



SPECIAL EDUCATION TARGETED MONITORING REPORT

Targeted Monitoring
School Year (SY) 2023-2024

AUSTIN ISD (227901)

July 26, 2024

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SCHOOL YEAR (SY): 2023-2024

MONITORING PATH: Targeted Monitoring (APRIL-JUNE)

REGION: 13

DISTRICT NAME: AUSTIN ISD (227901)

DISTRICT TYPE: INDEPENDENT

TEXAS VIRTUAL SCHOOL NETWORK CAMPUS: NA

RESIDENTIAL FACILITY (RF): Yes

SHARED SERVICE ARRANGEMENT (SSA) MEMBER: NA

FISCAL AGENT: NA

MONITORING TYPE: Targeted Desk Review

SELF-REPORTED NONCOMPLIANCE: No

COMPLIANCE STATUS: Noncompliant

ACTION REQUIRED: Agreed Order

STRATEGIC SUPPORT PLAN (SSP) DUE DATE: February 23, 2024

INTRODUCTION

The Texas Education Agency (TEA) extends its appreciation to the parents, students, teachers, staff, and administration for their time and effort in supporting the special education targeted monitoring review at AUSTIN ISD (227901).

The special education targeted monitoring report provides the local education agency (LEA) with findings from the targeted monitoring review and serves as official notification from the TEA that any findings of noncompliance require corrective action. Noncompliance findings must be corrected no more than one year from the date listed on this report (for information on the required actions and timeframe for completion, see 34 CFR § 300.600(e) and [OSEP QA 23-01](#)).

OVERVIEW OF TARGETED MONITORING

The Differentiated Monitoring and Support (DMS) system includes two monitoring pathways: cyclical monitoring and targeted monitoring. LEAs receive cyclical monitoring once every six years, and LEAs are considered for targeted monitoring during the five interim years, per [34 CFR § 300.600 State Monitoring and Enforcement](#). For example, LEAs not in the current cyclical monitoring schedule were considered for targeted monitoring if they met the following criteria.

Targeted monitoring activities include either a desk review or both a desk review and an on-site review. LEAs were assigned a targeted desk review if their current year's Results Driven Accountability (RDA) determination level (DL) was a DL 3 (Needs Intervention), DL 4 (Needs Substantial Intervention) or DL 2 (Needs Assistance) and a Significant Disproportionality (SD) year 3 designation in at least one area.

Targeted monitoring also includes an on-site review for LEAs with a DL 2 SD Year 3 in two or more areas that did not participate in a targeted on-site review during the prior school year.

Intensive support includes both a desk review and an on-site review for LEAs with a DL 3 or DL 4 and SD Year 3 in at least one area.

The targeted review includes consideration for eight RDA special education indicators that, in part, contribute to the LEA's annual RDA special education determination (see Table 1).

Table 1. X = RDA Indicators and Priority Areas for Targeted Desk Review

RDA Indicator	Priority Area: Evaluation	Priority Area: IEP Development	Priority Area: IEP Content (Behavior)	Priority Area: IEP Implementation	Priority Area: State Assessment	Priority Area: Transition	Priority Area: Properly Constituted
#1(i-v): SPED STAAR 3-8 Passing Rate		X			X		
#4(iv): SPED STAAR EOC Passing Rate		X			X		
#6: SPED Graduation Rate		X		X		X	
#7: SPED Annual Dropout Rate (Grades 7-12)		X		X		X	
#9: SPED Regular Early Childhood Program Rate (Ages 3-5)	X	X		X		X	
#10: SPED Regular Class ≥80% Rate (Ages 6-21)	X			X			
#11: SPED Regular Class <40% Rate (Ages 6-21)	X			X			
#12: SPED Separate Settings Rate (School Aged)	X	X	X	X			X
#13: SPED Representation (Ages 3-21)	X	X					X
#14: SPED OSS and Expulsion ≤ 10 Days Rate (Ages 3-21)	X	X	X	X			X
#15: SPED OSS and Expulsion >10 Days Rate (Ages 3-21)	X	X	X	X			X
#16: SPED ISS ≤10 Days Rate (Ages 3-21)	X	X	X	X			X
#17: SPED ISS >10 Days Rate (Ages 3-21)	X	X	X	X			X
#18: SPED Total Disciplinary Removals Rate (Ages 3-21)	X	X	X	X			X

Note. For the total number of performance levels (PLs) assigned to each indicator, see the [RDA Manual](#).

