are already giving dyslexic students the proper research based interventions.

2. Falsehood two: Students lumped under section 504 do not get their individual needs met and require an FIE in order to be successful.

In every single 504 meeting we assign INDIVIDUAL accommodations to students. We do not just give all dyslexic students the same thing. It doesn't require an FIE to get a student individualized accommodations.

3. Falsehood three: We no longer serve students who have finished receiving interventions.

Students are still given the same accommodations after they've graduated a dyslexia program.

We are not stripping them of services just because they have finished interventions. They are always eligible for the accommodations set fourth in their 504.

I hope this information helps you to understand that we are adequately serving our students and their individual needs with the system as it stands. I feel that dyslexia is best served under 504.

Thanks,

[redacted] | Literacy Intervention Teacher

[redacted]

[redacted]

[redacted]

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From: [redacted]

To: TexasSPED

Subject: Comments on Comprehensive Draft Strategic Plan for Special Education

Date: Tuesday, April 17, 2018 3:51:49 PM

Attachments: Response Letter.pdf

To Whom It May Concern:

Attached are my comments on the Draft Strategic Plan. Thank you!

[redacted]

Licensed Specialist in School Psychology

[redacted]

[redacted]

[redacted]The aim of education should be to teach us how to think, rather than what to think”- James

Beattie

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From: [redacted]

To: TexasSPED

Subject: Response to special education improvement plan

Date: Wednesday, April 11, 2018 9:42:16 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of

the students that were denied special education services, nor will it prevent a similar event

from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

TEA enforced monitoring of public schools. Currently, there are little to no consequences for

public school employees or schools that break special education law. TEA should enforce the

laws that are in place with consequences to individual public school employees that break the

law, as well as consequences to the school district that break the law.

Provide guidance to public schools that allows parents to have the child’s private therapist

observe the child at school with the parent's permission.

Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

Pullouts for small group instruction.

Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

Increase in RTI for students that are struggling.

Require that all Texas public school employees that are on ARD committees be trained indepth on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor this law.

Allow an easy way for parents to file a complaint of IDEA violations to TEA, without

requiring significant red-tape that currently exists.

Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

Cameras should be installed in all public areas of school buildings.

Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

Thank you for your consideration.

From: [redacted]

To: TexasSPED

Subject: Special Ed Draft

Date: Thursday, April 12, 2018 1:33:56 PM

Attachments: Special Ed comments [redacted].doc

Good afternoon,

I have attached my comments for the Sp. Ed. since I can't make the hearing. Please let me know if you need anything else.

[redacted]

Sent from Yahoo Mail on Android

Comments on TEA's draft of Special Education Strategic Plan, submitted by [redacted], president, [redacted]:

Let us start with the bottom line. Despite TEA's new plan for special education programs, special education, like public education in general, remains woefully under-funded in Texas. That was the main reason the illegal cap on special education enrollment was imposed in the first place. Now that the cap has been lifted, TEA can propose some improvements, but any addtitional costs will have to come from local school districts, which already are financially strapped. The real corrective action must come from the Legislature and the governor in the form of additional education funding.

The following points address parts of TEA's strategic plan specifically:

The plan fails to address the issue of students who were denied an evaluation for special education services if the request was made by parents or teachers.

The plan does not address how the state plans to accommodate students who may have had disabilities but continued to receive early intervening services with no referral and were not afforded federal protections in disciplinary matters because the district could claim no "basis of knowledge" that the child had a disability.

There is no indication in the draft plan that TEA will change practices or administrative rules to allow those closest to the students – teachers and parents – to make referrals that mandate a definitive response from the district.

The plan makes no recommendations to:

Limit the number of students in special education classrooms

Limit the number of students on a special education teacher's caseload

Limit the number of students receiving special education services who can be in a general education classroom at the same time

Ensure special education teachers are well-trained and educated in the specific disabilities of the children they teach.

The plan prioritizes students who were not served as required by the Individuals with Disabilities Education Act (IDEA) but passes over the unmet needs of students who were underserved.

From: [redacted]

To: TexasSPED

Subject: Special Education Action Plan

Date: Tuesday, April 17, 2018 8:54:45 PM

Hi,

I am writing as a concerned Special Education Administrator in Region 13 of our great state. I wanted to describe my thoughts on the positive aspects of the corrective action plan as well as some suggestions for improvement or transparency.

Please consider the following with regard to Monitoring:

Focus on school districts and charter schools who have the lowest rates of Special Education Representation

Consider adopting qualifications of specialists to include persons who have extensive experience in the field or are able to understand and interpret the Child Find regulations set forth in IDEA.

Provide systematic, easy to use data collection systems to efficiently track referral data

Incorporate a review of RtI and Bilingual services at campus sites to provide guidance for developing systems to support learners whose needs may not be a result of a disability, rather a language issue or global learning deficit.

Please consider the following with regard to Identification, Evaluation and Placement:

Students who have already graduated from school have demonstrated mastery of the grade level TEKS in order to graduate. It does not make sense to provide compensatory services for students who have already completed their school career successfully.

Please consider limiting this particular provision to students who did not complete High

School for whatever reason.

I like the idea of monitoring RtI progress for students for the District to take action for a Special Education Referral in a systematic and timely manner.

504 services are not intended to be precursor services to Special Education. Many students who are served through 504 are quite successful with their accommodations that will be applicable to them as they transition to adulthood. It does not seep appropriate for students in 504 to automatically be considered for SPED testing simply because they have been in 504 for a long period of time. If the 504 plan is working, it is working!

Compensatory Services Note: Please further describe "for students who have been found to be eligible but did not receive services". Does this imply that students who have a disability but do not have an educational need would be considered here? I cannot think of an instance where we have decided a student needed services but refused to provide them.

Hearing officer support: Yes, please do this! This is definitely a need!

Please consider the following with regard to Training, Support, and Development:

Thank you for realizing the need for qualified evaluation staff! Please consider a specific vetting process so Districts are comfortable contracting with individuals included in the database.

Consider applying more funds for school districts to pay evaluators, rather than services to graduated students, since the demand will likely increase.

Call center: please consider specific training and requirements for School District collaboration for call center staff. We want to be partners so facilitating collaboration between the parent and school district is key to this process.

Please consider the following with regard to Technical Assistance Networks and Structure:

I am really happy to see some revision to this structure!

Please consider a component that emphasizes trauma-influenced behaviors

Please consider additional networks and support for campus and District administrators

In general, it would also be helpful if there could be data that represents our SPED percentage

rate that includes our students with Dyslexia served only through 504. I believe that we are being represented quite poorly based on the fact that Texas serves students with unique needs for FREE through the dyslexia program not funded by IDEA.

Thank you so much for your time. As a dedicated administrator who supports students, teachers, parents, administrators and reports to OSEP and TEA at times, I truly understand the need to include certain strategies in the plan and respect all of the work you are doing!

Thanks,

[redacted]

Subject: Special Education help

Date: Saturday, April 14, 2018 11:20:48 AM

To whom it may concern,

Good morning, i have an 8 year old son wich ive been having trouble at [redacted].

In [redacted] He has been diagnosed with Bipolar Disorder,ADHD, Depression,sever, with psychotic features, Generalized anxiety, social phobia, eating disorder and Autistic disorder.

