2022-23 CONTINUOUS IMPROVEMENT GUIDE

TEA
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Introduction

The requirements of the Individual with Disabilities Education Act (IDEA) related to the development of the State Performance Plan (SPP) and the accompanying Annual Performance Report (APR) complement the Texas Education Agency's efforts to build a system of general supervision to increase compliance with federal and state regulations and positive outcomes for students. This system achieves continuous improvement through data-driven, evidence-based practices inclusive of stakeholder needs and input.

To facilitate a holistic system of general supervision, local education agency (LEA) determinations will be aligned with the Results-Driven Accountability (RDA) Framework determination levels assigned to each LEA annually. LEAs will experience differentiated supports for continuous improvement aligned to their RDA determinations and engage in the Strategic Support Plan (SSP) process. For the LEAs experiencing non-compliance in the implementation of IDEA, a corrective action plan (CAP) may be required. The agency will assist and support interventions related to the implementation of IDEA as required in the corrective action process.

Strategic Support Plan Development

The process of developing the Strategic Support Plan has eight steps:

1. Review Sources of Data
2. Identify Priority Areas
3. Develop Problem Statement(s)
4. Conduct Root Cause Analysis
5. Define Annual Goal(s)
6. Develop Strategies for Implementation
7. Define Implementation Activities
8. Monitor and Report Progress

Texas Education Agency Strategic Support Plan (SSP)

GETTING STARTED

Action Steps	Considerations
Identify relevant LEA personnel and stakeholders to engage in the continuous improvement process to implement systems and best practices to produce positive student outcomes.	Consider the area(s) of concern and select participants based upon the presenting area(s) of low performance (i.e., Special Education, Curriculum and Instruction, English as a Second Language (ESL)/Bilingual Education).

DEVELOPING A STRATEGIC SUPPORT PLAN

Action Steps	Examples
Step One: Review Sources of Data The LEA should consider multiple sources of data to identify potential areas for continuous improvement. **Step Two: Identify Priority Areas** For each source of data, the LEA should prioritize a series of guiding questions to help identify whether the data indicates a potential area of need. • What story does our data tell us? • What trends are most notable? • What comparisons are most notable? • What subgroups of students require additional attention? • What successes are evident in our data? • What concerns are most common across multiple data sources? • For what concerns can we have the greatest impact?	Examples: • Self-Assessment results • Results Driven Accountability indicators • STAAR assessment results • Discipline reports • Corrective action • Dispute Resolution activity • District Improvement Plan • Other (as selected by the LEA)
The LEA should identify priority areas that will be addressed within the SSP. The LEA should identify approximately 2–4 priority areas.	The number of priority areas will not be restricted, but LEAs are encouraged to follow the Effective Schools Framework (ESF) practice of developing an annual continuous improvement plan with few focused priorities.

Step Three: Develop a Problem Statement

The LEA should write a brief problem statement for each priority area.

The LEA should identify the level of urgency associated with each problem using a four-point rating scale: Critical, High, Medium, and Low. The rating should be used by the LEA to identify the problem statements that are most significant for action.

Example Problem Statement:

- Students with disabilities who are Emergent Bilingual in grades 3–5 are not performing at the same level as their peers at the state level. This has occurred for the past three years.

Step Four: Conduct a Root Cause Analysis

Based upon the sources of data, the LEA should determine patterns in the LEAs current performance.

- Age/grade level of students
- Time of year
- LEA staff
- Location (campus, district)
- Pervasiveness of concern (isolated or systemic)
- Infrastructure (i.e., data management systems, forms)
- Training and professional development
- Self-Monitoring

The LEA should engage in the 5 Whys root cause analysis activity embedded within Ascend Texas to identify barriers preventing implementation of current systems and practices.

Based on the LEA leadership team discussion about these root cause(s), the LEA should write a brief statement that describes the root cause(s) the LEA has selected to address through strategic action.

PROBLEM STATEMENT:
Students with disabilities who are Emergent Bilingual in grades 3-5 are not performing at the same level as their peers at the state level. This has occurred for the past three years.