If any of the RDA special education indicators had at least one performance level (PL) 3 or 4, then a targeted desk review was conducted for the corresponding priority areas (see Table 1). The desk review was based on a stratified random sample of student folders from the LEA's special education population. The on-site campus/student sample, if applicable, was then randomly selected from the targeted desk review folder sample.

COMPLIANCE REVIEW AND NONCOMPLIANCE FINDINGS

The compliance review section includes a summary of student compliance by priority area from the folder review. The noncompliance findings section includes citations of noncompliance from the desk review, on-site review, or self-reported noncompliance.

Compliance Review

The compliance review includes both a policy review and folder review of student folders for seven priority areas. Table 2 shows the number of student folders reviewed (denominator) and the number of student folders found compliant (numerator), and the overall compliance percentage for each of the applicable priority areas.

Table 2. Summary of the Targeted Desk Review by Priority Area

Priority Area	Desk Review
Child Find/Evaluation/FAPE	100% (18 of 18)
IEP Development	83% (15 of 18)
IEP Content (Behavior)	NA
IEP Implementation	NA
State Assessment	100% (18 of 18)
Transition	NA
Properly Constituted ARD	100% (18 of 18)

Note. Noncompliant student folders had at least one finding of noncompliance for a priority area.

Noncompliance Findings

This report provides the required written notification for an LEA with a “Noncompliant” status requiring corrective actions in Table 3. LEAs must complete the required actions as soon as possible but in no case later than one year from the date of this report (see 34 CFR § 300.600(e) and [OSEP QA 23-01](#)).

The overall compliance status includes noncompliance findings from Tables 4 and self-reported noncompliance from APPENDIX I. Table 3 shows the number of noncompliant citations that must be addressed).

Table 3. Overall Targeted Monitoring Compliance Status

Compliance Status	Number of Noncompliance to be Addressed (<i>shown in “Status” column of Tables 3 and 4 and Appendix I</i>)	Required Action
Noncompliant	1	Agreed Order

The overall LEA compliance status includes noncompliance findings from the folder review, on-site review, or LEA self-reported noncompliance.

The following rules determine an LEA's overall compliance status:

- LEAs with at least one finding of noncompliance from the folder review, on-site review, or self-reported noncompliance are assigned an overall compliance status of “Noncompliant” and require corrective action.
- LEAs with no findings of noncompliance from the folder review, on-site review, or self-reported noncompliance but at least one pre-finding correction of noncompliance are assigned an overall compliance status of “Pre-finding Corrected” and have “No Action Required” (i.e., LEA does not require corrective action).
- LEAs with no findings of noncompliance or pre-finding correction from the folder review, on-site review, or self-reported noncompliance are assigned an overall compliance status of “Compliant” and have “No Action Required” (i.e., LEA does not require corrective action).

LEAs must complete the required actions *as soon as possible, but in no case later than one year from the date of this notification* (see 34 CFR § 300.600(e) and [OSEP QA 23-01](#)). TEA determines if noncompliance has been addressed according to the following criteria:

- Child-Specific Correction– Individual cases of noncompliance have each been corrected
- Systemic Correction– 100% compliance implementing regulatory requirements

LEAs with both pre-finding correction of noncompliance for two or fewer students (i.e., individual level) and verification of child-specific and systemic corrections by the pre-finding correction deadline do not require corrective action. However, LEAs with an individual level of noncompliance for two or fewer students that has not been corrected by the pre-finding correction deadline or LEAs with a systemic level of noncompliance (i.e., more than two students) require corrective action.

LEAs that do not complete their corrective action or complete their corrective action after the required one-year timeframe from the report date will be designated as having “Continuing Noncompliance.”

