

Action Not Required

December 7, 2021

Mrs. Stephanie S Behrens, Superintendent
Borden County ISD 017901
P O Box 95
Gail, TX 79738-0095
sbehrens@bccoyotes.net

Subject: Cycle 2 Review Status Clarification and Update

Dear Mrs. Stephanie S Behrens,

The purpose of this letter is to clarify your district of its status related to the special education Cycle 2 review and any findings identified as a result of data collected and reviewed during monitoring activities in accordance with the Individuals with Disabilities Education Act (IDEA).

Status of Compliance

After an internal document review, TEA has determined that **Borden County ISD** received a 2020-2021 Cyclical Monitoring Report that may have contained confusing information regarding compliance standing and requirements for further action. The attached updated report corrects language on page 1, and if applicable in the Appendix.

Specifically, although individual instance(s) not meeting regulatory and/or statutory requirements during the review of LEA provided data were found, the LEA timely corrected those instance(s) prior to any letter of finding from the State being issued. Therefore, no further actions resulting from the LEA's cyclical review are required.

Should you have any questions regarding the cyclical review process and/or questions related to the updated report information, please contact the Office of Special Populations and Monitoring at (512) 463-9414.

Sincerely,

Jennifer Alexander
Interim Deputy Commissioner
Office of Special Populations and Monitoring
Texas Education Agency

cc: LEA Special Education Director
Executive Director, Region 17 Education Service Center
Special Education Contact, Region 17 Education Service Center

Enclosure



Cycle 2 Group 3

Dates: April – June 2021

TEXAS EDUCATION AGENCY 2020-2021 CYCLICAL MONITORING REPORT

Local Education Agency (LEA) Name: Borden County ISD

CDN: 017901

Status: Complete – See attached letter and updated Appendix

INTRODUCTION

The Texas Education Agency (TEA) would like to extend appreciation to Borden County ISD for their efforts, attention, and time committed to the completion of the review process.

The TEA has developed a monitoring approach that reviews compliance-based indicators while also looking for best practices. In commitment to the approach, the cyclical monitoring report will provide the results of the LEA's compliance review related to the Individuals with Disabilities Education Act (IDEA) and federal and state statutes, a summary of data related to Results-Driven Accountability (RDA), State Performance Plan (SPP), Significant Disproportionality (SD), and dyslexia program evaluation will recommend targeted technical assistance and support for LEAs related to special education, and highlight best practices of LEAs that demonstrate success.

CYCLICAL MONITORING

The TEA conducts cyclical reviews of all LEAs statewide over six years. The purpose of cyclical monitoring is to support positive outcomes for students with disabilities and to determine compliance with special education regulations and dyslexia program regulations.

LEAs are required to submit artifacts and/or sources of evidence for compliance and promising practices review in the following areas:

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

2020–2021 CYCLICAL REVIEW COMPLIANCE SUMMARY

On April 22, 2021, the TEA conducted a policy review of Borden County ISD. On May 28, 2021, the TEA conducted a comprehensive desk review of Borden County ISD. The total number of files

reviewed for the Borden County ISD comprehensive desk review was 11. The review found overall that 10 files out of 11. files were compliant. An overview of the policy review and student file review for Borden County ISD are organized in the chart below by indicating the number of compliant findings within the reviewed file submissions related to the compliance area. Itemized details of these findings are in the appendix:

Compliance Area	Policy Review (# compliant of # reviewed)	Student File Review (# compliant of # reviewed)
Child Find/Evaluation/FAPE	19 of 19	11 of 11
IEP Development	5 of 5	11 of 11
IEP Content	3 of 3	10 of 11
IEP Implementation	21 of 21	11 of 11
Properly Constituted ARD	8 of 8	11 of 11
State Assessment	4 of 4	11 of 11
Transition	6 of 6	3 of 3

