



SPECIAL EDUCATION CYCLICAL MONITORING REPORT

Cycle 3, Group 2
January - July

236-903

July 31, 2022

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CYCLE: 3, GROUP: 2

REGION: 6

DISTRICT NAME: Windham School District (236-903)

DISTRICT TYPE: Independent

SHARED SERVICE ARRANGEMENT (SSA) MEMBER: NA

FISCAL AGENT: NA

TEXAS VIRTUAL SCHOOL NETWORK CAMPUS: NA

RESIDENTIAL FACILITY (RF): NA

MONITORING TYPE: Comprehensive Monitoring

SELF-REPORTED NONCOMPLIANCE: No

COMPLIANCE STATUS: Noncompliant

ACTION REQUIRED: Corrective Action Plan (CAP)

STRATEGIC SUPPORT PLAN (SSP) DUE DATE: NA

CORRECTIVE ACTION PLAN (CAP) DUE DATE: August 29, 2022

INTRODUCTION

The Texas Education Agency (TEA) extends its appreciation to the parents, students, teachers, staff, and administration for their time and effort dedicated to completing the special education cyclical monitoring review at Windham School District.

The special education cyclical monitoring report provides the local education agency (LEA) with findings from the comprehensive cyclical monitoring review and serves as official notification that any findings of noncompliance require corrective action. Noncompliance identified in this report must be corrected no more than one year from the date of notification (for further information on the necessary actions and timeframe for completion, see [OSEP Memo 09-02](#)).

This report has eight main sections. The first six sections cover the cyclical monitoring activities and findings from the monitoring review and stakeholder feedback. The last two sections provide results from the dyslexia program evaluation and a summary of required actions.

OVERVIEW OF CYCLICAL MONITORING

TEA conducts a comprehensive cyclical monitoring review once every six years for each LEA. The balanced monitoring review helps support positive student outcomes and ensures the LEA maintains compliance with the requirements and purposes of the Individuals with Disabilities Education Act (IDEA), per [34 CFR §300.600 State Monitoring and Enforcement](#).

The comprehensive cyclical monitoring review includes different monitoring activities to evaluate the special education program and the dyslexia program. Monitoring activities include

but are not limited to a policy review, desk review of student folders, on-site campus review, and stakeholder feedback, focused mainly on seven state-identified priority areas:

- Child Find/Evaluation/FAPE
- IEP Development
- IEP Content
- IEP Implementation
- State Assessment
- Properly Constituted ARD
- Transition

The type of comprehensive cyclical monitoring is either a desk review or an on-site review (in addition to the desk review) based on the LEA's previous year's results driven accountability (RDA) determination level (DL). All LEAs in cyclical monitoring receive a desk review, but LEAs with a DL 3 (Needs Intervention) or DL 4 (Needs Substantial Intervention) also receive an on-site visit. For example, an LEA engaged in cyclical monitoring for the school year (SY) 2021–2022 and a 2020 RDA DL 4 would receive both a desk review and an on-site review.

Targeted monitoring and intensive supports occur during the five interim years and include LEAs with elevated DLs and significant disproportionality (SD Year 3).

COMPLIANCE REVIEW AND NONCOMPLIANCE FINDINGS

The compliance review includes noncompliance findings from the policy review and the desk review focused on the seven state-identified priority areas.

Compliance Review

The compliance review includes both a policy review and desk review of student folders for the seven priority areas. Table 1 shows the total number of policy review questions and student folders reviewed (denominator), the number of policy review questions and student folders found compliant (numerator), and the compliance percentage for each priority area.

Table 1. Summary of the Policy Review and Desk Review by Priority Area

Priority Area	Policy Review	Desk Review
Child Find/Evaluation/FAPE	89% (17/19)	100% (24/24)
IEP Development	60% (3/5)	100% (24/24)
IEP Content	100% (3/3)	100% (24/24)
IEP Implementation	100% (21/21)	100% (24/24)
Properly Constituted ARD	100% (8/8)	100% (24/24)
State Assessment	100% (4/4)	100% (24/24)
Transition	100% (6/6)	100% (24/24)

Note. Noncompliant student folders in the desk review had at least one area of noncompliance.

Noncompliance Findings

This report provides the required written notification for an LEA with a “Noncompliant” status in Table 2. The overall compliance status includes noncompliance findings from Tables 3 and 4 and self-reported noncompliance in APPENDIX I. Table 2 also shows the number of noncompliant citations that must be addressed in the corrective action plan (CAP).