Ive been taking all medical records to the school so he can get the help he needs and havent gotten any results, i have 3 referrals for home school and not even with that im getting any help this is been going on for a while now only help ive been getting is the school nurse (Meg Rios) she has been great. My son is only attending half a day and has to be picked up every day. The only help i got from the school is special transportation, which is not being required at the moment. I feel nothing is being done to help my son and don't want him left behind im sure there is alot MORE they can do for him.

Im attaching some of my son's medical records. Hoping we can get some help. Thank you.

Sincerely,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan.

Date: Tuesday, April 17, 2018 9:35:06 PM

Thank you for the opportunity to comment on the Draft Special Education Strategic Plan.

It is wonderful to see an emphasis on Child Find and identification of students who need specialized instruction under IDEA. As noted in the report, an appropriate evaluation by qualified professionals is critical to determining eligibility.

Visual impairment is a low prevalence disability, including an even smaller group of students who are deaf or hard of hearing in addition to having a visual impairment (DeafBlind). There is a very limited number of professionals with the expertise to appropriately identify the impact of a sensory loss on learning for these students. As a result, children may not be identified or may not be provided VI-specific specialized instruction while young, and possibly years of missed educational progress may result. A teacher of students with a visual impairments (TVI) and a certified orientation and mobility specialist (COMS) should be part of the educational team for students who are visually impaired and are essential in any evaluation and intervention they receive.

Diagnosticians and school psychologists need ready access to training that will help them understand which of their diagnostic tools are useful for this population (and which are not). Evaluations for eligibility must be performed in collaboration with skilled TVIs and COMS in order to understand how the visual impairment impacts test administration, the children's ability to access learning and development of independent life skills.

There is a great need for training to help promote proper identification of students with visual impairment who also have dyslexia, specific learning disabilities, intellectual disability, autism, etc.

Once identified, each student with a visual impairment (including those who are DeafBlind) must have access to a certified TVI and COMS. Texas has made much progress in increasing the supply of visual impairment (VI) professionals. As the state's population grows, our university programs will need added resources to increase capacity to grow the VI field. An

adequate supply of appropriately trained professionals is critical to provide required access to the general curriculum and the VI-specific expanded core curriculum.

Students who are DeafBlind need access to specialized personnel with training in their unique needs. Neither TVIs nor teachers of students who are deaf of hard of hearing are fully prepared to address the impact of dual sensory impairments. A separate certification for teachers serving students who are DeafBlind would allow Texas to better address the very individual accommodations and programming needed to match specialized instruction to each child's visual and auditory skills and communication systems. Specific training for interveners, paraeducators for students who are DeafBlind, would benefit those students for whom this related service provider is needed. These personnel are in demand but often not available when required to implement a student's IEP

The Strategic Plan for Network Seven: Students with Sensory Impairment, proposes combining the VI ESC network with the Deaf Ed Network. Despite some overlaps in educational approaches, there will need to be a plan for continued attention to the distinct training needs for professionals serving each population. There are some similarities, such as having trained specialists working closely with families from birth, but there are significant characteristics of each population's educational needs that are different and distinct instructional strategies. Network Seven's description should also include students who are DeafBlind in the first sentence which defines the focus of this network. It is critical to have trained specialists with expertise in each sensory impairment area (visual impairment, deafness, and DeafBlindness) as leaders in their regions.

Texas has worked hard to ensure that TVIs and COMS must have high standards through university training. What is meant by "Professional training and nontraditional certification opportunities for educators, administrators and support professional; and...in Network 7

It is unclear what structure is being put in place to support the very intensive needs of students with significant cognitive impairment. Currently this group is served by the Low Incidence Network. The VI and DB networks collaborate to ensure accommodations and modifications appropriate for sensory impairment are considered. Specific training for local districts on appropriate curriculum, instructional strategies and student outcome measurements are a huge

need in Texas and many of these students have visual and/or hearing loss.

Although the importance of assistive technology is noted, there is not a centralized structure mentioned to provide expertise in AT for the state to take the place of the existing TATN. Ensuring that this expertise is available is critical, as access to appropriate technology has become such a significant factor in educational programming for students with all disabilities, including visual impairment.

Network Eight- Rural and Small LEAs. Visual impairment and DeafBlindness are low incidence populations and providing quality services in less developed areas is a challenge. TEA might consider supporting the development of VI co-ops for serving students with visual impairments in rural areas. Forming co-ops with a lead district that hires VI professionals to serve several smaller districts with few students is a proven method for providing quality services to our students in rural areas.

As the Special Education Strategic Plan is implemented, we will look for a focus on the specific expertise needed statewide to identify and address the specialized instructional needs of students who have visual impairment and are DeafBlind.

As this plan develops local funding cannot be lowered and if anything must be INCREASED.

From: [redacted]

To: TexasSPED

Subject: Special Education Strategic Plan

Date: Wednesday, April 18, 2018 12:06:01 PM

In response to the Special Education Strategic Plan

1. There are too many issues that are unclear about what TEA "MAY" do. The LEAs know what is expected of them, but we do not know anything about the TEA "MAYs". Clarity/transparency is needed.

2. Additional positions at TEA are not what LEAs need. If anything these funds should be directed to ESCs that work closely with their LEAs. I believe that the Escalation Units (support team) should be housed at ESCs.

3. Unannounced visits are not necessary - Visits should be somewhat scheduled because of having the appropriate people available for TEA when they do come.

4. Who is the partner organization that will ensure stakeholder feedback is properly integrated into the review process design? (page 10)

5. Again - requiring the LEA to go back at identification, evaluation and placement of students that did not require Sped is not a forward move for students.

6. Who is the partner of an external organization on page 13 item 4?

7. Page 13. TEA may not provide definitive rules realted to compensatory service entitlements???? It should read TEA will not..... Let the LEAs make that determination - it could even be a reported item.

8. Making teachers demonstrate content proficiency and implementation before being noted as having participated in the full program concern professional development is not favored...they already feel let down.

9. For the extra training in Summer of 2019 - will these teachers be compensated?

10 Will their be training on the Universal Design for Learning??

and as always --

the funding is an issue...

Thank you for allowing me to voice my concerns.

[redacted]

[redacted]

To: TexasSPED

Subject: Special needs

Date: Tuesday, April 17, 2018 11:05:29 PM

First is this forum something to appease parents of special needs children or is this to let Governor Greg Abbott

know that we are going thru a process. I am still waiting for the results of last year.

I am the proud parent of a few special needs children. One was molested in the school. One was injured requiring

stitches three times at the hands of our school teachers and aides. One was allowed to have sex on several occasions

in an empty gym because of lack of supervision. I am not the only parent this has happened just the only one bold

enough to go to the news. ARDS are a joke at [redacted]. If you don't agree to them they move forward

anyway. Coverup is our middle name just lie to TEA and they give a crappy corrective action that an animal could

Follow. Stop talking the talk and walk the walk. Special Needs are people not something on a piece of paper that

generates extra money for schools.

[redacted]

From: [redacted]

To: TexasSPED

Subject: SPED Improvement Plan

Date: Wednesday, April 18, 2018 9:13:57 AM

Responses and suggestions for the Draft Special Education Improvement Plan:

TEA Draft Special Education Strategic Plan

Suggestions for monitoring that would be more efficient and less intrusive for districts:

1. Use technology to assist in monitoring and facilitating new program requirements

rather than old method of sending out auditors.