Table 4. Noncompliance Findings from the Desk Review and/or On-site Review

Area	Citation	Level	Status	Action
IEP Development	ID2 - 34 CFR §300.320(a)(1)	Systemic (>2 students)	Noncompliant	Agreed Order
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA

Area	Citation	Level	Status	Action
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA
NA	NA	NA	NA	NA

Note. The “Area” column represents noncompliance in one or more of the seven state-identified priority areas. The “Citation” column contains unique citations of applicable laws and regulations. The “Level” column contains two possible values: Individual (two or fewer students) and Systemic (more than two students). The “Status” column contains two possible values: Noncompliant and Pre-findings Corrected. The “Action” column contains two possible values: Corrective Action and No Action Required.

DATA REVIEW

Data Sources

Data from the following areas were considered for the targeted monitoring review:

- AskTED District Identification Data
- Results Driven Accountability (RDA) Data
- Significant Disproportionality (SD) Year 3 Data
- State Performance Plan (SPP) Data
- Desk Review Data
- On-site Review Data (if applicable)
- Stakeholder Interview Data
- Residential Facility (RF) Summer PEIMS Data
- Self-Reporting Noncompliance Data (if applicable)

Student Sampling and Campus Information

Targeted monitoring includes a desk review and, if applicable, an on-site review. The LEA's desk review sample size and on-site review sample size, if applicable, are shown in Table 5.

Table 5. Sample Sizes for the Desk Review and On-site Review

Monitoring Type	Sample Size
Targeted Desk Review	18
Targeted On-site Review	NA
Intensive Support Folder Review	NA
Intensive Support On-site Review	NA

Note. NA denotes on-site review not applicable to LEA.

Student folders in the folder review were selected using a stratified random sampling method consisting of two strata: elementary and secondary. Each stratum was composed of aggregate grade levels to ensure special education student representation from the 126 active campuses listed in [AskTED](#) (as of January 12, 2024). Student/campus samples from LEAs with an on-site review were randomly selected from the primary folder review sample for the on-site monitoring review sample (see the [Differentiated Monitoring and Support Guide, Appendix D: Special Education Sampling Methods](#)).

Residential Facilities (RFs)

LEAs must ensure students with disabilities receiving special education are provided a “free appropriate public education” (FAPE) when attending and being educated at an RF located in their geographical boundary (see [TAC §89.1115\(d\)\(1\)\(i\)](#)). AUSTIN ISD (227901) had 6 RFs based

on the 2023 RF Tracker annual data submission in the Texas Student Data System (Oracle Database).

Results Driven Accountability (RDA), State Performance Plan Indicators (SPP), and Significant Disproportionality (SD)

LEAs are annually assigned special education determination using four determination levels (DLs; see [34 CFR §300.603\(b\)\(1\)](#)): Meets Requirements (DL 1), Needs Assistance (DL 2), Needs Intervention (DL 3), and Needs Substantial Intervention (DL 4). The DLs are based on results from both the RDA special education program area and the federally required elements (FREs). The State also assigns SD Year 3 designations, per [34 CFR §§300.646-647](#) (see Table 6).

Table 6. RDA, SPP, and SD Year 3 Results

Data Source	2021-2022	2022-2023	2023-2024
RDA SPED DL	Needs Assistance (DL2)	Needs Assistance (DL2)	Needs Assistance (DL2)
SPP 11A Status	Noncompliant (24.1%)	Compliant (100%)	Noncompliant (54%)
SPP 11B Status	NA	NA	Noncompliant (66.8%)
SPP 12 Status	Noncompliant (47.8%)	Compliant (100%)	Noncompliant (12.5%)
SPP 13 Status	Compliant (100%)	Compliant (100%)	Compliant (100%)
SD Year 3 Status	SD Year 3	NA	SD Year 3

Note. SPP indicators are assigned one of two compliance statuses: Noncompliant (<100%), or Compliant (100%). The LEA results are also published online in the [Results Driven Accountability \(RDA\) Report](#) and the [District Profile of State Performance Plan Indicators Report](#).

STAKEHOLDER ANALYSIS AND RESULTS (ON-SITE ONLY)

TEA collected stakeholder data using structured interviews during the targeted monitoring on-site review from special education providers, general education providers, and district/campus administration.

