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# Acronym Glossary

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<th>Description</th>
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<tr>
<td>APR</td>
<td>Annual Performance Report</td>
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<tr>
<td>ARD</td>
<td>Admission, Review and Dismissal</td>
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<tr>
<td>BE</td>
<td>Bilingual Education</td>
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<tr>
<td>CAP</td>
<td>Corrective Action Plan</td>
</tr>
<tr>
<td>CDRMS</td>
<td>Correspondence &amp; Dispute Resolution Management System</td>
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<tr>
<td>CTE</td>
<td>Career Technical Education</td>
</tr>
<tr>
<td>DIP</td>
<td>District Improvement Plan</td>
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<tr>
<td>DMS</td>
<td>Differentiated Monitoring and Support</td>
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<tr>
<td>ESC</td>
<td>Educational Service Center</td>
</tr>
<tr>
<td>ESL</td>
<td>English as a Second Language</td>
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<tr>
<td>ESSA</td>
<td>Every Student Succeeds Act</td>
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<tr>
<td>IDEA</td>
<td>Individuals with Disabilities Education Act</td>
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<tr>
<td>ISAM</td>
<td>Intervention, Stage, and Activity Manager</td>
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<td>LEA</td>
<td>Local Education Agency</td>
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<td>OSEP</td>
<td>Office of Special Education Programs</td>
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<td>PBMAS</td>
<td>Performance-Based Monitoring System</td>
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<tr>
<td>PEIMS</td>
<td>Public Education Information Management System</td>
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<tr>
<td>PL</td>
<td>Performance Level</td>
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<tr>
<td>RDA</td>
<td>Results-Driven Accountability</td>
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<td>SEA</td>
<td>State Education Agency</td>
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<td>SEDSD</td>
<td>Statewide Education Data Systems Division</td>
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<td>SPP</td>
<td>State Performance Plan</td>
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<td>SSP</td>
<td>Strategic Support Plan</td>
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<td>TAC</td>
<td>Texas Administrative Code</td>
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<tr>
<td>TEA</td>
<td>Texas Education Agency</td>
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<tr>
<td>TEC</td>
<td>Texas Education Code</td>
</tr>
<tr>
<td>TCIP</td>
<td>Texas Continuous Improvement Process</td>
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<tr>
<td>TSVI</td>
<td>Texas School for the Visually Impaired</td>
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<tr>
<td>TSD</td>
<td>Texas School for the Deaf</td>
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<tr>
<td>TSDFS</td>
<td>Texas Student Data System</td>
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Introduction

State education agencies have a responsibility under federal law to establish a system of general supervision to monitor the implementation of the Individuals with Disabilities Education Act (IDEA) of 2004. States are accountable for using this system for enforcing requirements and ensuring continuous improvement. This system is designed to ensure compliance with federal and state regulations and improve services and results for students with disabilities. The U.S. Department of Education, Office of Special Education Programs (OSEP) identified nine interconnected components that comprise a state’s system of general supervision. These interconnected components are:

- State Performance Plan (SPP);
- State Systemic Improvement Plan (SSIP);
- Policies, Procedures, and Effective Implementation;
- Data of Processes and Results;
- Targeted Technical Assistance and Professional Development;
- Effective Dispute Resolution;
- Integrated Monitoring Activities;
- Improvement, Correction, Incentives and Sanctions; and
- Fiscal Management.

An effective model of general supervision depends upon fluid interaction among these components, with an emphasis on accountability at all levels for Texas’s children and youth with disabilities.

Framework for General Supervision

The Texas Education Agency (TEA) system of general supervision reflects the federal intent to emphasize a data-driven, systematic approach to compliance, as well as the improvement of outcomes for students with disabilities. In collaboration with stakeholders, the TEA has engaged in an analysis protocol to revise and refine the system of general supervision. As an outcome of the analysis protocol, the TEA has developed a diagnostic framework that concentrates general supervision activities on the three domains of implementation, student outcomes, and family engagement (for definition, see Appendix A). These three domains are essential to addressing the seven critical areas of compliance of properly-constituted ARD committees, evaluation, IEP content, IEP development, IEP implementation, state assessment, and transition; while not exclusive to other compliance requirements of IDEA (Figure 1).
This diagnostic framework supports the TEA and local education agencies (LEAs) in analyzing and responding to a variety of complex information about program implementation, student outcomes, and family engagement. This framework supports continuous improvement of student outcomes by connecting instruction, student performance, professional development, and technical assistance.

The system of general supervision incorporates the TEA commitment to continuous improvement, transparency, and accountability in a way that emphasizes the connection between general supervision activities and improved student services and outcomes.