Table 2. LEA Cyclical Monitoring Compliance Status Overall

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

The overall monitoring compliance status includes desk review and policy review noncompliance findings and self-reported noncompliance, if any. The following rules determine the overall compliance status for the LEA:

- LEAs with at least one finding of noncompliance in the desk review, policy review, or self-reported noncompliance (i.e., noncompliance identified by the LEA) is assigned an overall compliance status of “Noncompliant” and requires completing a CAP.
- LEAs with no findings of noncompliance in the desk review, policy review, or self-reported noncompliance (i.e., noncompliance identified by the LEA) but at least one pre-finding correction of noncompliance is assigned an overall compliance status of “Pre-finding Corrected” and does not require a CAP.
- LEAs with no findings of noncompliance or pre-finding correction are assigned an overall compliance status of “Compliant” and do not require a CAP.

LEAs with an overall Noncompliant status must submit a CAP within 30 calendar days of this report. The CAP must include all citations with a noncompliance finding. LEAs should access the CAP resources and submission requirements on the [Review and Support TEA webpage](#).

The LEA must complete the required actions **as soon as possible, but in no case later than one year from the date of this notification** (see [OSEP Memo 09-02](#)). TEA determines if noncompliance has been addressed according to Prongs 1 and 2:

- Prong 1 – Each individual case of noncompliance has been corrected
- Prong 2 – Regulatory requirements are implemented with 100% compliance

LEAs with no noncompliance or pre-finding correction of noncompliance for two or fewer students (i.e., individual level) and verification of Prongs 1 and 2 before the issuance of this report does not require a CAP. However, LEAs with an individual level of noncompliance (i.e., two or fewer students) not corrected before the issuance of this report or LEAs with a systemic level (i.e., more than two students) of noncompliance require a CAP.

LEAs that do not complete the CAP or complete the CAP after the one-year timeframe from the date of this report will be assigned a status of “Continuing Noncompliance.”

Table 3. Noncompliance Findings from the Desk Review

Area	Citation	Level	Status	Action
Evaluation	34 CFR §304(c)	Individual	Pre-Finding Corrected	No Action Required
IEP Development	34 CFR §300.320(a)(2)(i)	Individual	Pre-Finding Corrected	No Action Required
IEP Development	34 CFR §300.320(a)(4)	Individual	Pre-Findings Corrected	No Action Required
IEP Implementation	34 CFR 300.322; TAC §89.1050(d)	Individual	Pre-Finding Corrected	No Action Required
IEP Implementation	34 CFR §300.504	Individual	Pre-Finding Corrected	No Action Required

Note. The “Area” column contains the state-identified priority area and has seven possible values. 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 Plan and No Action Required.

Table 4. Noncompliance Findings from the Policy Review

Area	Citation	Level	Status	Action
Child Find/Evaluation/FAPE	34 CFR § 300.503(c), 34 CFR § 300.504(d)	Systemic	Noncompliant	Corrective Action Plan (CAP)
Child Find/Evaluation/FAPE	TEC § 38.003(b-1)	Systemic	Noncompliant	Corrective Action Plan (CAP)
IEP Development	19 TAC § 89.1040(c)(1)-Autism, TAC § 89.1055(e)	Systemic	Noncompliant	Corrective Action Plan (CAP)
IEP Development	PR55 20 USC § 1414(d)(3)(B)(iv); 34 CFR § 300.324(a)(2)(iv); TEC § 29.303	Systemic	Noncompliant	Corrective Action Plan (CAP)

DATA REVIEW

The following data were reviewed as part of the comprehensive cyclical monitoring review.

Data Sources

Data from the following areas were reviewed:

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

Student Sampling and Campus Information

Comprehensive cyclical monitoring included a desk review and, if applicable, an on-site review. Both the desk review sample size and the on-site review sample size are shown in Table 5.

Table 5. Sample Size for both the Desk Review and On-Site Review

Monitoring Type	Sample Size
Desk Review	24

Monitoring Type	Sample Size
On-Site Review	NA

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

The student folders selected for the desk review were based on a stratified random sampling method made up of two strata: elementary and secondary. Each stratum was composed of aggregate grade levels to ensure special education student representation from the facilities listed in [AskTED](#) (As of September 1, 2021). Students/campuses from LEAs meeting the on-site criteria were then randomly selected from the desk review sample to participate in an on-site monitoring review (for more information, see the [DMS Guide to General Supervision and Monitoring, Appendix B: Special Education Sampling Methods](#)).

Residential Facilities (RFs)

LEAs are required to ensure students with disabilities 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\(d\)\(1\)\(i\)](#)). Windham School District (236-903) had 0 based on the 2022 RF Tracker yearly data submission in the Texas Student Data System.

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

LEAs are assigned an annual special education determinations using one of four categories (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 determinations are made using combined results from both the RDA system for special education and the federally required elements (FREs). The FREs include but are not limited to compliance data from three SPP indicators: SPPI-11 (Timely Initial Evaluation), SPPI-12 (Early Childhood Transition), and SPPI-13 (Secondary Transition). The State also conducts annual SD Year 3 analyses, per its obligation under [34 CFR §§300.646-647](#). Data from the above areas are shown in Table 6.