2020–2021 DYSLEXIA COMPLIANCE SUMMARY

For the 2020-2021 school year, the Texas Education Agency (TEA) identified Borden County Independent School District (ISD) for dyslexia monitoring based on the Differentiated Monitoring and Support Cyclical Schedule. The dyslexia monitoring process focuses on three-core elements: Early Intervention and Identification, Program of Instruction and Parent Notification. The TEA Department of Review and Support: Dyslexia Monitoring reviewed Borden County ISD artifacts using the Dyslexia Program Evaluation Rubric which is aligned to Senate Bill 2075 of the 86th Legislature, Texas Education Code (TEC) 38.003 (c-1), and 19 Texas Administrative Code (TAC) Chapter 74.28. The 2020-2021 school year results for Borden County ISD are in the Dyslexia Compliance Summary table below.

Areas of Implementation	Compliance Status
Dyslexia Procedures	Met Compliance
Parent Communication	Met Compliance
Screening	Met Compliance
Reading Instruments	Met Compliance
Evaluation and Identification	Met Compliance
Instruction	Met Compliance
Dysgraphia	Met Compliance
Professional Development and Training	Met Compliance
Progress Monitoring	Met Compliance

DATA SUMMARY OF RESULTS-DRIVEN ACCOUNTABILITY, STATE PERFORMANCE PLAN INDICATORS, AND SIGNIFICANT DISPROPORTIONALITY

The following supplemental data may be used to support development of the Strategic Support Plan

(SSP) for continuous improvement and/or a Corrective Action Plan (CAP) if noncompliance is identified.

Year	Results-Driven Accountability (RDA) Determination Level	SPP Indicators 11, 12, 13 Compliance*	Significant Disproportionality
2020	DL 1—Meets Requirements	COMPLIANT	N/A

*Indicator 11: Child Find
 Indicator 12: Early Childhood Transition
 Indicator 13: Secondary Transition

2020-2021 COVID-19 IMPACT NARRATIVE

In the 2020-2021 academic year, Local Education Agencies (LEAs) were provided an opportunity to complete a COVID-19 impact narrative form documenting the practices incorporated to support Child Find and FAPE for students being served by special education programs during the COVID-19 pandemic.

2020-2021 CYCLICAL REVIEW PARENT, TEACHER, ADMINISTRATOR INTERVIEWS/SURVEY

Staff and Family Surveys

On June 30, 2021, the TEA Review and Support team received 13 surveys. The Review and Support surveys focused on the following review areas:

Fifty percent of participants felt they receive sufficient communication from their school, while the other fifty percent felt they do not. The best ways the school/district provides information (trainings, online trainings, support groups and other available resources) concerning special education services is via phone calls, emails, and notices sent home.

Most of the parent/family member participants felt they would be most comfortable attending special education information sessions at the school/campus, district event center, and community center.

All participants indicated they have a clear understanding of special education services.

The most selected special education areas participants would like to learn about were the Child Find evaluation and ARD support network; School, Family, and Community Engagement network; Tiered Interventions using Evidenced-Based Research; Texas Sensory Support Network; Small and Rural Schools Network; and Multiple Exceptionalities and Multiple Needs.

Most of the participants felt training in using accommodations and modifications, classroom management, and differentiated instruction was effective in meeting the needs of students with disabilities.

Most participants agree there were frequent opportunities to collaborate with related service providers, followed by about fourteen percent that disagree.

The obstacles concerning student's special education programming and services was reported as:

- Assuring students receive accommodations and/or modifications as outlined in the Individualized Education Program (IEP).
- Knowledge of available services and programming.

All participants strongly agree or agree with the importance of including students' interests/life goals in the transition process.

All participants indicated they chose in-person learning model.

COVID

Almost seventy-eight percent of participants felt that during COVID school closure/remote learning, the Emergency Contingency Plan was effective in student progress.

During COVID closures the top three methods teachers used to provide support to students with moderate to severe disabilities were:

- Individualized support
- Teachers made regular contact with students and parents to meet academic and emotional needs.
- Teachers provided supports needed for students to be successful.