The purpose of analyzing interview data was to measure stakeholder understanding of certain aspects of the LEA's special education program related to the focused areas of identification and discipline of children with disabilities. Interview questions were indexed to one of three categories to enable the desired analysis: policy, procedure, or implementation. TEA assigned each interviewee response one of four possible values to reflect the level of understanding observed: responses designated as "good understanding" or "some understanding" were assessed as reflecting a positive result, while responses designated as "little understanding" or "no understanding" were assessed as reflecting a negative result.

Table 7 shows the analysis of stakeholder results for each category (policy, procedure, and implementation) by role (special education providers, general education providers, and district/campus administration). Stakeholder data were collected using a non-probability sampling method and included respondents according to their roles as identified by the LEA. The number of respondents refers to the number of unique respondents for a particular role. Roles with fewer than five respondents are masked. The percentages are the total number of positive responses out of all responses.

Table 7. Stakeholder Results by Role and Category

Category	Special Education Providers	General Education Providers	Administration (Campus and District)
Number of Respondents	NA	NA	NA
Policy	NA	NA	NA
Procedure	NA	NA	NA
Implementation	NA	NA	NA

Note. "FR" (Too Few Respondents) denotes respondent ROLE counts <5 AND "*" denotes masked data for the corresponding percentage values. "***" denotes no data reported for LEA.

SUCCESSSES AND CONSIDERATIONS

The following successes were identified from the monitoring review:

- SUCCESS: Systems for parent involvement are implemented well as evidenced by parent invitations and their attendance at admission, review and dismissal (ARD) committee meetings.
- SUCCESS: Systems for supporting student needs are implemented well as evidenced by local education agency (LEA) staff attendance and involvement in the admission, review and dismissal (ARD) committee meetings and the development of students' individual education programs (IEPs).
- SUCCESS: Staff demonstrate expansive knowledge and a growth mindset toward special education systems and requirements as evidenced through efficient and effective communication.

TECHNICAL ASSISTANCE

The following technical assistance (TA) resources are recommended from the monitoring review. Please copy/paste URLs into web browser. If any of the following TA links do not work, please contact the Division of Review and Support.

- IEP DEVELOPMENT – The TEA Guidance: Goals, Accommodations, and Modifications training video provides information on the sections of the IEP Development Guidebook pertaining to IEP goals, accommodations, and modifications (see <https://www.youtube.com/watch?v=ISG25kaVT0Y&feature=youtu.be>).
- IEP DEVELOPMENT – The TEA Technical Assistance: Individualized Education Program (IEP) Development guidance document provides information on the requirements and best practices for developing IEPs (see <https://spedsupport.tea.texas.gov/resource-library/technical-assistance-individualized-education-program-development>).
- IEP DEVELOPMENT – The Writing Effective Impact and Needs Statements in the Full and Individual Evaluation (FIE) is a webinar that provides guidance for writing compliant and effective impact and need statements for identifying and developing present levels of academic achievement and functional performance (PLAAFP) statements (see <https://spedsupport.tea.texas.gov/resource-library/writing-effective-impact-and-need-statements-full-and-individual-evaluation>).

SUMMARY OF REQUIRED ACTION

The results of the 2023-2024 targeted review indicate that Austin ISD failed to meet compliance with:

- Present Levels of Academic Achievement and Functional Performance (PLAAFP)
34 Code of Federal Regulations §300.320(a)(1)

In accordance with the Agreed Order, Austin ISD will implement a series of required actions to correct systemic issues related to compliance with special education requirements. As noted in Priority II (C), during the 2023-2024 school year, Austin ISD will ensure that the district's administration and school staff are knowledgeable about and experienced in implementing effective programs for students with disabilities. Austin ISD will provide evidence that campus leaders and teachers communicate accurate information to parents regarding the requirements of the Individuals with Disabilities Education Act (IDEA) and state special education law related to child find, special education eligibility, the provision of a free appropriate public education (FAPE), and placement of students with disabilities in the least restrictive environment (LRE). Austin ISD will demonstrate compliance with all federal and state laws, regulations and rules in IDEA, Part B, the Texas Education Code, and the Texas Administrative Code that relate to special education child find, eligibility, and placement.