Table 6. RDA, SPP, and SD Year 3 Results (2019–2022)

Data Source	SY 2019-2020	SY 2020 - 2021	SY 2021 - 2022
RDA SPED DL	NA	NA	NA
SPP 11 Status	NA	NA	NA
SPP 12 Status	NA	NA	NA
SPP 13 Status	NA	NA	NA

Data Source	SY 2019-2020	SY 2020 - 2021	SY 2021 - 2022
SD Year 3 Status	NA	NA	NA

Note. SY 2019–2020 DLs were called Performance Levels (PLs). NA denotes not applicable to LEA.

SPP indicators are assigned one of the following three compliance statuses: (a) noncompliance (< 95%), (b) substantial compliance (>= 95% AND <= 99%), (c) and compliance (100%). The LEA results are also published online on the [Results Driven Accountability \(RDA\) Report](#) webpage and the [District Profile of State Performance Plan Indicators Report](#) webpage.

STAKEHOLDER ANALYSIS AND RESULTS

The TEA collected stakeholder data during the comprehensive cyclical monitoring review from family/guardians, special education providers, general education providers, and district/campus administration. The purpose of analyzing survey and interview data was to identify positive stakeholder sentiment for three constructs:

- **Understanding** – This construct measures positive sentiment about their knowledge of special education program requirements and LEA provisions of service.
- **Engagement** – This construct measures positive sentiment regarding engagement with special education and opportunities for involvement in training related to special education.
- **Competency in Implementation** – This construct measures positive sentiment of perceived competency required for implementing special education program requirements.

Table 7 shows stakeholder results for each construct (i.e., understanding, engagement, competency) by role (i.e., family/guardians, special education providers, general education providers, district/campus administration). Stakeholder data were collected using a non-probabilistic sampling method and included respondents who self-identified their role and district and completed the online survey. Therefore, inferences and judgments from the stakeholder results should be approached with caution. 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 Construct

Construct	Family/ Guardian	Special Education	General Education	Administration (Campus and District)
<i>Number of Respondents</i>	FR	FR	FR	FR
Understanding	**	**	**	**
Engagement	**	**	**	**

Construct	Family/ Guardian	Special Education	General Education	Administration (<i>Campus and District</i>)
Competency	**	**	**	**

Note. FR (Too Few Respondents) denotes respondent ROLE counts <5 AND * denotes masking corresponding percentage values. ** denotes no data submitted for LEA.

SUCCESSSES

The following successes were identified during the comprehensive cyclical monitoring review:

- Data are consistently used to determine the needs of students and to adjust the schedule of services based upon those needs.
- Systems demonstrate a comprehensive continuum of placement options for determining students' least restrictive environment (LRE) to meet their instructional and related service delivery needs.

TECHNICAL ASSISTANCE

The following technical assistance (TA) resources are recommended based on findings from the targeted monitoring review (please copy and paste URLs into web browser):

- CHILD FIND AND EVALUATION – The Timelines and Assessment Log resource from the Child Find, Evaluation, and ARD Supports Network is a downloadable file that includes a special education referral timeline, a full and individual initial evaluation (FIE) timeline, and an assessment log to track State Performance Plan Indicator (SPP) 11 and 12 data (see https://childfindtx.tea.texas.gov/initial_eval.html).
- 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>).

SUMMARY OF REQUIRED ACTION

The required actions from the comprehensive cyclical monitoring review are shown in Table 10. Further information about the different support levels shown below is in the [DMS Guide to General Supervision and Monitoring: RDA Interventions and Differentiated Supports](#).

Table 10. Summary of Required Action

Required Action	Due Date	Support Level	Communication Cadence
Corrective Action Plan (CAP)	August 29, 2022	Intensive	30 Days

Note. SSP due date was when the initial SSP submission was due. The SSP communication cadence uses the current year's RDA DLs (e.g., 2021 DL from SY 2020–2021) and includes a check-in frequency of 30 days (DL 4), 60 days (DL 3), or 90 days (DL 2).

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.

- **Report Date:** July 29, 2022
- **Report Correction Notification Deadline:** August 29, 2022, 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 Monitoring
Department of Special Populations and General Supervision
Division of Review and Support

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 11 lists self-reported noncompliance identified by the LEA. This noncompliance is also included in the overall total count of noncompliance requiring corrective action in Table 2.

Table 11. Self-Reported Noncompliance

Area	Citation	Level	Status	Action
NA	NA	NA	NA	NA

APPENDIX II: ADDITIONAL RESOURCES

[Differentiated Monitoring and Support System](#)

[Review and Support General Supervision Monitoring 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 Manual](#)

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