**Continuous Improvement**

The requirements of IDEA related to the development of the State Performance Plan (SPP) and the accompanying Annual Performance Report (APR) complement the TEA’s efforts to build a system of general supervision. This system achieves continuous improvement through data-driven, evidence-based efforts inclusive of stakeholder needs and input.

**State Determinations**

The SPP/APR includes 17 federally-defined indicators that represent five monitoring priorities: Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionate Representation, Child Find, Effective Transition, and General Supervision. For each federal indicator, the SPP includes historical and current data, targets, improvement strategies, stakeholder...
involvement, and progress monitoring. The SPP/APR is presented publicly on the TEA website following submission and OSEP approval each spring. Additionally, the TEA reports annually to the public on the performance of each LEA on each of the indicators.

OSEP uses information from the SPP/APR, information obtained through monitoring visits, and other public information to annually determine if the state:

- Meets requirements and purposes of the IDEA;
- Needs assistance in implementing the requirements of the IDEA;
- Needs intervention in implementing the requirements of the IDEA; or
- Needs substantial intervention in implementing the requirements of the IDEA.

These state determinations are based on a combination of compliance and outcome measures for children and youth with disabilities. The IDEA specifically designates enforcement actions based on state determinations. Such actions result from determinations other than “meets requirements,” and may include required technical assistance, corrective action plans, and conditions on or the withholding of federal IDEA funding.

**LEA Determinations**

Federal regulations require the TEA to make annual determinations about the performance of all LEAs within the state using the categories of Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. The TEA uses four data elements to assign LEA determinations:

- Performance on compliance indicators 9, 10, 11, 12, and 13 in the SPP;
- Whether data submitted by LEAs is valid, reliable, and timely;
- Uncorrected noncompliance from other sources (complaints resolution, due process, residential facility monitoring, and monitoring activities); and
- Financial audit findings.

To facilitate a seamless system of general supervision, LEA determinations will be aligned with the Results-Driven Accountability (RDA) performance levels assigned to each LEA annually. Each LEA will experience differentiated supports that provide recognition, assistance, and intervention related to the implementation of IDEA.
Differentiated Monitoring and Support

In order to achieve continuous improvement goals, the TEA has established a Differentiated Monitoring and Support (DMS) system aligned with the monitoring system of the OSEP. The DMS system provides a balanced approach of compliance and performance-based accountability that describes how monitoring and support activities are customized for LEAs based on need (Figure 2). The DMS system uses a results-driven approach to identify the types of support and monitoring required for each LEA, cyclical reviews to ensure the TEA conducts desk and/or on-site monitoring activities with all LEAs statewide, targeted support reviews based on performance indicators, and differentiated supports for all LEAs based on needs identified through compliance and student outcomes data.

Differentiated Monitoring

The DMS system balances compliance and performance-based accountability in customizing monitoring and support activities for LEAs based on need. Within the DMS system, TEA uses a results-driven approach to identify the types of support and monitoring required for each LEA. Differentiated monitoring activities include:

- Cyclical Review;
- Targeted Support Review;
- Review and approval/re-approval of nonpublic schools;
• Residential facility monitoring;
• Substantiated complaints tracking; and
• Correction of noncompliance tracking and monitoring.

Results Driven Accountability

Consistent with the TEA commitment to continuous improvement, transparency, and accountability, a system of Results-Driven Accountability (RDA) relies on a thorough analysis of LEA data against indicators for achievement. The RDA system will transform general supervision from a stand-alone, cyclical, compliance-oriented monitoring system to a data driven, results-based system of coordinated and aligned monitoring and support activities.

One of the features of the TEA system is the alignment in purpose, process, and function of the TEA Division of Review and Support with other divisions and departments in the TEA. The data review and interventions applied within the RDA system are aligned across multiple program areas (Special Education, Career and Technical Education, Bilingual/English as a Second Language, and portions of the Every Student Succeeds Act). This alignment supports LEA continuous improvement efforts by reducing duplication of work and maximizing the impact of resources.

The 2019 RDA system includes fundamental changes from the 2018 Performance-Based Monitoring System (PBMAS). The system continues the use of indicators to collect and provide usable data for LEAs; however, these indicators establish annual LEA performance levels and eliminate the “staging” process. The system allows the TEA to conduct differentiated review activities and provide interventions to LEAs based on the performance levels.

RDA Indicators

Data used in the RDA system come from a variety of sources. Student assessment results are obtained from the TEA test administration contractor. Dropout and longitudinal graduation data are obtained from the Research and Analysis Division. Special Education SPP Indicator data is obtained from various sources including the Texas Student Data System (TSDS), Public Education Information Management System (PEIMS), and the Statewide Education Data Systems Division (SEDSD). The TEA will provide a detailed description of the data sources, indicators for achievement, and cut scores used to categorize LEA performance in the Results-Driven Accountability Manual.