Participants indicated that during current COVID school closure/remote learning, they needed professional development in social and emotional learning impact on students, how to engage students and assess levels of engagement, how to teach virtually, and how to grade/assess engagement.

Participants indicated that during COVID school closure/remote learning the top two supports used by the district that did not work well for students with disabilities were shared device per family and drive through packet pick up and drop off.

Most participants indicated that they agreed or strongly agreed that staff worked with parent/guardian in addressing severe behavior and work refusal.

This survey was approved by the Texas Education Agency's data governance board. Participation in this survey was both voluntary and anonymous. No data was collected identifying a name so that individual responses cannot be linked to any respondent. Participants were given the option to stop the survey at any time.

Strengths

Based on results of the policy review and student file review, along with data collected from LEA staff and family surveys, the Review and Support team identified the following strengths for Borden County ISD:

- Intensive Program of Instruction (IPI) focuses on the skills that require specialized instructional support, identified by the most recent state assessment data.
- Post-secondary transition documentation demonstrates consideration of student’s strengths, preferences, and interests in determining student’s post-secondary goals.
- Deliberations detail information on all areas of the Admission Review and Dismissal (ARD) meeting which allows an informed overview of all key areas discussed to facilitate common understanding and agreement during the ARD process.

Considerations

Based on results of the policy review and student file review, along with data collected from LEA staff and family surveys, the Review and Support team identified the following considerations for Borden County ISD:

- Consider additional procedures and trainings to ensure Present Levels of Academic Achievement and Functional Performance (PLAAFPs) are descriptive and provide detailed information on student needs, areas of strengths and growth with supportive data.
- Consider reviewing the process to develop specific and individualized measurable goals in all areas of instruction to support student’s individual needs and facilitate student progress, as determined by the ARD.
- Consider reviewing the process to ensure annual ARDs are completed within the required timeline.

TECHNICAL ASSISTANCE

As a result of monitoring, the TEA has identified the following technical assistance resources to support Borden County ISD engaging in **universal** support as determined by the RDA performance level data and artifacts within the compliance review:

Topic	Resource
<ul style="list-style-type: none"> ● IEP Development (PLAAFP) 	<ul style="list-style-type: none"> ● Intensive Interventions. The National Center on Intensive Intervention – The linkedpage is intended to help state and local leaders,including school, district, stateadministrators, andstaff lead multi-tiered systemsofsupport(MTSS) and special education initiatives, find tools and resources to supportdata-based individualization(DBI) implementation.
<ul style="list-style-type: none"> ● IEP Development (Annual Goals) 	<ul style="list-style-type: none"> ● NCII-Set Academic IEP Goals. The National Center on Intensive Intervention – The linked document is guidance on strategies for setting high-quality IEP goals.
<ul style="list-style-type: none"> ● IEP Content (Annual ARD process) 	<ul style="list-style-type: none"> ● Child Find, Evaluation and ARD Support Network: The Child Find, Evaluation and ARD Supports Network assists LEAs by providing resources and training that are aligned withimplementingeffective ChildFindpractices,conducting comprehensive evaluations, and practicing collaborative admission, review, and dismissal (ARD) committee processes that lead to a free appropriate public education (FAPE) for students withdisabilities.

FINDINGS OF NONCOMPLIANCE

A finding is made when noncompliance is identified with the Review and Support report findings, SPP notification, and/or individualized education program (IEP) requirements. Noncompliance that is systemic in nature must be included in a comprehensive corrective action plan (CAP) with action steps to address each of the noncompliance findings. ***When noncompliance has been identified as part of this cyclical review, Borden County ISD will receive formal notification of noncompliance in addition to this report.***

The TEA Department of Review and Support will further advise the LEA on the corrective action process, if applicable.

The TEA follows procedures for the correction of noncompliance consistent with federal guidelines (OSEP Memo 09-02.)