To address the noncompliance with PLAAFP development identified during the 2023-2024 Targeted Review activities, Austin ISD must continue to complete the required actions of the TEA Agreed Order. The following elements of the agreed order are related to the noncompliance identified during the 2023-2024 Targeted Monitoring activities:

Priority II (C) During the 2023-2024 school year and by the deadlines listed below, Austin ISD will ensure that the district's administration and school staff are knowledgeable about and experienced in implementing effective programs for students with disabilities. Austin ISD will provide evidence that campus leaders and teachers communicate accurate information to parents regarding the requirements of the Individuals with Disabilities Education Act (IDEA) and state special education law related to child find, special education eligibility, the provision of a free appropriate public education (FAPE), and placement of students with disabilities in the least restrictive environment (LRE). Austin ISD will demonstrate compliance with all federal and state laws, regulations and rules in IDEA, Part B, the Texas Education Code, and the Texas Administrative Code that relate to special education child find, eligibility, and placement.

1. By December 1, 2023, Austin ISD will train all campus administrators in [ARD Committee Manager Training](#).
3. By May 31, 2024, Austin ISD will train the district's campus principals and leadership teams on [How Administrators Can Support the Development and Implementation of High-Quality IEPs](#) using, but not limited to, the TEA and IRIS Center guidance documents referenced in (B)(2) above.

By January 31, 2024, Austin ISD will train all district instructional and related services staff on federal and state special education statutes, policies, and regulations regarding the education of students with disabilities using, but not limited to, the TEA Legal Framework, and PRN IDEA 2004 training modules.

5. Before the first day of school for the 2024-2025 SY, Austin ISD will train all special education evaluators and related services personnel on federal and state statutes, policies, and requirements related to child find, full and individual initial evaluations (FIIE), and determining initial eligibility for special education services. In addition, Austin ISD will ensure that all special education evaluators and related service personnel have completed ARD Committee Manager Training.

6. By May 31, 2024, Austin ISD will establish and train all campus leadership teams and teachers on the process that will be implemented on every district campus for parent participation on admission, dismissal, and review (ARD) committees, utilizing, but not limited to, the [IRIS Center](#) materials referenced in (B)(2) above, and the [SPEDTex family Engagement tool kit](#). The process, if not already in place by May 31, 2024, will be implanted beginning with the 2024-2025 school year.

In addition to the review of previously completed activities and supplemental training, Austin ISD will complete the following actions addressed in the Agreed Order Part II (D) (12):

Priority II (D) During the 2024-2025 school year and by the deadlines listed below, Austin ISD will establish expectations for special education service delivery and data management infrastructures for program planning and staff decisions to improve outcomes for students with disabilities by completing the following:

10. By May 31, 2025, Austin ISD will train all teaching staff on services provided across the district to students with disabilities ensuring the provision of rigorous instruction regardless of instructional setting.

11. By May 31, 2025, Austin ISD will establish a system to manage the allocation/distribution of resources (including staff) based on need to ensure compliance with IDEA.

Action items and evidence:

Continuum of services map identifying the LRE service models available at each campus and feeder patterns when students cannot be served at their home campuses

Evidence of training for all teaching staff

District protocols and policies for assigning resources to campuses, setting caseloads, determining capacity needs and the deployment of resources based on needs

Regularly scheduled progress monitoring of IEPs to determine quality of IEP development (log dates and outcomes of monitoring)

12. Austin ISD will ensure the development of compliant IEPs in accordance with federal

and state requirements by completing the following by September 30, 2024, for all returning staff and May 31, 2025, for all new staff hired for the 24-25 SY:

- a) Train all special education facilitators, coordinators, providers, and evaluators on:
 - i) [A Step toward IEP Quality and Rigor](#);
 - ii) [Standards-based Individualized Education Program \(IEP\) Process Training; and](#)
 - iii) [Developing High-Quality Individualized IEPs](#) ;
- b) Develop a calendar of ongoing professional development modules
- c) Implement a monitoring process to check IEP quality and fidelity of implementation (FOI); and
- d) Establish coaching and supports for teachers who have not meet IEP development or FOI requirements.