RDA Performance Levels

TEA will analyze data from the RDA indicators to address LEA performance on student outcomes and compliance indicators and guide supervision and support for each LEA. Each LEA will be assigned a performance level (PL) annually, which is then associated with specific monitoring and support activities within the DMS system. The PLs are calculated based on an overall analysis of indicator results. LEAs are expected to address the needs associated with individual data indicators as well as the overall performance level of 0, 1, 2, 3, or 4. To facilitate a seamless system of general supervision, RDA Performance Levels are aligned with IDEA determinations assigned to each LEA annually (Figure 3).
### IDEA Determination: Meets Requirements | Needs Assistance | Needs Intervention | Needs Substantial Intervention
---|---|---|---
**Performance Level:** PL 0-1 | PL 2 | PL 3 | PL 4

Figure 3. RDA performance levels and IDEA determination alignment.

**Performance Level 0**

LEAs in PL0 generally demonstrate successful self-monitoring, high levels of compliance with IDEA regulations, positive outcomes for students with disabilities, and effective use of professional development resources. LEAs demonstrating areas of improvement in the self-assessment will outline activities and interventions to address improvement efforts in a strategic support plan developed by the LEA.

The LEA may request feedback and guidance from the TEA Review and Support staff and retain the strategic support plan for internal planning. LEAs identified as meets requirements with IDEA determinations will have access to universal supports to engage in practices of continuous improvement. LEAs in PL0 may also have opportunities to participate in promising practices on-site visits, special pilot projects, or innovative approaches with the goal of improving outcomes for students with disabilities.

**Performance Level 1**

LEAs in PL1 generally demonstrate successful self-monitoring, high levels of compliance with IDEA regulations, positive outcomes for students with disabilities, and effective use of professional development resources. LEAs demonstrating areas of improvement in the self-assessment will outline activities and interventions to address improvement efforts in a strategic support plan developed by the LEA.

LEAs in PL1 are generally described as having programs that are meeting requirements and improving outcomes through universal supports and general monitoring activities. Feedback and guidance from the TEA Review and Support staff is always available and the LEA will retain the strategic support plan for internal planning. LEAs identified as meets requirements with IDEA determinations will have access to universal supports to engage in practices of continuous improvement.

**Performance Level 2**

LEAs in PL2 have one or more areas of moderate need as demonstrated through indicators. Areas of improvement are demonstrated through the LEA self-assessment and RDA indicators identifying the LEA’s need for either universal or targeted support. LEAs will outline activities and interventions to address improvement efforts in a strategic support plan developed by the LEA.

LEAs in PL2 are required to conduct an annual self-assessment to review the special education program and determine areas of strength and areas of need. After identifying areas of strength and need, the LEA will develop a strategic support plan that describes continuous improvement efforts. The LEA will receive guidance from the TEA Review and Support staff regarding targeted supports designed to address LEA areas of need. The LEA will participate in a quarterly collaboration with the TEA Review and Support staff to monitor progress toward strategic support plan goals. LEAs identified
as needs assistance with IDEA determinations will be guided by the Review and Support team to access universal supports or identified targeted supports to engage in practices of continuous improvement.

**Performance Level 3**

LEAs in PL3 have either one area of intense need and/or multiple areas of moderate need as demonstrated through RDA. Areas of improvement are identified through the RDA indicators and the LEA self-assessment identifying the LEA’s need for a universal and targeted support. LEAs will outline activities and interventions to address improvement efforts in a strategic support plan developed by the LEA with guidance from the TEA Review and Support team.

LEAs in PL3 are required to conduct an annual self-assessment in the Ascend platform to review the special education program and determine areas of strength and areas of need. After identifying areas of strength and need, the LEA will receive TEA assistance to develop a strategic support plan that prioritizes continuous improvement efforts. The LEA will participate in bi-monthly collaboration with the TEA Review and Support staff to monitor progress toward strategic support plan goals. The LEA will receive assistance from the TEA Review and Support staff regarding targeted supports designed to address LEA prioritized areas of need. LEAs identified as needs intervention with IDEA determinations will be directed to targeted supports.

**Performance Level 4**

LEAs in PL4 may have one to multiple areas of intensive need demonstrated through indicators. Areas of improvement are identified through monitoring activity results, RDA indicators and the LEA self-assessment identifying the need for targeted or intensive support. LEAs will outline activities and interventions to address improvement efforts in a strategic support plan developed by the LEA with support from TEA.

LEAs in PL4 are required to conduct an annual self-assessment in the Ascend platform to review the special education program and determine areas of strength and areas of need. After identifying areas of strength and need, the LEA will receive support to develop a strategic support plan that prioritizes continuous improvement efforts. The LEA will participate in monthly collaboration with the TEA Review and Support staff to monitor progress toward strategic support plan goals. LEAs identified as needs substantial intervention with IDEA determinations will be prescribed targeted and intensive supports and activities designed to address LEA areas of need.

