

Performance Level Matrix

The Texas Education Agency (TEA), in its obligation under [20 USC §1416\(a\)](#) and [34 CFR §300.600\(a\)\(2\)](#), makes annual determinations on the performance of local education agencies (LEAs) using four categories: Meets Requirements, Needs Assistance, Needs Intervention, and Needs Substantial Intervention. The determination levels are made using performance levels (PLs) assigned to both the results-driven accountability (RDA) indicators (see [2021 RDA Manual](#)) and the following four federally required elements (FREs).

FRE Data Sources and Explanation of Data Elements

FRE #1: State Performance Plan (SPP) Compliance Indicators

The first FRE includes the compliance status for SPP indicators (SPPI) 9, 10, 11, 12, and 13. To achieve a Performance Level (PL) 0, an LEA must report not more than 0% disproportionate representation as a result of inappropriate identification for SPPI 9 and 10 and at least 95% compliance for SPPI 11, 12, and 13.¹

SPPI 9 and 10 include the number of students reported by the LEA on the [PEIMS/TSDS Complex Type 40110 Student Program Extension](#) and [41163 Student Special Ed Program Association Extension](#) as enrolled in the LEA, receiving special education, and identified as a particular race/ethnicity and disability category. SPPI 11 (timely initial evaluation), SPPI-12 (early childhood transition), and SPPI 13 (secondary transition) data are reported by LEAs using the Texas Education Agency Login (TEAL) SPP application for SY 2020-2021. However, for SY 2021-2022, SPPI 11 and 12 data will be reported using the [TSDS Child Find Collection](#).

FRE #2: Valid, Reliable, and Timely Data

The second FRE includes the valid, reliable, and timely reporting of data for SPPI 7, 11, 12, and 13. To achieve a PL 0, an LEA must report valid, reliable, and timely data for these four indicators using the TEAL SPP application. However, for SY 2021-2022, SPPI 11 and 12 data will be reported using the [TSDS Child Find Collection](#) (see [TAA Child Find \(SPPI-11 & SPPI-12\) in the Texas Student Data System](#)).

FRE #3: Uncorrected Noncompliance

The third FRE refers to uncorrected noncompliance. Uncorrected noncompliance is when an LEA did not correct identified noncompliance within one year from identification and notification by the TEA. To achieve a PL 0, an LEA must have corrected all identified noncompliance as soon as possible, but no later than one year after identification (i.e., the date the State provided written notification to the LEA of the noncompliance; see [OSEP Memo 09-02](#)). This FRE includes complaints resolution due process hearing decisions reported in the Correspondence and Dispute Resolution Management System (CDRMS), residential facility (RF) monitoring noncompliance, SPP noncompliance, and noncompliance identified from cyclical and targeted/intensive monitoring activities by the [Department of Review and Support](#).

FRE #4: Financial Audits

The last FRE is the timely correction of financial audit findings specific to IDEA B grant funds. To achieve a PL 0, the LEA must have met the required timely correction of any audit findings specific to IDEA B grant funds. (i.e., a financial audit finding identified in a given school year and corrected within the specified audit correction timeframe determined in the audit finding). An LEA failing to correct a financial audit finding, as required between the preceding July 1 to June 30 calendar year, is considered to not have met the Financial Audit requirement, regardless of whether the issue was corrected at the point in time when the LEA was assigned the determination. Financial audit findings are based on data from the [Division of Federal Fiscal Compliance and Reporting](#).

Under [20 U.S.C. §1416](#) and [34 CFR §300.608\(a\)](#), if, in making the annual determinations, the state educational agency (SEA) determines that an LEA is not meeting the requirements of IDEA Part B, including meeting compliance targets in the State's SPPI 9, 10, 11, 12, and 13, the SEA must prohibit the LEA from reducing its maintenance of effort (MOE) under IDEA §613(a)(2)(C) for the following fiscal year (FY). Therefore, when an LEA's annual determination level is Needs Assistance, Needs Intervention, or Needs Substantial Intervention, the LEA is not eligible to voluntarily reduce MOE for the following FY based on the flexibility option under [34 CFR §300.205](#). For more information about the annual determination level process for LEAs, please visit the Department of Review and Support [webpage](#) or contact the TEA Division of Special Education Program Reporting (SPEDPR) at (512) 463-9414.

¹Regardless of the specific level of noncompliance, if an LEA is found to be below 100% compliance for SPPI 11, 12, or 13, the LEA must correct the noncompliance as soon as possible, but in no case more than one year from the identification of noncompliance (i.e., the date on which the State provided written notification of the noncompliance to the LEA; see [OSEP Memo 09-02](#)).

FRE 1 – State Performance Plan (SPP) Compliance Indicators	Performance Level
Compliance status for SPPI 9, 10, 11, 12, and 13:	0,1,2, or 3
<ul style="list-style-type: none"> All five compliance indicators (SPPI-11, 12, and 13: $\geq 95\%$) 	0
<ul style="list-style-type: none"> One or more indicators ≥ 90 and $\leq 94\%$ 	1
<ul style="list-style-type: none"> One or more indicators ≥ 80 and $\leq 89\%$ 	2
<ul style="list-style-type: none"> One or more indicators ≤ 79 	3

FRE 2 – Valid, Reliable, and Timely Data	Performance Level
Data collected for SPPI 7, 11, 12, and 13:	0,1,2, or 3
<ul style="list-style-type: none"> All collections meet certified Status Standard with no reliability issues found 	0
<ul style="list-style-type: none"> Did not certify data in one collection 	1
<ul style="list-style-type: none"> Did not certify data in more than one collection or a single issue of reliability 	2
<ul style="list-style-type: none"> More than one issue of reliability within collections 	3

FRE 3 – Status of Uncorrected Noncompliance	Performance Level
Timely correction of identified noncompliance (e.g., identified in a given school year and corrected not later than one year after notification):	0,1,2, or 3
<ul style="list-style-type: none"> Noncompliance corrected within one year 	0
<ul style="list-style-type: none"> Uncorrected noncompliance $> one\ year \leq two\ years$ 	1
<ul style="list-style-type: none"> Uncorrected noncompliance $> two\ years \leq three\ years$ 	2
<ul style="list-style-type: none"> Uncorrected noncompliance $> three\ years$ 	3

FRE 4 – Fiscal Audit	Performance Level
Financial audit findings:	0,1,2, or 3
<ul style="list-style-type: none"> No audit finding 	0
<ul style="list-style-type: none"> One or more audit findings with timely correction 	1
<ul style="list-style-type: none"> One audit finding with failure to meet required correction timeframe 	2
<ul style="list-style-type: none"> Multiple audit findings with failure to meet required correction timeframe 	3