2. Have a statewide software system that all school districts are required to use for sped,

504, RTI, and dyslexia programs. The consistency of forms would be able to be viewed

by auditors by TEA and would cause the least amount of disruptions in the districts.

3. Use the money saved via electronic audit program to fund additional personnel

needed for implementation of evaluation program and compensatory education

program

4. On TEA review process, please allow districts to view any report and have an

opportunity to provide addition information before releasing to the public and to

parents.

5. Reduce the amount of indicators that districts will be responsible for before adding additional indicators as a part of this plan.

Identification, Evaluation, and Placement (Child-Find)

1. Once parents are notified of their right to request a special education evaluation. There will not be enough personnel in districts or contract to fulfill the testing obligation with the 45 school days per student. Allow districts to stager the letters to parents to assist with the testing deadlines.

2. TEA needs to set aside additional funding for personnel to evaluate students in RTI, 504, and dyslexia programs as a part of child find.

3. TEA needs to designate additional funding to pay for implementing compensatory instruction. 65 million statewide may not be enough to fund this program depending on the parameters TEA assigns for compensatory services.

4. TEA will need to define what compensatory services will consist of and a timeline for completion.

Training and Support:

1. Updated written procedures from SBOE with training on program implementation/evaluation guidelines in the areas of Dyslexia/related disorders, 504, and RTI procedures.

2. Funding for Dyslexia programs, 504, and RTI programs in the statewide ISDs to assist in the support of these new program expectations.

3. Use technology and conduct more online/webinar training from ESC centers. This will reduce the drive time and unnecessary time out of district.

Thank you for considering this input,

[redacted]

From: [redacted]

To: TexasSPED

Subject: SPED issues in TExas

Date: Wednesday, April 18, 2018 11:31:39 AM

There are so many issues with SPED.

Goals. No one can write good goals. No one attempts to write good goals.

They use a formula that is ridiculous - how can you say reads 'cat' 80% of

the time as an acceptable goal? But that is representative of inadequate

goal understanding and education.

If you reach MS or HS - they don't do goals. Refuse to do goals.

There needs to be a lot of attention to goal writing and realistic goal

preparation that meets the TEKS. For these they could even be a list

written at TEA that SPED depts could access since they are clueless.

Clueless due to inadequate professional development.

I have literally threatened to have the HIPPA/FERPA rules injected into

IEPS.

I have threatened to have TEKS written as goals in IEPS because they will

not teach SPED kids the TEKS even with High IQs!!

Thank you again. Professional development would solve many problems.

--

[redacted]

[redacted] hm

[redacted] cell

April 17, 2018

From: [redacted]

To: TexasSPED

Subject: Strategic Plan and Corrective Action Plan Feedback

Date: Wednesday, April 18, 2018 12:17:36 PM

To start, I want to thank the staff at TEA for the work that has gone into developing the strategic plan for special education and the corrective action for OSEP. The efforts to collect input from across a wide spectrum of stakeholders are commendable, as are the efforts toward transparency.

As a career special educator (28 years in the classroom and 19 as a special education administrator), there are many pieces of both the strategic plan and the corrective action that are exciting and appreciated just as there are a number that are concerning. Having served in small and large LEAs and at a regional service center, I know that LEAs have been working hard to meet the accountability standards established by TEA, including the PBMAS identification of 8.5%. Some LEAs met this standard, many did not. I do not believe that LEAs intentionally failed to identify students who needed special education services. I do believe that students who may have disabilities have been served through 504, RtI, and dyslexia programs. With the overlapping programs in Texas, decisions as to which are the most appropriate for students are difficult. It is frustrating that the bulk of the blame and of the burden of the plan is on the LEAs.

Positive points:

training for hearing officers

revision of dyslexia handbook

clarification of requirements for 504, RtI, dyslexia (timelines, etc)

focus on improved outcomes for students with disabilities

targeted technical assistance for districts

focus on LEAs “doing it well”

revision of resources for parents to support understanding and full participation

reorganization of ESC networks

Concerns:

Implication that the fault lies with LEAs.

The heavy burden on LEAs financially

Monitoring should focus on LEAs with the most problematic issues

rather than on those with consistent compliance and performance.

Monitoring should include the use of as much existing data as

possible so as not to overburden LEAs with duplicative reporting requirements; data submission through PEIMS should be prioritized.

Insufficient support for evaluation

Insufficient support for compensatory services

Outsourcing for development of resources (not accessing and/or

revising the available resources through ESCs and networks)

The increase of staff at TEA focused on monitoring

Lack of clarity around who is qualified to develop evaluations that

meet state guidelines

The use of the word “may” for TEA actions throughout the plan

I wonder if the burden might be less if Texas would review all requirements for special education that are

in addition to what is required by IDEA: ie, transition planning at age 14, and the autism addendum.

Requirements that are above and beyond though they may be quality indicators/best practices create

additional layers that may not support the outcome goals of IDEA.

Thank you.

[redacted]

From: [redacted]

To: TexasSPED

Subject: TASB Comments on Strategic Special Education Plan

Date: Wednesday, April 18, 2018 8:29:39 AM

Attachments: Letter re Strategic Special Education Plan.pdf

[redacted]s comments regarding the Draft Special Education Strategic Plan are in the attached letter.

Thank you for the opportunity to provide input on this matter.

Sincerely,

[redacted]

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not authorized.

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From: [redacted]

To: TexasSPED

Subject: TEA Corrective Action Plan as it relates to my dyslexic student

Date: Wednesday, April 18, 2018 10:13:46 AM

Good morning.

As you consider changes and hopefully improvements in providing support to students with dyslexia in Texas schools, especially with required training for teachers, please include high school.

My current 8th grader in [redacted] ISD was ahead of the awareness-raising and in-school training that is currently happening. I had to pay for her assessment in 2nd grade since the ins-school one done by the Reading Specialist was administered improperly, and I took her to afterschool dyslexia therapy at [redacted] center for 2 years. She did better after that and when 504 accommodations were finally put in place to finish elementary school. She's done well academically in middle school, with a clear distinction in accommodation support from younger (i.e. trained) instructors.

Now that she's looking at high school, I've been told not to expect any real support or accommodations, as if suddenly kids are cured of dyslexia by that time. In your discussions of how to help Texas kids with dyslexia and to support the teachers of kids with learning differences.

Thank you,

[redacted]

[redacted]

From: [redacted]

To: TexasSPED

Subject: TEA Corrective Action Plan

Date: Wednesday, April 11, 2018 2:35:35 PM

To: Texas Education Agency

From: [redacted]

Date: April 10, 2018

Comments Regarding the Draft Special Education Strategic Plan

· I appreciate that TEA is focusing on supports to districts and improved outcomes for students in Special Education.

· There are overwhelming instances of statements that TEA may engage in certain actions. I am unclear as to which items TEA will be required to do and which ones are optional. I believe there should be more specificity on what TEA will actually do.

· There are many action items that TEA may do that are budgeted for. What happens to that money if TEA decides not to implement that item?