**RDA Interventions**

The RDA interventions are aligned across multiple program areas (Special Education, Career and Technical Education, Bilingual/English as a Second Language, and portions of the Every Student Succeeds Act) and are integrated into the DMS. LEAs may access universal, targeted, or intensive supports based on the determined performance level (Figure 4).
IDEA Determination: | Meets Requirements | Needs Assistance | Needs Intervention | Needs Substantial Intervention
---|---|---|---|---
**Performance Level:** | **PL 0-1** | **PL 2** | **PL 3** | **PL 4**

**Differentiated Supports:**

- **Universal**
  - PL 0-1
  - PL 2
  - PL 3
  - PL 4
- **Targeted**
  - PL 0-1
  - PL 2
  - PL 3
  - PL 4
- **Intensive**
  - PL 0-1
  - PL 2
  - PL 3
  - PL 4

*Figure 4. RDA performance level, IDEA determination, and supports alignment.*

**Cyclical Review**

Every LEA in the state participates in cyclical review on a six-year rotating schedule. The schedules for cyclical review are published on the TEA Review and Support website prior to monitoring activities beginning in the fall of each school year. During the year the LEA is selected for cyclical review, LEAs at all performance levels (0–4) are required to participate in self-assessment, development of a strategic support plan, and comprehensive desk review (Figure 6). Additional cyclical review activities may be required based on LEA data and include on-site review and escalated supports (initiating in 2020).

*Figure 5. Cyclical Review activities.*
**Targeted Support Review**

LEAs may be selected for participation in Targeted Support Review activities when they are not in their cyclical monitoring year. Targeted Support Review activities are assigned based on RDA performance level and are designed to assist LEAs to identify specific RDA indicators of strength and RDA indicators that show the need for improvement (Figure 5). At all performance levels, a self-assessment and strategic support plan are required and completed by each LEA. At performance levels 0 and 1, LEAs may be selected to participate in a promising practices review. At performance level 2, LEAs will be selected to participate in targeted supports. At performance level 3, LEAs will participate in a targeted desk review and may be selected for an on-site review. At performance level 4, LEAs will participate in a targeted desk review and may be selected for an on-site review which could result in the need for intensive/escalated supports.

![Figure 6. Targeted Support Review activities.](image)

**Other Monitoring Activities**

In addition to the monitoring activities implemented for all LEAs, the TEA conducts other monitoring activities within the system of general supervision.

**Residential Facility (RF) Monitoring**

Under the authority of 19 Texas Administrative Code (TAC) §97.1072, the TEA monitors LEAs serving students with disabilities who reside in residential facilities to ensure the provision of a free and appropriate public education (FAPE).

Residential facility monitoring is encompassed within the differentiated monitoring process. LEAs with residential care and treatment facilities within their boundaries or jurisdiction will engage in monitoring activities specific to this population. The sample of students with disabilities who reside in a residential facility to be included in the comprehensive desk review is described in Column C of Appendix B.
**Initial and Re-approval for Nonpublic Schools**

The TEA monitors both day and residential nonpublic schools with which LEAs may contract for special education instructional and related services. Information on the process of approving and monitoring nonpublic schools is available on the TEA website linked below.

**Nonpublic School Monitoring and Guidance Resources for Special Education**

**State Agency Service Reviews**

The TEA monitors four state agencies that provide educational services to students with disabilities:

- Texas School for the Deaf;
- Texas School for the Blind and Visually Impaired;
- Texas Juvenile Justice Department; and
- the Windham Prison System.

These entities are on a four-year monitoring cycle.

**Selective Reviews**

The commissioner may conduct monitoring reviews and random on-site visits at any time under Texas Education Code §39.056. The commissioner also has the authority to assign an intervention based on performance levels and any of the following additional reasons:

- Results from a complaint investigation;
- Due process hearing decisions concerning special education;
- Data validation activities;
- The integrity of assessment or financial data; and
- Longitudinal intervention history.

**Differentiated Supports**

In order to achieve continuous improvement goals, the DMS system relies on a results-driven approach to identify the types of support required for each LEA. Differentiated supports are provided for all LEAs based on needs identified through compliance and student outcomes data. Additional support activities may be recommended based on the results of monitoring activities such as a desk review or an on-site review.