Action items and evidence to be submitted to TEA:

- Training logs and materials
- Professional development calendar and development of modulus
- Monitoring process protocols, schedules, and guidance for completing FOI checks
- Cadence of regularly scheduled progress monitoring of IEPs to determine quality (log dates and outcomes of monitoring)
- Process for identifying teachers failing to meet FOI requirements
- Training and support system for teachers failing to meet FOI requirements
- Follow-up assessments and monitoring procedures for teachers failing to meet FOI requirements

Priority II (E) By August 1, 2025, Austin ISD will ensure that access to quality academic instruction will be available to all students with disabilities, by the start of the 2025-2026 school year.

1. By August 1, 2024, Austin ISD will ensure that the district's inclusive practices, instructional planning, guidance on inclusion, and implementation of inclusion education services align with TEA Guidance on Inclusion and Specially Designed Instruction.

2. By August 1, 2024, Austin ISD will develop and implement a districtwide Special Education Professional Development and Training plan differentiated based on role and/or teaching assignment approved by TEA. The plan must address, at minimum, child find, FAPE, specially designed instruction (SDI), IEP development, progress monitoring, and IEP implementation.

Austin ISD will continue to work with the TEA on completing and monitoring implementation of the required elements of the agreed order. Given the results of the 2023-2024 Targeted

Monitoring Austin ISD should review and ensure the operating procedures, guidance documents, training, and professional development activities effectively address the noncompliance identified through monitoring activities. Austin ISD must correct child-specific noncompliance identified during the 2023-2024 Targeted Review process and demonstrate systemic compliance in the development of PLAAFPs.

CONTACT

The LEA should notify the Division of Review and Support about any concerns within 5 business days from the date of this report. The report will subsequently become publicly available on the TEA [Differentiated Monitoring and Support \(DMS\)](#) website shortly thereafter.

- **Report Date:** July 26, 2024
- **Deadline to Request Report Corrections:** August 2, 2024 at 11:59 PM

For more information about the general supervision and monitoring requirements, required actions, or related resources, please visit the [Review and Support website](#) or contact:

Office of Special Populations and Student Supports
Department of Special Populations General Supervision

Special Education Monitoring, Review, and Support Division

Phone: (512) 463-9414

Monday-Friday (8:00 AM to 5:00 PM)

Fax: (512) 463-9560

Email: ReviewandSupport@tea.texas.gov

APPENDIX I: SELF-REPORTED NONCOMPLIANCE

Table 8 lists LEA self-reported noncompliance. This noncompliance is also included in the overall total count of noncompliance in Table 3.

Table 8. Self-Reported Noncompliance

Area	Citation	Level	Status	Action
NA	NA	NA	NA	NA

APPENDIX II: ADDITIONAL RESOURCES

[Differentiated Monitoring and Support System](#)

[Differentiated Monitoring and Support Guide](#)

[State Performance Plan and Annual Performance Report and Requirements](#)

[Race and Ethnicity in Special Education: Difference Between Data Collection and Data Reporting](#)

[Results Driven Accountability Reports and Data](#)

[Results Driven Accountability District Reports](#)

[Results Driven Accountability Documentation](#)

APPENDIX III: ACRONYMS

Acronym	Description
ARD	Admission, Review, and Dismissal
CAP	Corrective Action Plan
CFR	Code of Federal Regulations
CISD	Consolidated Independent School District
DMS	Differentiated Monitoring and Support
DPP	Dyslexia Performance Plan
DL	Determination Level
ESC	Education Service Center
FAPE	Free Appropriate Public Education
ISD	Independent School District
IDEA	Individuals with Disabilities Education Act
LEA	Local Education Agency
OSEP	Office of Special Education Programs
OSPM	Office of Special Populations and Monitoring
PEIMS	Public Education Information Management System
RDA	Results Driven Accountability
RF	Residential Facilities
SD	Significant Disproportionality
SPP	State Performance Plan
SSA	Shared Service Arrangement
SSP	Strategic Support Plan
TAC	Texas Administrative Code
TEA	Texas Education Agency
TEC	Texas Education Code
TSDS	Texas Student Data System