· There are many action items that will require districts to submit items, prepare for audits, etc.; however, it concerns us that there is no additional funding for districts.

· I have concerns regarding the special education escalation team and the qualifications of those employees.

· I have concerns/questions regarding the statements on #3 (p. 12-13) of the plan. "TEA is updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a section 504 plan, or were exclusively in a dyslexia or dyslexiarelated program. Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action response and opportunity for a special education evaluation." First, there are some students who are in RtI, 504 and/or dyslexia and are making progress. It may not be appropriate for the student to be evaluated for a disability. Districts need guidance on what is meant by an opportunity for a special education evaluation. Does this mean that we will need to evaluate every student whose parent requests an evaluation?

· When discussing compensatory services (p. 13), TEA states they will not provide definitive rules; however, LEAs will be monitored and possibly cited through a TEA Complaint regarding Compensatory services without guidance from TEA. This is a concern.

· We need clarification on compensatory services. Are we able to use Federal Funds? Will TEA monies be available for this use? If not, it will take away services from students who are currently in Special Education.

· TEA may provide clarification on the requirements for RtI, Section 504 and dyslexia. I believe these are necessary to LEAs.

· TEA may dedicate resources to ensure the availability of evaluators (p. 15). I anticipate that the LEAs will not be able to meet the timelines for all requested evaluations.

· We need clarification on the statement in the plan, "LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services." (p. 16) Our LEA needs guidance on what that means for a student with a Learning Disability and also has dyslexia. Is TEA meaning they would get both dyslexia and special education services? Are the dyslexia services included as part of the ARD? Please clarify what is meant in #6 Dyslexia-Specific Support (p. 17).

· Professional development may be conducted. This needs to be clarified. Who will be given the professional development? Will it be required? Who will provide the staff development? It also needs to be clarified who would be responsible for this expense.

[redacted]

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From: [redacted]

To: TexasSPED

Subject: TEA Corrective Plan - Parent input

Date: Thursday, April 12, 2018 11:41:37 AM

Dear TEA,

The proposed Draft Special Education Improvement Plan does not fully address the needs of the students that were denied special education services, nor will it prevent a similar event from reoccurring.

Please add the following comments to the public record:

CHANGES NEEDED IN THE SPECIAL EDUCATION IMPROVEMENT PLAN

• TEA enforced monitoring of public schools. Currently, there are little to no consequences for public school employees or schools that break special education law. TEA should enforce the laws that are in place with consequences to individual public school employees that break the law, as well as consequences to the school district that break the law.

• Provide guidance to public schools that allows parents to have the child's private therapist observe the child at school with the parent's permission.

• Provide guidance to public schools that gives all parents the right to meet and talk with the staff that work directly with their children, especially those public school employees that care 1-1 for our special needs children. Currently, public schools block this, which hinders parents ability to learn what is really occurring at school.

• Requires public school employees that work with special students be trained for the student's specific disability and how to meet their personal needs, before they work with a student or within the first week if unknown ahead of time.

• Require schools to increase the academic opportunities for special needs students that fail a class, on state tests or district benchmarks. Some options might be to provide:

• Pullouts for small group instruction.

• Require schools to provide the option of all day co-teaching classes rather than the current sporadic push-in support that may/may not be currently provided.

• Tutoring at all campuses that is made available to all special needs students. The school could provide regular tutoring before or after school for any special needs student that struggles.

• Increase in RTI for students that are struggling.

• Require that all Texas public school employees that are on ARD committees be trained indepth on IDEA, the rights of a student to an education and the rights of parents to participate, including how to help parents collaborate with the ARD committee.

• Create an annual survey to be given to ALL special needs parents in Texas that include a portion with open ended questions that allow for honest feedback on the state of the special education in Texas Public School Districts. Publish the results on the TEA website by school district, to promote openness and improvement.

• Require school districts to provide actual therapy, not just the monitoring that is occurring now & being called therapy (physical therapy, speech, etc.)

• Require that schools provide accommodations/services for all special needs students to safely participate in extracurricular activities, field trips and school functions. Enforce and monitor this law.

• Allow an easy way for parents to file a complaint of IDEA violations to TEA, without requiring significant red-tape that currently exists.

• Require schools to either provide Extended School Year or prove that a child does not need it. Currently, this is subjectively decided at most schools and students are being unfairly denied extended school year.

• Create an Advisory Committee made up of special needs parents from all Texas Public School Districts. These parents should be elected by other special needs parents in their district and should meet quarterly with the TEA's Administration to discuss the state of the special education program in Texas Public School Districts. The committee's recommendations should be made public, along with the decisions of TEA regarding these recommendations.

• Policy change that will follow the guidelines in the Federal Register stating that draft IEPs should not be created before ARD meetings to ensure meaningful parent participation. If Texas Public School Districts continues to draft IEPs, then parents should be invited to participate in writing the drafts, as intended by Federal Law. If a draft IEP is created without parent involvement (due to parent's choice, not school's), then the entire draft IEP is provided a week ahead of time to the parents, so that they can be prepared for the ARD meeting. Parents should be encouraged to recommend changes to the IEP and collaborate with the ARD committee. Parents should no longer be treated as merely observers to an ARD meeting, but a full ARD committee member as stated in federal law.

• Cameras should be installed in all public areas of school buildings.

• Parents should be notified if any public school employee working with their child has received disciplinary action. Parents have a right to know if the person taking care of their child is under disciplinary action.

• Requires public school employees be held accountable for responding to parent's concerns in a timely manner and state a specific reasonable amount of time for the response.

• Look deeply into to make beneficial changes into the most forgotten and secluded population in special education which are Alternate Academics/ Life Skills classes. The bars have to be set up high for these kids for their individual growth. There is a huge gap to be filled for these kids - young adults to be productive and contributing members of society.

Texas Education Code Chapter 26 states Parents have a right to be active participants on their child's education. Most students with disabilities also have a communication disability, some of them are nonverbal. We need our schools to consistently and efficiently provide information about what our children are being taught at school. Reports every 9 weeks are utterly inefficient. Public schools insist this is a matter for every teacher to do… it is not. It is a duty of our schools to comply with our Texas Education Code.

Texas Education Code Chapter 26 also establishes the right for every student to be challenged. Most of our students in special education are receiving modified or alternative academics. There are no establish books. Each student with disabilities have a right to have home access to their educational materials in an appropriate format for them to continue their learning just as our regular students do. PDF access from time to time are not approved forms to provide home access to our most at need students.

Thank you for your consideration.