The TEA has aligned three types of support with the OSEP levels of engagement to be implemented within the TEA DMS system: Universal, Targeted, and Intensive (Figure 7). LEAs will receive differentiated supports based on their individual areas of identified need. While accessing recommended supports, LEAs are expected to demonstrate progress toward improving outcomes for students with disabilities and increasing compliance with state and federal program requirements. In cases where the LEA does not demonstrate sufficient progress, the TEA may prescribe intensive/escalated supports, as required by 34 CFR§300.600(a)(3).
Universal Supports

Universal supports are proactive technical assistance resources available for all LEAs. Universal supports are designed to assist the LEA in continuously improving educational outcomes for students with disabilities. LEAs accessing universal supports benefit by actively addressing identified areas of need, increasing capacity for quality program implementation, and maintaining a culture of continuous improvement.

Examples of universal supports:

- Free online modules
- Referral to statewide technical assistance networks
- Program guidance
- Family resources
- Frequently asked questions
- TEA Review and Support team communications

Targeted Supports

Targeted supports may include technical assistance resources available for LEAs in PL2 or PL3 to address specific areas of need focused on one or more discrete issues. Targeted supports are designed to address the needs identified through RDA indicators and to assist the LEA efforts to improve educational outcomes for students with disabilities. LEAs participating in targeted supports benefit by implementing improvement activities that directly address needs, increasing capacity to resolve the root cause(s) of performance gaps, and establishing a culture of continuous improvement.

Examples of targeted supports:

- Free online modules
- TEA feedback and assistance in completing the strategic support plan
- Referral to statewide technical assistance networks

<table>
<thead>
<tr>
<th>Performance Level</th>
<th>IDEA Determination</th>
<th>Differentiated Supports</th>
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<tbody>
<tr>
<td>PL0</td>
<td>Meets Requirements</td>
<td>Universal</td>
</tr>
<tr>
<td>PL1</td>
<td>Meets Requirements</td>
<td>Universal</td>
</tr>
<tr>
<td>PL2</td>
<td>Needs Assistance</td>
<td>Universal Targeted</td>
</tr>
<tr>
<td>PL3</td>
<td>Needs Intervention</td>
<td>Universal Targeted</td>
</tr>
<tr>
<td>PL4</td>
<td>Needs Substantial Intervention</td>
<td>Universal Targeted Intensive</td>
</tr>
</tbody>
</table>

Figure 7. Differentiated Levels of Support.
• Targeted ESC workshops
• Family resources
• Program guidance
• Frequently asked questions
• Professional development with follow-up support
• Bi-monthly collaboration with TEA regional team

LEAs receiving targeted supports may be asked to provide evidence of completion of support activities. Examples of evidence that may be submitted include but are not limited to technical assistance schedules, revised procedures, handouts and materials used for professional development, meeting agendas, sign-in sheets for training activities, and data demonstrating progress toward strategic support plan goals.

**Intensive Supports**

Intensive supports are identified to prioritize areas of need for LEAs in PL 4. Like targeted supports, they are designed to address the needs identified through RDA indicator analysis and to assist LEA efforts to improve educational outcomes for students with disabilities. LEAs participating in intensive supports benefit by prioritizing improvement activities that directly address needs, building capacity to identify and address the root cause(s) of performance gaps, and establishing a culture of continuous improvement. LEAs that are identified as a PL4 in Special Education will engage in prescribed activities directly related to the LEAs identified area(s) of need with sustained and in-depth support.

Examples of Intensive Supports:

• TEA assistance in completing the strategic support plan
• Monitoring of progress toward short- and long-term improvement goals
• Assignment to statewide technical assistance networks
• Assignment to ESC support
• Professional development with sustained follow-up
• Monthly collaboration with TEA regional team

LEAs receiving intensive supports are *required* to provide evidence of completion of support activities. Examples of evidence that may be submitted include but are not limited to:

Technical assistance schedules;

• Revised procedures;
• Handouts and materials used for professional development;
• Meeting agendas;
• Sign-in sheets for training activities; and
• Data demonstrating progress toward strategic support plan goals.
Monitoring Activities

Self-Assessment
The purpose of the self-assessment is to assist LEA leadership teams in evaluating and improving their special education program. The self-assessment is intended to engage leadership teams in proactively addressing special education compliance and improving student performance. Each LEA will complete the self-assessment annually within the Ascend platform as part of the Texas commitment to continuous improvement that focuses on improving outcomes for students with disabilities.

Strategic Support Plan
The purpose of the annual strategic support plan is to guide LEAs through the process of prioritizing areas for improvement and developing a plan to increase compliance and improve outcomes for students with disabilities. The strategic support plan is a tool designed to align with the Effective Schools Framework (ESF) Prioritized Level 1—Strong School Leadership and Planning to assist LEAs through Data Driven Instruction (DDI) practices. The strategic support plan is a continuous improvement tool to utilize while identifying the root causes of noncompliance and/or gaps in outcomes for students with disabilities.

