



# Special Education & ESA Documentation

February 2026

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# Agenda

- TEFA prioritization Vs Special Education funding
- Determining when IEP Upload is Necessary
- APEX-ESA updates
- IEP Used for Purposes of the TEFA Program
- Important Resources
- Contact Information

- If applications exceed available funding, The CPA will apply prioritization rules to eligible applicants which includes, among other things, whether the applicant is a child with a disability.
- As part of the TEFA application, parents can submit evidence that their student has a disability for prioritization.
  - **Please note this will only give the parents a higher priority level – this alone WILL NOT generate additional funding as a child with a disability.**

- TEA is responsible reporting to the CPA whether students who apply for a TEFA account are identified as children with disabilities who would receive special education services in a public school and thereby be entitled the additional funding as a child with a disability.
- IA codes are used by TEA to determine the funding that a student generates from the state special education allotment once the student's IEP is developed by their admission, review, and dismissal (ARD) committee.
- The CPA will use the IA code information provided by TEA to determine funding amounts.

- **Evidence of an IEP must be available to TEA so information can be sent to the CPA to determine funding eligibility.** This will generally be determined by whether a child has an instructional arrangement (IA) code reported through the Public Education Information Management System (PEIMS) for the applicable school year.
- Any of the following will demonstrate evidence of an IEP:
  - An IA code submitted through PEIMS in the October 2025 snapshot date for the 2025-2026 school year.
  - An IA code submitted through PEIMS in the 2023-2024 or 2024-2025 school year if the child is no longer enrolled in public school as of the 2025-2026 school year.
  - An IEP uploaded through the TEA's APEX ESA system when the child is considered a child with a disability, and an IA code cannot be obtained/accessed by the first two methods.
- **When IEP upload is necessary, school systems will upload this through TEA's APEX ESA application.**



# APEX-ESA

**As of noon today (2/17/2026) there were over 500 submissions in the APEX-ESA application.**

**An upload to APEX-ESA should only occur after a family notifies a school or district that they are applying for TEFA.**

IEP uploads are required when an instructional arrangement code data is not available through PEIMS for the 2023-2024, 2024-2025, or 2025-2026 school year (as of October 2025 snapshot)

**The most common instances when uploads will be necessary:**

- (1) if a child was identified after October 2025.
- (2) if a child was newly identified for special education during the 2025-2026 SY but withdrew from the school district prior to the October snapshot.
- (3) an IEP or EFA-IEP document has been created because the parent informed the district that they are applying for the TEFA program.
- (4) an IEP that was created during the 2023-2024, 2024-2025, or 2025-2026 school year **HOWEVER** the student was **NOT** enrolled in a Texas public school.

- TEA can approve, deny, or identify a submission as requiring LEA clarification.
  
- **Top 3 reasons for “clarification” status in APEX-ESA:**
  - 1 - Uploaded documentation does not match data entered
  - 2 - IEP date is before the 2023-24 SY (prior to 8/1/2023)
  - 3 - The document uploaded is not the IEP or an EFA-IEP
  
- School districts have until March 17, 2026 (when the TEFA application window closes) to resolve requested clarifications.

## **Only SSA Fiscal Agents can submit in APEX-ESA.**

- SSA Member districts can establish user accounts in APEX-ESA but cannot submit student data.

EFA IEPs can be used for a child with a disability who is **not enrolled in public school but has been determined eligible for special education services by an ARD committee.**

EFA IEPs are **ONLY** used when a district did not otherwise create an IEP that would be governed by the Individuals with Disabilities Education Act (IDEA) had the parent enrolled their child and consented to services. EFA IEPs do not have to have all parts of an IDEA-governed IEP.

***If a student already has an IDEA IEP, an EFA IEP is not needed, and the IDEA IEP can be uploaded in the APEX ESA.***

**The following components must be addressed in an EFA IEP. These decisions would likely be made from the evaluation report and any other student data available to the district:**

- 1) A statement of the special education and related services and service delivery schedule that includes frequency, duration, and location, as well as the supplementary aids and services that would be provided to the child to enable the child to be involved in and progress in the child's enrolled grade level curriculum and to be educated and participate with children without disabilities to the maximum extent appropriate for the child's needs;
- 2) An explanation of the extent, if any, to which the child would not participate with children without disabilities in a general education classroom;
- 3) A statement of any individual appropriate accommodations or modifications that would be necessary for the child to make progress in the child's enrolled grade level curriculum; and
- 4) The instructional arrangement or tiered funding level that is used to calculate the state special education funding allotment as determined by the decisions in (1)-(3) above.

## **March 17<sup>th</sup>, 2026:** the TEFA application closes.

- TEA will provide The CPA a final report for this application cycle based on data from PEIMS, and any complete, approved submissions in the APEX-ESA system as of March 17<sup>th</sup>, 2026.
- Incomplete APEX-ESA submissions, or submissions made in the APEX-ESA system after this date, will not be included in the data provided to The CPA for the additional special education funding during this application window.
- ***Parents must apply on the TEFA site for the actual ESA funds.***

# Important Resources:

- [SB 2 Guidance Document](#) – Updated January 2026
- [APEX ESA Step-by-Step Guidance Document](#)
- [APEX ESA Guidance Slide Deck](#)
- Comptroller information: [Texas Education Freedom Accounts](#)
- November 20, 2025, [TAA: Senate Bill 2: Education Savings Accounts and Children with Disabilities](#)
- January 29, 2026, [TAA: Updated Guidance: Education Savings Accounts \(ESAs\) and Individualized Education Programs \(IEPs\)](#)
- 2022 [ED guidance on serving child with disabilities placed by their parents in private schools](#)



# Contact Information:

## General ESA Questions:

Should be directed to CPA as the TEFA program administrators

- Website: [educationfreedom.texas.gov](http://educationfreedom.texas.gov)

**If families struggle reaching their school districts, families can email [sped@tea.texas.gov](mailto:sped@tea.texas.gov)**

## APEX ESA Questions:

Such as upload and student lookup help – can be directed to TEA

- Email: [APEX-ESA@tea.texas.gov](mailto:APEX-ESA@tea.texas.gov)

## Questions related to students with disabilities and special education programming:

Contact SPEDTex

- Call: 1-855-SPEDTEX (1-855-773-3839)
- Website: [SPEDTEX.ORG](http://SPEDTEX.ORG)