WHY? Students are not engaged in learning

WHY? Students have a hard time following the curriculum

WHY? Teachers are not using instructional techniques that support Emergent Bilingual students

WHY? Teachers are unfamiliar with evidence-based strategies to support Emergent Bilingual students

WHY? Teachers need professional development on evidence-based strategies to support Emergent Bilingual students

PLAN DEVELOPMENT

Action Steps	Examples
Step Five: Define Annual Goals The LEA should define a measurable annual goal that is designed to address the identified performance gap(s).	Example annual goal statements: **Priority Area:** Emergent Bilingual (Not Served in BE/ESL) STAAR 3-8 Passing Rate **Problem Statement:** Students with disabilities who are Emergent Bilingual in grades 3–5 are not performing at the same level as their peers at the state level. This has occurred for the past three years. **Annual Goal:** The percentage of students with disabilities who are Emergent Bilingual in grades 3–5 who score at the "passing" level on STAAR assessments will increase from 12.74% in 2021–2022 to 14.65% in 2022–2023.

Step Six: Develop an Implementation Strategy
 	
For each annual goal, the LEA should create at least one strategy for implementation.
 	
Each strategy for implementation should be grouped by the LEA into a strategic support category.
 	
• Policies, Procedures, and Practices
  ◦ This should include writing, revising and the development of internal monitoring and review procedures
• Training and Professional Development
  ◦ To be provided for staff members and/or pertinent stakeholders
• Technical Assistance
  ◦ To be provided for staff members and/or pertinent stakeholders
• Other—Continuous Improvement
  ◦ The strategy for implementation is aligned with or addressed through other continuous improvement efforts such as the Effective Schools Framework (ESF) or District Improvement Plan (DIP)
	Example strategies for improvement:
	
	Priority Area 1. Emergent Bilingual (Not Served in BE/ESL) STAAR 3-8 Passing Rate
	
	Problem Statement: Students with disabilities who are Emergent Bilingual in grades 3–5 are not performing at the same level as their peers at the state level. This has occurred for the past three years.
	
	Annual Goal: The percentage of students with disabilities who are Emergent Bilingual in grades 3–5 who score at the "passing" level on STAAR assessments will increase from 12.74% in 2021–2022 to 14.65% in 2022–2023.
	
	Strategies for Implementation:
	Professional Development
	Policies, Procedures, and Practices

Step Seven: Define Implementation Activities

Each strategy for implementation should be supported by detailed implementation activities.

- Activity description
    - Describe the components of the activity and how it will be implemented throughout the district
- Timeline for completion
    - List all the dates for components of the activity and set a projected completion date for the activity
- Personnel responsible for implementation
    - This should be the position title(s) of the individuals who will manage the completion of the activity (i.e. general education teacher, special education teacher, instructional specialist, etc.)
- Personnel responsible for supervision of implementation
    - This should be the position title of the person who will be responsible for ensuring this activity is completed on time (i.e. principal, assistant superintendent, etc.)

Example implementation activities:

Priority Area 1. Emergent Bilingual (Not Served in BE/ESL) STAAR 3-8 Passing Rate

Problem Statement: Students with disabilities who are Emergent Bilingual in grades 3–5 are not performing at the same level as their peers at the state level. This has occurred for the past three years.

Annual Goal: The percentage of students with disabilities who are Emergent Bilingual in grades 3–5 who score at the "passing" level on STAAR assessments will increase from 12.74% in 2021–2022 to 14.65% in 2022–2023.

Strategy for Implementation 1: Professional Development
Activities:
- Provide training to all special educators on effective interventions for students who are Emergent Bilingual
- Administer and analyze benchmark data three times a year.
- Provide training on how to administer and analyze benchmark and running records assessments
- Administer and analyze progress monitoring data as needed.
- Have teachers conduct guided reading groups four times a week.
- Provide targeted, small group instruction to Emergent Bilingual students with disabilities based on their reading related IEP goals.
- Provide 30 minutes of English language instruction each day to students who are Emergent Bilingual.

Timeline: December 2022 to December 2023

Personnel Responsible for Implementation: Person One, Person Three

Personnel Responsible for Supervision of Implementation: Person Two

Strategy for Implementation 2: Professional Development
Activities:
- Provide training to grade 3–5 general educators on effective interventions for students who are Emergent Bilingual with disabilities
- Timeline: January 2023
- Personnel Responsible for Implementation: Person Six, Person Three
- Personnel Responsible for Supervision of Implementation: Person Two *(continued on next page)*

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Strategy for Implementation 3: Policies, Procedures, and Practices

Activity:

- Develop a flowchart that describes for ARD committees the evaluation procedures to use when a student is an Emergent Bilingual and may have a disability.