[redacted]

From: [redacted]

To: TexasSPED

Subject: TEA draft for Special Education

Date: Wednesday, April 11, 2018 10:05:25 PM

By what I can tell you are missing so much. There no time line of when you will do

evaluation. It does not so were the funding will come form to make this changers. It does not show teacher training on how to read ARD's, IEP, and BIP. The way it was sating it will help family with understanding and make the right choice's. That is a problem for the fact there is never no right choice with a child with special needs medical or metal. That do not add in mandatory nurse at all school that can give medical's. There no talk about having a psychiatric training for the counselor or coding for other teachers to now of the child with behavior or medical needs. Then you have the STARR that is all basic on picking a A B C D to answer a question. Children that have dyslexic or learning disabilities reading can not read with out help and when you are focus on teaching how to summarize to find world it unteachable what they are learning in a reading class or a dyslexic program. I be leave US Department Of Education needs to look in to all the complaints files on the school and see what is truly now what is going on. It may be a better idea to come to ever school district and talk to parents and teacher in a group. I fill like the TEA is trying to find away out of this by holding meeting at time when parents and teacher can not make. It is always on there time that the public they server. Thank you

[redacted]

To: TexasSPED

Subject: TEA Special Education Strategic Plan

Date: Wednesday, April 11, 2018 10:09:47 AM

Comments and Concerns relating to March 2018 Special Education Strategic Plan:

1. Additional funding is stated to not be available from the federal government.

2. The plan states that TEA will make $45 million available. However, with additional TEA staff, travel and costs related to on-site visits, Third party initiators of sections of the plan, necessary funding to schools, and various other costs mentioned in this plan - there are concerns whether or not the funds are really available and if they are enough.

3. Will on-site and desk reviews occur simultaneously for districts? With 1/3 of districts

receiving desk review and 1/5 receiving on-site visits it is possible that districts be involved with both types of reviews during the same school year. What precautions are you going to take to keep this from occurring?

4. Unannounced visits to districts still don't take into account the interruption to the learning environment and the possibilities that events other than STAAR testing may occur. For example, students and/or staff may be on field trips, doing benchmark exams, at assemblies, at training or conferences, and a myriad of other events that occur.

5. Escalation Team - what are their qualifications? Will they be collecting additional records than the desk audit or on-site reviews?

6. Partner organizations - what are their qualifications? Are these ESC's?

7. Will districts receive copies of the monitoring report prior to it being published?

8. What data is being collected? What are the additional indicators mentioned?

9. Changing of legislative codes needs to occur with opportunity for input and when changes occur there needs to be time to prepare for the change - not immediate.

10. IF students met graduation and/or IEP requirements and were issued a diploma - on what basis is TEA anticipating that they return? There are agencies that offer "after graduation" and/or "adult" services that students and families are referred to and/or given information about when they begin transition services at or before age 14.

11. What is the LEA/district role in the Outreach Campaign listed on page 13?

12. Page 13 states, "Schools must connect with the parents of these students not yet in special education.." It appears that TEA is stating that all students with a 504 plan, RtI or dyslexia MUST be in special education. For example: If a student with a peanut allergy is served under section 504 and doesn't need specially designed instruction and has no educational need for special education. According to the statement above LEA's MUST put them in special education. THIS IS CONCERNING BECAUSE IT APPEARS THAT TEA IS STATING THAT THERE ARE NO NEEDS FOR 504 PLANS, RTI, OR DYSLEXIA SERVICES - ALL NEED TO BE PLACED IN SPECIAL EDUCATION REGARDLESS OF EDUCATIONAL NEED. This is a violation of federal guidelines.

13. TEA Evaluation Support: Where are these individuals going to come from? There is a

shortage in assessment personnel. Also, will TEA be funding/paying for the assessment personnel or will it fall on LEA's?

14. Compensatory Services: Tea needs to provide definitive rules and/or guidance.

15. Compensatory services funding: LEA's need funding for these services since the guidelines are changing (see number 12 above).

16. Page 15 - Clarification and Guidance: This is what LEA's need the most based on this strategic plan. This needs to change from a "may do" to a "will do" by TEA.

17. Page 15: TEA MUST provide assistance to evaluation staff.

18. Dyslexia Handbook: Based on the changes that will be occurring TEA needs to provide training to LEA's and staff. TEA also needs to provide necessary testing materials to LEA's.

19. RTI: Is TEA going to indicate what the "Appropriate" amount of time in RTI is, and does it make a difference is progress is being made or not?

Thank yoi for the opportunity to provide input.

[redacted]

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From: [redacted]

To: TexasSPED

Subject: TEA Special Education Strategic Plan/Corrective Action Comments on DRAFT

Date: Tuesday, April 17, 2018 9:48:43 PM

Thank you for the opportunity to comment on the TEA Special Education Strategic Plan regarding the corrective action.

Like many other concerned Texans, I do not understand how this corrective action will be sustained with "existing appropriations." The premise that "local school systems will do most of the heavy lifting" is setting this strategic plan up to fail. Since TEA imposed the 8.5% cap on students receiving special education in Texas, thereby saving the state money by not providing necessary special education services, there should be funds made available by TEA to correct this. When sweeping policy changes like this are not properly funded, real change is not made.

Monitoring

The document states that some LEAs may require more intensive support and monitoring, while some LEAs may simply require routine desk reviews. I would like TEA to provide more specifics on how they will determine what LEAs may need and what criteria is being used to determine that need. I would also like for the opportunity for parents to ask for monitoring in their LEA.

I would also like TEA as part of monitoring to look at how students with disabilities are placed and whether or not they are attending their zoned school, magnet school or charter school. As Texas is moving to more "school choice" options, we need to be looking at how students with disabilities are participating (or not participating) in their ability to choose their own school placement.

Regarding the "escalation unit", it should not only be LEAs that can request this. Parents should be able to contact TEA and obtain the assistance when their LEA is either out of compliance or needs additional support. This parent request should also be applied to the

"pre-support visit"and not only have this be available at LEA request.

Regarding "Data Collection" TEA should consider adding more indicators including ethnicity, school placement (zoned school, charter, magnet) and funding ratios.

I have never seen a Dispute Resolution Handbook at my LEA. How do I know that one exists?

Identification, Evaluation and Placement (Child Find)

It is stated that "TEA will advise districts on the requirements of IDEA with regard to identification" but I do not think that the word "advise" is appropriate here. I think the language should be stronger. TEA should enforce IDEA in the state of Texas and hold districts accountable.

It seems short sided to only "assist with the development of the evaluative resources" when LEAs are going to require more than assistance. TEA is going to have to provide expertise and funding to correct this wrong.

Under compensatory services, will LEA's provide to parents the dollar amounts allowed of compensatory services? Will this fee be able to cover the necessary compensatory services?

On page 14, under Ongoing Action Steps for TEA, parents should be invited to attend along side the LEA on the training for conduction initial evaluations. This training should include school principals, who under Texas site based management, are the most important people on each campus to ensure this process is followed correctly.

I have never seen the district's complaint process in writing ([redacted]) and I do not think that this should be left up to individual districts to decide what the process should be. TEA should require all LEAs to have the same complaint process to ensure the process is fair.

Hearing officers should not be employees of TEA but truly independent officers. The current process is biased toward LEAs and is not fair to parents due to a hearing officer's lack on specific knowledge on the intricacies of IEP, Child Find, RTI, Placement, etc.

Training, Support and Development

TEA should change the language of what they "may" under this section to what they "will" do.

TEA should outline the number of require hours that teachers must have to include special education training, much as they do with Gifted and Talented Teacher training. There is even the opportunity to combine the special education training with the required GT training

because both are different learners.

The RFPs that TEA will release should follow the best practices and TEA guidelines. TEA should not use any shortcuts in choosing providers and should rely heavily on non-profit and educational providers whenever possible.

If there is an existing TEA call center, I have never heard of it nor do I know what the call center is used for. Is it for parents?