Before the TEA can report that noncompliance has been corrected, it must first verify 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).

The TEA is required to monitor the completion of a corrective action plan if any noncompliance is discovered. 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.***

Corrective Action Plan (CAP)

The LEA will develop a CAP to address any items identified as noncompliance in this summary report. An approved form for the CAP can be accessed on the Review and Support website or in the resources located in Ascend Texas.

The LEA must submit the CAP in Ascend within 30 school days from the date of this report and/or formal notification of noncompliance. The TEA will review the CAP submitted by the LEA for approval. If the TEA determines that a revision(s) is necessary, the LEA will be required to revise and resubmit. The Review and Support team will contact the LEA to provide notification when the CAP has been approved.

Individual Correction

The educational agency has **60 school days** from the date of this summary report to correct all identified findings of noncompliance for individual students, unless noted otherwise in the report.

2020–2021 DYSLEXIA PROGRAM EVALUATION FINDINGS

As a result of the program evaluation review, the TEA Department of Review and Support: Dyslexia Monitoring has identified the following strengths, considerations, and technical assistance recommendations for Borden County ISD.

Areas of Strength

An area of strength includes a comprehensive district-wide procedure manual that includes program procedures for evaluating, identifying, instructing, and screening students with dyslexia.

Areas of Consideration

Your current dyslexia program is in alignment with state and federal mandates. The following resources are recommended for reflection of current dyslexia program to strengthen internal systems and procedures.

Topic	Resource
TEA Review and Support	Dyslexia Monitoring
TEA Special Education	Dyslexia and Related Disorders
Dyslexia: TEA Professional Learning Course	TEALearn Dyslexia Modules

If you have questions about the contents of this dyslexia review summary, please contact Faith Hightower in the Texas Education Agency Department of Review and Support: Dyslexia Monitoring, by phone at 512-463-4140 or by email at faith.hightower@tea.texas.gov.

Corrective Action

The TEA reviews data collected from the dyslexia program evaluation to ensure compliance with federal and state regulatory requirements. In accordance with State Board of Education (SBOE) dyslexia guidance and Senate Bill 2075 regarding noncompliance identified through the dyslexia program evaluation, a finding of noncompliance is identified by the citation (i.e., program or process) that is violated.

Dyslexia Performance Plan (DPP)

If noncompliance is identified, the LEA is required to demonstrate correction of all noncompliance in the Dyslexia Performance Plan (DPP). This tool guides LEAs through a continuous improvement process. It addresses areas of growth that will positively impact students with dyslexia or other related disorders. LEAs should complete the DPP no later than 120-days after receiving notification of noncompliance. This document will be provided by TEA or can be accessed in the resources section of the [Review and Support website](#).

LEA ACTIONS

Timeline for Strategic Support Plan (SSP) and/or Corrective Action Plan (CAP) Below:

Required Actions	Submission Due Date	Completion Due Date	Support Level	Communication Schedule
SSP	N/A	N/A	N/A	N/A
CAP	N/A	N/A	N/A	N/A
DPP	N/A			

For more information about cyclical monitoring and the Differentiated Monitoring and Support process, please visit the [Review and Support website](#)

**LEA may have previously identified corrective actions in addition to findings in this report.

REFERENCES

[Differentiated Monitoring and Support System](#)

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

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

[Results-Driven Accountability Reports and Data](#)

[Results-Driven Accountability District Reports](#)

[Results-Driven Accountability Manual](#)

APPENDIX

IEP Content

Student File Review

Updated clarification 12/2021

LEA corrected the individual student folders prior to any issuance of findings by the State. No additional corrective actions are required.

Item	IDEA Citation	TEC/TAC Citation	Evidence of Findings	Required Actions	Must Be Addressed in CAP
IC1	34 CFR §300.324(b)		Student folder did not meet requirements upon initial review.	None - Individual correction completed prior to issuance of findings.	No CAP required