Timeline: February 2023

Personnel Responsible for Implementation: Person Six, Person Three

Personnel Responsible for Supervision of Implementation: Person Two

MONITORING AND REPORTING PROGRESS

Action Steps	Examples
Step 8: Monitor and Report Progress The LEA will select the type of documentation that will be submitted to TEA as evidence that the activity was completed from a list of common document types (i.e., agendas, sign-in sheets, procedures manuals, etc.) The LEA will upload documentation of the activity completion. The LEA will provide a summary text describing the outcome of the activity. TEA will review the documentation and provide written feedback. TEA feedback may include general recommendations, referral for technical assistance, and other supports available to the LEA and/or request for additional documentation.	• Meets IDEA compliance requirements for measuring and reporting progress; • Provides a systematic approach to data collection; • Provides longitudinal data on student progress; • Guides staff development decisions by assisting leaders in making data-informed decisions; • Charts LEA progress on goals
Plan for Continuous Improvement Upon completion of an activity, and in preparation for the following year Strategic Support Plan, the LEA will select a status level that summarizes progress (e.g., In Progress, Completed, Needs Revision, Continue, etc.). The LEA will provide a summary text describing the LEA plans for continued improvement for each annual goal. This text should explain the data used by the LEA to determine the status level. TEA will review the status and summary and provide written feedback. TEA feedback may include general recommendations, referral for technical assistance, and other supports available to the LEA.	Based upon TEA feedback and collaboration, the LEA may develop a data collection system to ensure fidelity of implementation of continuous improvement activities and the continuation of activities into the following academic year.

Corrective Action Plan (CAP)

The purpose of the corrective action plan (CAP) is to guide local education agencies (LEAs) through an in-depth analysis of components contributing to noncompliance, and to develop strategies to create a CAP to resolve noncompliance (as identified by the monitoring priorities within the State Performance Plan (SPP) federally required elements and/or by Differentiated Monitoring and Support (DMS) activities).

A set of investigative questions are available to guide LEAs through the data analysis process. LEAs should prioritize investigative questions and review relevant data aligned to noncompliance. LEAs may access the investigative questions to engage in robust discussions to identify contributing factors of noncompliance and assist with the development of concise statements for each critical area(s) and identify the root cause of the statement(s) of concern (i.e., infrastructure, professional development, best practices) outlined in the notification of noncompliance.

Finding of Noncompliance

In accordance with the Office of Special Education Program's (OSEP) guidance regarding noncompliance that is identified through monitoring processes, within a given LEA a finding of noncompliance is identified by the standard (e.g., 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 Texas Education Agency (TEA) issues a written notification that includes the citation of the regulation (statement of concern) that has been violated and a description of the data supporting the decision of compliance or noncompliance with that regulation. LEAs are informed of findings of noncompliance through the following types of communication:

☐ Final monitoring report provided following a cyclical review, targeted support review, and/or an on-site monitoring and assistance visit, including the student-specific noncompliance and identifying any additional noncompliance revealed during the development of the report

☐ Report of inquiry issued as a result of a state complaint investigation

☐ State Performance Indicators

Correction of Noncompliance

OSEP Memorandum 09-02, Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act, dated October 17, 2008, clarified that the TEA must apply the following two-pronged standard when evaluating an LEA's correction of noncompliance:

☐ The LEA has corrected each individual incident of noncompliance:

- Evidence of Correction of Student Specific Noncompliance

☐ The LEA is correctly implementing the specific regulatory requirement (i.e., achieved 100 percent compliance) based on the TEA's review of updated data.

- Evidence of Policies and Procedures

- Evidence of Training

- Evidence of Self-Monitoring System

- Evidence of Compliance

In order to verify an LEA's correction of identified noncompliance, there must be evidence that correction occurred for the individual student as well as systematic implementation of compliance to meet the requirement appropriately for 100 percent of a sample of students.

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).