Regarding dyslexia training, TEA must ensure that students who have already been identified as needing special education services many also still need to be evaluated for dyslexia. In my district, once a student has a special education label, it is difficult to get the district to evaluate for this. And thus students who need additional help with reading are denied dyslexia services because they are already receiving special education services in another area.

Regarding the "Finance System", TEA should hold trainings to help the general public understand the funding formulas for special education funding.

Regarding "Educator Preparation" this is a very weak promise from the TEA. Exploring options related to possible improvement is not committing to doing anything. This is a major weakness in Texas for both degreed teachers and those receiving alternative certifications through organizations like [redacted]. This section should be made more robust and list specific changes the state can effect to improve teacher readiness in the area of special education (especially for general education teachers).

Regarding "Governance" TEA should develop and "require" training for school boards on special education. If it is not required by the state then the trainings will be under utilized.

Student, Family and Community Engagement

TEA should require that all LEAs establish and fund a Special Education Parent Advisory Council, a district and parent joint effort to ensure parents and engaged and informed on the district's special education efforts in multiple areas. While many districts in Texas have one, it is not required.

Technical Assistance Networks and Structures

Under Inclusive Services, TEA should consider partnering with [redacted] initiative and rolling out the model across LEAs. [redacted]

TEA should look outside the state for solutions in how to make schools (including charter schools which typically underserve students with disabilities) more equitable and inclusive for students with disabilities.

Also, TEA needs to address that inclusive preschool special education services is not achievable in this state until all LEAs and schools have preschool students who do not have disabilities also attending.

From: [redacted]

To: TexasSPED

Subject: TEA"s Corrective Action Plan, Revised - FEEDBACK

Date: Wednesday, April 18, 2018 7:45:07 AM

Good morning. I'd like to begin by offering my thanks for the efforts TEA took to include stakeholder feedback after the initial draft of the Corrective Action Plan was made public. It is clear to me that some of the feedback received was incorporated into the revised version of the plan published on March 19th.

Some pieces of the revised plan that I think are especially positive include:

Differentiation of the type / amount of support across LEAs

Voluntary pre-support district visits

Training for mediators and hearing officers

Emphasis on coaching model to support districts

Consideration of inter-local agreements to problem solve staff shortages

The revised plan has some components that still cause me concern, including:

Emphasis on increased monitoring. It was not a lack of monitoring that created this situation. I truly believe we have sufficient monitoring, and I would prefer to see the money spent in a way that more directly impacts services for students.

The name of the escalation team. The very name sounds negative and predisposed to assume a district has made an error. If parents have a complaint, there is already a process in place for them to file that complaint with TEA.

The lack of clear guidelines when considering compensatory services. It is possible for a student not to demonstrate an educational need for specialized instruction at a younger age, then later demonstrate a need as an achievement gap develops due to not being able to make a year's progress in a year's time.

The outreach campaign to all students served through 504, general education dyslexia programming, and/or Tier 2 or Tier 3 interventions. These students have been identified as having special needs and support has been provided, even though that support is not special education services. If even a small percentage of those parents request special education testing, the number of assessment staff needed in our district would double. In addition, the very act of having the LEA contact parents undermines a district's ability to decline to test, even when there are clear and compelling reasons not to evaluate.

I'm greatly concerned about the financial and human resources needed to respond to the dramatic increase in evaluations that may result from the outreach campaign.

Thank you for the continued opportunity to provide feedback on the Corrective Action Plan.

Respectfully,

[redacted]

From: [redacted]

To: TexasSPED

Subject: Texas Education Agency Strategic Plan - TATN Network

Date: Tuesday, April 17, 2018 1:45:25 PM

Attachments: [redacted]

To whom it may concern:

I strongly oppose the proposal to do away with the TATN Network. This network serves to provide a variety of disciplines, educators and care givers with the education and resources needed to make an ethical evaluation and recommendation of assistive technology. Assistive technology is so much more than IT, especially for AAC (Augmentative Alternative Communication) devices. These AAC devices are highly technical and specialized, differing in language systems and access methods. The ATRC loan program to the state is incredibly valuable for AAC decision making. In addition to the resources that the TATN network provides year round to the entire state, the TATN conference is VERY affordable and is as good as a national AT conference with presenters and specialized vendors from all over the state and country.

The attached video is of a Texas girl with Rett syndrome. She is great example of someone who has directly benefited from the TATN network. Her mother, teacher and SLP have all received training and resources from TATN.

Please reconsider!

Upcoming LAMP training August 17, 2018

[redacted]

AAC Specialist/PRC Regional Consultant

[redacted]

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fax, or mail.

From: [redacted]

To: TexasSPED

Subject: Texas Special Education

Date: Tuesday, April 17, 2018 9:11:12 PM

Thank you for the opportunity to comment on the Draft Special Education Strategic Plan. I would like to

speak on behalf of Texas' children and adults with visual impairments.

Visual impairment is a low prevalence disability, including an even smaller group of students who are deaf

or hard of hearing in addition to having a visual impairment (DeafBlind). A teacher of students with visual

impairments (TVI) and a certified orientation and mobility specialist (COMS) should be part of the

educational team for students who are visually impaired and these team members are essential for all

evaluations and interventions they receive.

Regional service centers provide a valuable role in supporting educator, students and their families. They

provide direct support in supporting students by providing materials, equipment and devices specially

designed for students with a visual impairment. They provide family support as well. Do not take funding

away.

Vision professionals (TVI, COMS, DeafBlind, Interveners, Braillists) are in demand and in some areas not

available. Continued support in all areas of the state is needed. Appropriate curriculum, instructional

strategies and student outcomes for students with a visual impairment are unique. We must keep a wellrounded

level of expertise in the field.

Texas has worked hard to ensure that TVIs and COMS must have met high standards though university

training. What is meant by "Professional training and nontraditional certification opportunities for

educators, administrators and support professionals? Only those individuals with specialized training should

be in positions of educational expertise. Continued support to train, recruit and retain educators in this field

is imperative for students with a visual impairment.

Assistive technology (low and high) are used by all students with a visual impairment. Where is the

assurance that the resources, knowledge, teaching strategies, evaluations etc. will be provided? What is the

status of TATN (Texas Assistive Technology Network)?

Our Local Education Agencies struggle financially to provide appropriate services for students with a

disability. Taking money away from districts is not acceptable.

It is wonderful to see an emphasis on Child Find and identification of students who need specialized

instruction under IDEA. As noted in the report, an appropriate evaluation by qualified professionals is

critical to determining eligibility.

From: [redacted]

To: TexasSPED

Cc: [redacted]

Subject: [redacted]

Date: Wednesday, April 11, 2018 4:18:48 PM

Attachments: image001.png

This idea has been churning in my mind for several weeks. Please pardon the brevity, I just wanted

to communicate the concept quickly as we move forward to improve Special Education Services in

our state.

It would be great to see a Tool Kit developed across disciplines for parents of students with

learning difficulties and who are currently in Special Education or are inquiring about it.

The Special Education process has become such a large “machine” that many professionals are

skipping the most critical steps in making important connections with parents and ensuring they

understand the multitude of informational pieces inherent to the process.