Desk Review
The purpose of the desk review is to ensure LEA compliance with federal and state special education requirements through a review of LEA policies and individual student records. Each LEA selected for participation in a desk review will provide documentation for a select sample of students to the TEA Review and Support team through the Ascend platform. The Review and Support team will conduct the desk review upon receiving the LEA documents. The number of students selected for review is determined by the number of students with disabilities enrolled in the LEA (see Appendix A). Examples of documentation requested for desk review may include:

- Current Full and Individual Evaluation FIE/REED;
- Current Individualized Education Program (IEP) including all supplements;
- Parent Request for Evaluation;
- Student referral documentation (e.g. parent information, classroom observations, intervention documentation, Home Language Survey, Prior Written Notices);
- Special Education progress reports;
- Determination of statewide student assessment, participation requirements, and accommodations;
- Receipt of Procedural Safeguards;
- STARR/EOC Scores;
- IEP documentation of intensive program of instruction or accelerated instruction program;
- Proof of attempted parent contact to schedule Annual Review and Dismissal (ARD) committee meetings;
- Foster parent training documentation;
- Staff certifications.
When the LEA is selected for Cyclical Review, a comprehensive desk review will be conducted. The comprehensive desk review is designed to evaluate LEA performance on all seven critical areas of compliance identified in the diagnostic framework but does not limit the identification of other areas of IDEA non-compliance.

These seven areas are:

- Evaluation
- IEP Implementation
- Properly Constituted ARD Committees
- IEP Contents
- IEP Development
- Transition
- State Assessment

When an LEA participates in the cyclical desk review process, the TEA will provide a subset of parents/families, general educators, special educators, assessment staff and administrators an opportunity to provide feedback on the LEA implementation of programs and services. The TEA will request the selected participants’ email/contact information from the LEA. Additionally, a survey may be sent to the parents/families, general and special educators to gather stakeholder input.

When the LEA is selected for Targeted Support Review, a targeted desk review may be conducted. The targeted desk review is designed to analyze LEA performance on the RDA indicator(s) identified as areas of need aligned with IDEA.

**On-Site Review**

The purpose of the on-site review is to thoroughly examine multiple measures related to federal compliance and improving student outcomes. In preparation for an on-site review, the Review and Support team will conduct desk review activities described above in collaboration with the LEA’s leadership staff.

When the LEA is scheduled for an on-site visit, advanced notification will be provided to the LEA. The Review and Support team will conduct pre-monitoring conferences with each LEA selected for review to assist in monitoring preparation.

Once on-site, the Review and Support team will coordinate with LEA leadership to engage in a deeper review of the implementation of special education programs and services. Most on-site reviews can be completed within three days, although the timeline for completion may vary across LEAs (see Appendix B for more information). The on-site review consists of an entrance meeting, observations of three to six students, interviews with the observed students, parents or families, general and special education teachers, and other LEA personnel. Additionally, an exit conference to debrief with LEA leadership about the on-site activities.

**On-Site Selection**

When the LEA is selected for Cyclical Review, an on-site review may be conducted based on the LEA’s RDA performance level of PL3 or PL4. The comprehensive on-site review is designed to evaluate LEA performance on all seven critical areas of compliance identified in the diagnostic framework.
When the LEA is selected for a Targeted Support Review, an on-site review may be conducted based on the LEA’s RDA performance level, results of the targeted desk review, and historical LEA performance data. The targeted on-site review is designed to analyze LEA performance on the RDA indicator(s) identified as areas of need and indicators that align to IDEA requirements.

When the LEA is selected for Targeted Support Review and is in performance level 0 or 1, a Promising Practices visits may be conducted to observe instructional strategies or program design features that yield high outcomes for students with disabilities.

**Monitoring Reports**

No later than 30 days after the completion of cyclical monitoring activity (desk review and/or on-site review), a comprehensive report of findings will be provided to the LEA and made available to the public. This report will provide:

- A summary of the monitoring activities;
- Identified best practices;
- Growth areas;
- A suggested plan for technical assistance and support.

**Finding of Noncompliance**

The TEA reviews data collected as part of any monitoring review activity to ensure compliance with federal and state regulatory requirements. In accordance with OSEP guidance regarding noncompliance identified through the monitoring process, a finding of noncompliance is identified by the standard (i.e., regulation or requirement) that is violated, not by the number of times the standard is violated. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that LEA.

**Identification of Noncompliance**

Formal identification of noncompliance occurs when the TEA issues written notification that includes the citation of the regulation that has been violated and a description of the data supporting the finding of noncompliance with that regulation.
Correction of Noncompliance

The TEA follows procedures for the correction of noncompliance that are consistent with the OSEP Memo 09-02. Before the TEA can report that noncompliance has been corrected, it must first verify that the LEA: has corrected each individual case of noncompliance (Prong 1), and is correctly implementing the specific regulatory requirements (i.e., subsequently achieved 100% compliance) (Prong 2), based on the TEA review of the updated data.