Corrective Action Plan Development

The TEA reviews collected and verified data aligned to the SPP indicators demonstrating need for improvement and/or DMS activities resulting in noncompliance with regulatory requirements. An LEA identified with noncompliance is required to develop a CAP, engage in structured corrective actions and should engage in a root cause analysis to identify contributing factors to noncompliance. The TEA will support LEAs in implementing corrective actions and verifying correction of noncompliance.

The process of developing the Corrective Action Plan has five steps:

1. Review Statement(s) of Concern

2. Conduct Root Cause Analysis

3. Develop Corrective Action Plan

4. Implementation Monitoring

5. Corrective Action Plan Submissions

Texas Education Agency Corrective Action Plan (CAP)

GETTING STARTED

Review Statement(S) of Concern	Examples
☐ Review the statement(s) of concern. The Texas Education Agency (TEA) will provide the statement(s) of concern in correspondence sent to the local education agency (LEA) as a result of monitoring activities (i.e., desk review, onsite review). The statement of concern outlines the requirement determined noncompliant by TEA.	Example: Noncompliance on regulatory requirement 19 TAC 89.1011(c)(1) Full Individual and Initial Evaluation—A written report of a full individual evaluation of a student must be completed no later than the 45th school day following the date in which the school district receives written consent for the evaluation from the student's parent.
☐ Identify relevant LEA personnel and stakeholders to engage in the corrective action process to implement systems and best practices in special education to increase compliance outcomes.	Consider the statement(s) of concern and select participants based upon the presenting area(s) of noncompliance (i.e., Educational Diagnostician, Related Service Providers).

CONDUCTING ROOT CAUSE ANALYSIS

Actions	Examples
☐ Review and prioritize investigative questions for data analysis. Determine which investigative questions are relevant to the statement(s) of concern and warrant further discussion/deep dive.	Investigative Questions: 1. Does the LEA have clear policies and procedures regarding conducting a full individual evaluation (FIE) within 45 school days? 2. How is information regarding relevant regulatory requirements disseminated to LEA personnel? 3. What self-monitoring practices are used to ensure fidelity of evaluation procedures?

☐ Determine patterns: • Age/grade level of students • Time of year • LEA staff • Location (campus, district) • Pervasiveness of concern (isolated or systemic) • Infrastructure (i.e., data management systems, forms) • Training and professional development • Self-Monitoring Conduct root cause analysis: 5 Whys (Identify barriers preventing implementation of current systems and practices) Develop concise statements for each critical area(s) contributing to noncompliance and determine if the identified issues are: 1. Policy/procedural (i.e., infrastructure, professional development) 2. Implementation (i.e., best practices)	

PLAN DEVELOPMENT

Actions	Examples
☐ Developing strategies for implementation	1. Establish strategies aligned to identified noncompliance. 2. Develop strategies for immediate impact (3–6 months), long-term results (one year from identification of noncompliance), and sustainable ongoing practices (years after correction) 3. Identify resources required to implement strategies with fidelity. 4. Identify LEA personnel responsible for implementation and supervision. 5. Develop implementation timeline. 6. Identify data to evidence implementation and effectiveness of strategies to resolve noncompliance and progress monitoring process.

IMPLEMENTATION MONITORING

Actions	Examples
☐ Evaluate the effectiveness of the CAP.	Analyze data collected to ensure regulatory requirements meet federal and state compliance standards.
☐ Document implementation of the CAP.	Determine how outcome data will be: 1. Organized 2. Saved 3. Located

CORRECTIVE ACTION PLAN SUBMISSIONS

Actions	Examples
☐ Submit evidence of correction of noncompliance into Ascend Texas.	

Appendix

Monitoring Resources

The resources in the Continuous Improvement Guide are to provide access to essential TEA guidance designed to support LEAs in prioritizing areas of improvement, develop robust goals and strategic implementation activities to strengthen federal programs and build capacity among LEA personnel.

[2022-23 Differentiated Monitoring and Support (DMS) Guide](#)

[2022-23 Results Driven Accountability (RDA) Manual](#)

[2022-23 Results Driven Accountability (RDA) Special Education Framework](#)

[2022-23 Results Driven Accountability (RDA) BE/ESL/EBS/OSP Framework](#)

[2022-23 Results Driven Accountability Intervention Requirements](#)

[2022-23 Special Education Results Driven Accountability Intervention and Submission Calendar](#)

[2022-23 Special Populations Results Driven Accountability Intervention and Submission Calendar](#)