Developing online resources for parents would be a way to “close the gap” and help parents “fully”

understand Special Education. Parents are our most important partners in striving for excellence for

“our” children. Let’s put them first and show them the respect by “fully” educating them in a simple way.

Collaborators across this great state could make this project a reality by bringing parents the information and knowledge they need to be “informed decision-makers” and our most important partners.

Tool Kits for – SI, AU, OT, PT, AI, AT, OHI, SLD, ELLs in Special Education,

Dyslexia and more

Speech Therapy Services Tool Kit for Parents

1. Explain Speech Therapy and what a Speech Language Pathologist does in the schools
2. Why does my child need speech therapy
3. Examples of Communication Disorders and how they may be impacting your child
4. How does my child qualify for Special Education Services
5. What do I need to do to get my child tested
6. Explain the purpose of the ARD and key committee members
7. Explain my role in the ARD
8. Explain the assessment procedure and the various individuals involved in assessment
9. Explain what the FIE is and its purpose
10. Have a video link to an ARD meeting so parents know what to expect
11. Explain accountability and progress reporting
12. Explain the cycles of ARDS, RE-EVALS and DISMISSALS
13. Provide a robust FAQ document about Special Education and Speech Therapy Services
14. Provide a resource to parents who have additional questions regarding Tool Kit – (i.e. Sped Tex web site and phone number)
15. Familiarize Sped Tex and other key players to Tool Kit so there is a consistent knowledge statewide
16. Make the Tool Kits easily accessible to all parents

Let me know if I can answer any questions regarding this idea!

[redacted]

[redacted]

INPUT RE: TEA DRAFT STRATEGIC PLAN FOR SPECIAL EDUCATION

Unfortunately public education, including special education, has not been a priority of the State of Texas in most recent years as evidenced by the legislators' unwillingness to support our efforts financially. This plan is a lofty and costly attempt to remedy all that is "perceived" to be wrong with the special education system. Even though the plan contains steps the TEA will initiate with limited dollars, it appears that a majority of the work will be delegated to the district level and at their expense. According to TEA, the Plan will "be sustained with existing appropriations". Parents have the right to be concerned that nothing will change without a promise for more education funding.

The Agency is reportedly committed to seeking significant stakeholder engagement throughout the process of continuous improvement, and to ensuring transparency. It is agreed that these two elements are critical to the Plan.

Following are specific comments related to the components of the Plan:

MONITORING

The terms "monitoring" and "technical assistance" are used synonymously.

Comment: This will require a real shift in the philosophy of those who have monitored districts in the past, in that they have focused primarily on compliance.

· Review and Support Team

Comment: The PEIMS system should be examined thoroughly to determine the information collected currently, as well as duplicative data that are submitted through other channels. If time is of essence to improve the quality of education, districts do not need to spend critical time submitting additional data/ paperwork to satisfy the Plan.

The Plan specifies that in addition to desk reviews, on-site visits will be conducted (20% of districts) annually, as a result of various reasons and that visits may be unannounced, structured to minimize disruption in the

districts, and with no need for preparation.

Comment: It is critical that districts be given sufficient time to organize for such a visit, especially if new criteria are added to the monitoring process. Initially, although not specified in the Plan, it seems that the greatest emphasis should be on districts that have already been identified as having needs.

· Escalation Team

The team will be comprised of “special education specialists”.

2

Comment: These individuals should definitely have experience in the public schools. It is hoped that this component can fill the role described, as it seems to be the critical component in the continuous improvement process.

· Review Process Development

Comment: Districts should definitely have the opportunity to respond to reports following a monitoring visit and prior to publication of the reports.

The Plan stipulates that districts “have the opportunity” to request support visits from the state in advance of on-site reviews.

Comment: This should not be an option. Districts should be provided as much information as possible and be given the opportunity to provide input prior to a visit.

The Plan suggests that TEA “will likely” develop an independent review of the monitoring process, as a check on it own process implementation.

Comment: This should not be an option. It is imperative that there be consistency in the monitoring process across the State.

· Data Collection

TEA acknowledges that they will need to collect additional data from LEAs and that additional indicators may be identified on a rolling basis once the monitoring process is started.

Comment: It is critical that duplicative submissions be eliminated and that

Districts are thoroughly aware of the additional indicators, especially prior to data submission and a monitoring visit.

· Other Related Work

TEA will reportedly review and potentially revise related administrative rules during the next year.

Comment: This should be accomplished with extreme transparency and opportunity for public input.

IDENTIFICATION, EVALUATION AND PLACEMENT (CHILD FIND)

· Immediate Short-term Corrective Actions

Comment: Weighted formulas for special education need to be reviewed and revised, as they are outdated.

· Targeted LEA Outreach to Parents Most Likely Impacted

TEA is updating rules to require every LEA to identify all students who were in RtI for a significant period of time, only had a Section 504 plan or were exclusively in a dyslexia or dyslexia-related program.

Comment: “Significant period of time” needs to be defined.

Comment: Not all students served in these programs are suspected of having a disability requiring special education services and it is therefore

inappropriate to offer an evaluation to the parents of all of these students. This would be an unnecessary burden on LEA staff and financial resources. Testing for disability when no disability is suspected is not in keeping with IDEA.

TEA will assist with the development of evaluative resources.

Comment: Districts obviously need to have input into such resources.

· Outreach Campaign to Identify, Locate and Evaluate

TEA stipulates that part of the campaign will likely involve district actions to reach families.

Comment: It is important to specify exactly what will be required of districts

and the related cost.

· TEA Evaluation Support

TEA may provide for short-term relief in contracting with external diagnosticians and expert personnel to support LEAs, upon request.

Comment: There needs to be clarification as to the qualifications of the diagnosticians and expert personnel. They should definitely have expertise in the public education system and be aware of the requirements to which districts must adhere. Speech-Language Pathologists should be licensed by the State. Again, it is important that districts be made aware of the related costs to them when the request is made.

Comment: It is important to note that there is a longstanding critical shortage of licensed speech-language pathologists in Texas public schools. Priority should be given to providing support to LEAs that experience this shortage by providing expert personnel who have experience providing speech-language pathology services in a public school setting.

· Compensatory Service Note

Each student "may" need to be considered individually regarding whether or not compensatory services are required.

Comment: This should not be an option but should be required.

TEA will provide guidance for ARD committees to consider in their conversations and decisions.

Comment: Guidelines from the TEA are definitely needed.

· Compensatory Services Funding

TEA will allocate $65 million to LEAs that may be used to support these efforts.

Comment: It is important for districts to understand if this funding is in addition to the funding they would normally receive.

· Ongoing Action Steps

1. Updated Guidance on Identification and Evaluation

Specific guidelines “may” be put into place around a formal process for initial evaluation.

Comment: TEA throughout the Plan indicates that they “may” take actions. Guidance from the state will result in more consistency and better quality services for students. Our Association has worked with TEA to establish eligibility guidelines for children with communication disorders for many years. They have acknowledged the guidelines developed by our Association, but have not endorsed them.

TEA will likely lead a series of trainings for LEAs.

Comment: Again, consistency is critical and should be provided by the TEA.

2. Complaints

No comment

3. Hearing Officer Support

TEA “may” conduct due process and mediation training with hearing officers and mediators regarding legal provision of Child Find.