The OSEP requires the TEA monitor the completion of a corrective action plan if any noncompliance is discovered, regardless of the LEA’s RDA performance level or IDEA determination. The corrective action plan must be designed to correct any and all areas of noncompliance as soon as possible, but in no case later than one year from the date of notification.

**Prong 1: Correcting Individual Noncompliance**

To document that individual student-level noncompliance is corrected, the LEA must demonstrate that the student documentation is compliant with regulatory requirements. To demonstrate correction of noncompliance concerning child-specific timeline requirements, the LEA must submit documentation to the TEA that the required action (e.g., the evaluation, reevaluation, or IEP annual review) was completed, though late. For any noncompliance concerning child-specific requirements that are not subject to a specific timeline requirement, the LEA must submit documentation that the LEA has corrected each individual case of noncompliance, unless the student is no longer within the jurisdiction of the LEA.

**Prong 2: Correctly Implementing the Specific Regulatory Requirement**

To document that the LEA is correctly implementing the specific regulatory requirements, the LEA must review additional student records and submit documentation to demonstrate the LEA has achieved 100% compliance. The number of additional files reviewed by the LEA will be assigned by TEA staff based on the identified root cause of noncompliance. To determine the root cause of noncompliance, the TEA may consider the results of the LEA annual self-assessment, strategic support plan, and overall results of monitoring review activities.

In order for the TEA to verify a LEA’s correction of identified noncompliance, there must be evidence of both student-specific corrections (Prong 1) and systematic implementation of compliance for 100% of a sample of students (Prong 2).

**Timely Correction**

In accordance with OSEP requirements, timely correction means that noncompliance is corrected and supporting documentation is submitted to the TEA as soon as possible but in no case later than one year from identification (i.e., from receipt of written notification of noncompliance).

Detailed information concerning Corrective Action can be found in the Correction of Noncompliance Guide.
Appendix A: Definition of Terms

**Comprehensive Desk Review:** A comprehensive desk review focuses on areas of Evaluation, IEP Development, Content, Implementation, Transition, Properly Constituted ARDs, State Assessment, stakeholder input, and self-assessment, as well as documentation of local policies and procedures regarding special education. This type of desk review is a proactive measure to ensure LEAs meet compliance under IDEA 2004 and TEC.

**Comprehensive Review of Findings:** The comprehensive review of findings is a report that summarizes the monitoring activities, identifies best practices, areas of growth, and a plan for support and technical assistance.

**Corrective Action Plan (CAP):** A corrective action plan (CAP) is a required activity for an LEA, if any noncompliance is discovered, regardless of the LEA’s performance level. The corrective action plan must be designed to correct any and all areas of noncompliance as soon as possible, but in no case longer than one year from the date of notification.

**Cyclical Review:** TEA will implement a rotating monitoring schedule such that LEAs within a monitoring cycle year will receive a comprehensive desk review and analysis for compliance indicators and student performance indicators within a six-year period.

**Desk Review:** A desk review provides the TEA an opportunity to assess a LEAs special education program by reviewing requested documents. The TEA will establish communication, and a timeline for submission of documentation, and the LEA will upload a specific number of student files to the Ascend platform for review.

**Differentiated Monitoring and Support (DMS):** One component of the OSEP Results Driven Accountability framework is differentiated monitoring and technical assistance for low performing states. Texas is adapting this model to provide more targeted and intensive supports to LEAs. The alignment to the Differentiated Monitoring and Support (DMS) System used by OSEP starts with the quantitative and qualitative analysis of each LEA.

**Escalation:** Beginning in the Fall of 2020, the TEA will conduct a comprehensive data review of LEAs who are identified as Needs Substantial Intervention. Based on the comprehensive data review, the TEA will determine if an LEA requires escalated support.

**Evaluation:** The collection of information to determine whether the student is a child with a disability, and to determine the educational needs of the child. The team that collects or reviews evaluation data, referred to as the group of qualified professionals, must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information, including information provided by the parent. An evaluation may include giving individual tests, observing the student, looking at educational records, and talking with the student and his/her teachers and parents.

**Family Engagement:** Family engagement is a collaborative and strengths-based process through which education professionals, families, and children build positive and goal-oriented relationships. It is a shared responsibility of families and education professionals at all levels that requires mutual respect for the roles and strengths each has to offer. Family engagement focuses on culturally- and linguistically-responsive relationship-building with key family members in a child’s life.
**IEP Development:** The Admission, Review, and Dismissal (ARD) committee must provide a statement of the child’s present levels of academic achievement. The child’s Individualized Education Program (IEP) must include a statement of measurable annual academic and functional goals designed to meet the child’s educational needs which are a result of the child’s disability. These goals will enable the child to be involved in and to make progress in the general education curriculum; and meet each of the child’s other educational needs that result from the child’s disability (34 CFR §300.324).

