



Overview of Data Clarification Period

Pre-finding Demonstration of Correction Opportunity
State Performance Plan Indicators 11,12, & 13

Pre-finding Correction Opportunity

- After the SPP application close date each year, the Texas Education Agency will offer local education agencies (LEAs) the opportunity to submit updated data for Compliance Indicators 11, 12, and 13 to correct data entry errors and/or to document correction of any potential noncompliance found in the state's database for these indicators prior to the state issuing a finding of noncompliance.
- During this correction period, LEAs may choose one of three options.



Pre-finding Correction Options

Option 1: Do Nothing

Option 2: Verify Noncompliance

Option 3: Verify Correction

Option 1: Do Nothing

LEAs may choose to do nothing after entering and certifying data during the data entry period. If LEAs choose this option, TEA will make findings of noncompliance based on the data available in the database as of the date of application closing.

Option 2: Verify Noncompliance

LEAs may choose to review submitted data, determine no updates to data entry are needed, and/or determine no documentation of corrections for potential noncompliance are available. The LEA may verify noncompliance by re-certifying the application during the clarification period, and the TEA will make findings of noncompliance based on the re-certification of data.



Option 3: Verify Correction

LEAs may choose to update data to correct any data entry errors and/or document corrections of potential noncompliance by the close of the clarification period for TEA review.



Option 3: Verify Correction (continued)

TEA will review re-certified data to determine whether the data demonstrates noncompliance, or whether corrections of potential noncompliance using the 2-prong criteria of OSEP Memo 09-02 have been completed before any issue of findings of noncompliance.

Option 3: Verify Correction (continued)

Prongs 1 & 2

- The State will verify correction of individual instances of noncompliance ([Prong 1 of OSEP Memo 09-02](#)) if the LEA submits documentation that each compliance requirement not completed within the timelines was completed, although late, and provides documentation using the provided application.
- The State will verify that the LEA is implementing the regulatory requirements related to Compliance Indicators 11, 12, and 13 ([Prong 2 of OSEP Memo 09-02](#)) based on the State's review of updated data.

Option 3: Verify Correction (continued)

- TEA will make findings of noncompliance if pre-finding corrections are not demonstrated using Prong 1 and Prong 2 criteria.
- If all pre-finding corrections are demonstrated using the 2 prong criteria, LEAs will not be issued a finding of noncompliance, and data compliance percentages will be adjusted to reflect compliance with the indicator.

Clarification Process

- LEAs who appear to have less than 100% compliance in Indicators 11, 12 and/or 13 will have their application(s) returned to them after the submission due date in August.
- LEAs who wish to provide clarification should have the District Admin complete the steps contained in the returned application by the clarification due date.
- Clarification Process for State Performance Plan Indicators 11, 12, and 13 can be found on TEA's [Local Education Agency Reports and Requirements](#) webpage.

OSEP Memo 09-02: Reporting on Correction of Noncompliance
in the Annual Performance Report

<https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep09-02timelycorrectionmemo.pdf>



Contact Information

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