Comment: This is not a “may”; it should be a “must”.

4. Clarification and Guidance

TEA ‘may” provide clarification on the requirements of RtI, Section 504, and dyslexia related topics to support individual decisions for students and to reiterate that each decision “may” be unique to that specific child.

Comment: Again - this should be a “must”, especially for administrators and general education teachers.

5. General Assurances

TEA will review and ensure that assurance statements received from LEA grantees clearly conveys to the applicant their acceptance of and required compliance with all state policies and procedures.

Comment: LEAs provide these assurances currently, and did so when required to adhere to the 8.5% indicator in state policy. TEA’s guidance and

policies must be correct and clear.

6. Dispute Resolution

TEA will develop and make publicly available easily accessible and understandable information regarding available dispute resolution programs specific to Child Find, FAPE, and other areas required under IDEA.

Comment: These resources are already available in current publications. A significant amount of money is directed toward this effort in the Plan.

TRAINING, SUPPORT AND DEVELOPMENT

· Action Steps for TEA

1. Additional Evaluation Capacity

5

TEA “may” dedicate technical assistance and resources to ensure the availability of bilingual evaluators, educational diagnosticians, and school psychologists in the short-term.

Comment: This should be a priority and should include related service professionals, including speech-language pathologists. Education Service Centers should definitely be involved, as they are familiar with districts in their regions and their specific needs.

2. Professional Development

TEA will create and execute a statewide professional development for all educators structured initially as an institute for teachers around the state ---. The content may include elements both for inclusive practices and instructional techniques as well as broader identification and related Child Find practices.

Comment: This is a MUST for general educators AND administrators. Suggestions provided for RtI. Sec. 504 and dyslexia are excellent ideas! Districts should not be required to pay for this professional development for their teachers. In the future, higher education needs to better prepare general education teachers to work with students with special needs.

3. Child Find Resource Development

TEA will release an RFP to create a suite of resources that would describe the differences between RtI, the State dyslexia program, Section 504, and the IDEA.

Comment: This will address a definite need but using an RFP and $1.5 million seems excessive.

4. Expert Support

TEA proposes to expand the existing call center to include access to statefunded experts in exceptional student cases.

Comment: Need more explanation/elaboration as to who these “experts” might be.

5. The Texas Dyslexia Handbook

TEA proposes that Committee work “may” include clarifying the difference among dyslexia and dyslexia related services, IDEA, Section 504 and RtI, as well as guidance regarding provision of the most appropriate services for each individual student. Committees may include representatives from K-12 education, higher education/researchers, learning centers, advocacy organizations/parents, and diagnosticians.

Comment: This would address a definite need but should not be duplicative of the work done in the above section on Professional Development. Would be more cost-effective to combine the two efforts. Speech-language pathologists should be included in this committee work.

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6. Dyslexia-Specific Support

TEA “may” provide LEAs with improved training regarding the interplay between the state’s dyslexia program, services provided under Section 504, and the services provided by special education, as well as how students with dyslexia should be effectively served in these programs.

Comment: There is a definite need for consistent guidance. Speech-language

pathologists should be included in the training and in the delivery of services.

7. Dyslexia and Related Disorders Reporting Study

The examination “may” include an estimate of the extent to which practices vary across LEAS.

Comment: The study is worthwhile. It is suspected that it will reveal that there is a great variance across LEAs due to inconsistent guidance from TEA in the past.

8. Finance System

TEA in partnership with TEA Office of Finance will create a series of documents that support stakeholder understanding of the school finance system related to special education.

Comment: School finance in general is not well understood. This would be of particular interest to parents.

9. Educator Preparation

TEA will explore options related to possible improvements in educator preparation and continuing education, in partnership with the State Board for Educator Certification.

Comment: This is a long overdue need and should be more than just an exploration!

10. Governance

TEA will explore the development of training resources for school boards on special education, with a focus on monitoring outcomes and program implementation fidelity.

Comment: Many school boards do not understand the involvement of students with special needs in the State Accountability System. Development of training is highly recommended.

11. Texas Workforce Commission (TWC) Partnership

No comment

STUDENT, FAMILY, AND COMMUNITY ENGAGEMENT

· Action Steps for TEA

1. Outreach Campaign to Identify, Locate, and Evaluate

No comment

7

2. Family Support Call Center and Portal

TEA proposes to staff the center with process experts.

Comment: It is imperative that these individuals receive a great deal of training and be able to consistently provide accurate information and answer questions specific to compliance and the law.

3. Parent Brochures

Comment: This is a very costly endeavor - $2 million. Based on previous input to TEA, it appears that these funds could be better utilized to improve the education of students.

4. Ongoing Stakeholder Engagement

TEA will release a RFP for a Stakeholder Engagement Partnership to ensure inclusive and representative feedback and discussion.

Comment: More detail is needed to justify how such a partnership would be developed and utilized.

TECHNICAL ASSISTANCE NETWORKS AND STRUCTURES

TEA reports that they will redesign the statewide networks that have remained unchanged for over 15 yrs.

Comment: These networks should have been more closely monitored and reviewed over such an extended period of time.

If no Letters of Interest are submitted by ESCs and IHEs that meet a minimum set of standards to be eligible for consideration, the project would be bid competitively to include proposals from private providers.

Comment: Bids should be carefully structured in order to solicit the interest of only private providers with expertise in the area of network focus. There also needs to be documented knowledge/expertise of special education services in the public

schools.

Comment: Speech-language pathologists (SLPs) should be involved in the design and development of each of the networks. However, their knowledge and expertise would be of the most significant benefit in the following networks:

· Network Three: Inclusive Services and Practices for Improved Student Outcomes

Comment: SLPs are experts in assistive technology.

· Network Four: Autism

Comment: SLPs have expert knowledge in the field of autism and communication.

· Network Five: Intervention Best Practices

Comment: SLPs have expertise and play an integral role in RtI, especially in relation to language difficulties/disabilities.

· Network Six: Students with Intensive Needs

Comment: SLPs are experts in assistive technology for meaningful and full appropriate communication, access and involvement, and practices to address communication needs, devices or tools, settings and services to support emotional, social or behavioral goals.

· Network Seven: Students with Sensory Impairments

Comment: SLPs are accustomed to providing information, resources, and strategies for development of communication and environmental adaptation with parents.

Among the listed activities that may support learning opportunities and improvements across the State is professional training and nontraditional certification opportunities for educators, administrators and support professionals.

Comment: SLPs are highly trained and qualified professionals who possess a master's degree. Licensure is the minimum standard required to provide

services in the State. There should be no nontraditional certification opportunities provided for training SLPs.

· Network Nine: Child-Centered Transitions

Comment: SLPs provide services in the schools from birth through age 21. They are particularly valued in early childhood intervention and transition services.

· Network Ten: Multiple Exceptionalities and Multiple Needs

Comment: Bilingual SLPs are involved in the collaborative process to identify and support English learners with disabilities.

SUMMARY: The Texas Speech-Language-Hearing Association, as a registered stakeholder, appreciates the opportunity to provide input into this Strategic Plan. It is our desire that the input we have provided will be considered prior to submission of the Plan to the USDE. The Association supports the delivery of quality programs to students identified in need of special education assistance in our public schools.

[redacted]