**IEP Implementation:** Each public agency must ensure that the child’s IEP is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation. Additionally, each teacher and provider must be informed of his or her specific responsibilities related to implementing the child’s IEP; and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP (34 CFR §300.323).

**Noncompliance:** In accordance with the OSEP guidance regarding noncompliance identified through the monitoring processes, a finding of noncompliance is identified by the standard (i.e., regulation or requirement) that is violated, not by the number of times the standard is violated. Therefore, multiple incidents of noncompliance regarding a given standard that are identified through monitoring activities are reported as a single finding of noncompliance for that LEA.

**Nonpublic School:** When a student has educational needs that cannot be met in a public-school setting, that student can be educated in a private school or facility, referred to as a nonpublic school, at public expense. A student’s admission, review, and dismissal (ARD) committee must determine that the school district or charter school cannot provide the student with the special education instruction and related services necessary to meet the student’s unique needs in order for that student to be educated in a nonpublic school. The ARD committee identifies a nonpublic school that will provide the student an appropriate educational program.

**On-site Review:** This visit to the LEA will provide an opportunity for a thorough review of multiple measures related to federal compliance and improving student outcomes. In preparation for an on-site review, the TEA’s Review and Support team will carefully examine and analyze data from the LEA’s performance level, the self-assessment summary, and the targeted or comprehensive desk review, in collaboration with the LEA’s leadership staff. Once on-site, the Review and Support regional team will coordinate with district leadership to engage in a deeper review of the implementation of special education programs and services. By analyzing the various data points, the on-site review will determine the actions and technical assistance needed to facilitate continuous improvement.

**Properly-Constituted ARD Committee:** A committee composed of a child’s parent, the child, when appropriate, and school personnel who are involved with the child. The ARD committee determines a child’s eligibility to receive special education services and develops the Individualized Education Program (IEP) of the child. The ARD committee is the IEP team defined in federal law.

**Residential Facility:** School districts and charter schools are subject to residential facilities monitoring if they serve students with disabilities who reside in residential facilities (RFs) within their geographic boundaries or jurisdiction. For reporting and monitoring purposes, an RF is considered a facility that provides 24-hour custody or care of students with disabilities 22 years of age or younger for detention, treatment, foster care, or any non-educational purpose.
Results Driven Accountability: This is a comprehensive evaluation system designed to improve student performance and program effectiveness at the local education agency (LEA) level. The RDA framework is a data-driven system utilizing performance indicators, data validation indicators, and other indicators of program compliance required by federal law.

Selective Reviews: When the commissioner of education selects an LEA for monitoring under State Law §39.056.

State Performance Plan: The Individuals with Disabilities Education Act of 2004 requires each state to develop a six-year performance plan. The extension of the IDEA continues to require a State Performance Plan (SPP)/Annual Performance Report (APR) to evaluate the state of Texas efforts to implement the requirements and purposes of IDEA and illustrate how the state will continuously improve upon its implementation.

Strategic Support Plan: The strategic support plan serves to address areas of low performance and program ineffectiveness identified through established annual goals. Creating this plan is a local process and should include all relevant staff members. The plan also includes strategies and interventions to help ensure LEAs can effectively meet their annual improvement goals.

Targeted Support Review: LEAs identified as having an overall performance level of 3 or 4 may be required to participate in a Targeted Support Review which focuses on areas of need identified through RDA indicators.
## Appendix B: Sample Size Requirements

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<th>Special Education Population</th>
<th>Desk Review Sample</th>
<th>DR Initial Evaluation</th>
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## Appendix C: 2019–2020 Technical Assistance Networks

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<td>Dawne Vanderhule</td>
<td>Cherry Lee</td>
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<td></td>
<td><a href="mailto:Dawne.Vanderhule@tea.texas.gov">Dawne.Vanderhule@tea.texas.gov</a></td>
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<td>N2. School, Family, and Community Engagement</td>
<td>Daniela Licona</td>
<td>Emily Robinson</td>
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<td>N3. Inclusion</td>
<td>Donna Holmes</td>
<td>Cherry Lee</td>
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<td>N4. Texas Statewide Leadership for Autism Training (TSLAT)</td>
<td>Carol Trautman</td>
<td>Patrick Wong</td>
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<td>N5. Project TIER: Tiered Interventions from Evidence-based Research</td>
<td>Frank Solano</td>
<td>Laura Wilk</td>
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<td>N6. Texas Complex Access Network (Texas CAN)</td>
<td>Patrick Wong</td>
<td>Vicki DePountis</td>
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<td><a href="mailto:Emily.Robinson@tea.texas.gov">Emily.Robinson@tea.texas.gov</a></td>
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<td>Susie May</td>
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