

Action Not Required

October 28, 2021

Mr Robert Davison, Superintendent  
Heritage Academy, CDN 015815  
6013 Fountainwood Dr  
San Antonio, TX 78233  
rdavison@heritageacademy.net

Subject: Cycle 1 Review Status Clarification and Update

Dear Mr Davison,

The purpose of this letter is to clarify your district of its status related to the special education Cycle 1 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 **Heritage Academy** 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 20 Education Service Center  
Special Education Contact, Region 20 Education Service Center

Enclosure

# TEXAS EDUCATION AGENCY 2020-2021 CYCLICAL MONITORING REPORT HERITAGE ACADEMY

CDN: 015915

Status: Complete – See attached letter and updated Appendix

## INTRODUCTION

The Texas Education Agency (TEA) would like to extend appreciation to Heritage Academy 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 December 18, 2020, the TEA conducted a policy review of Heritage Academy. On December 18, 2020, the TEA conducted a comprehensive desk review of Heritage Academy. The total number of files reviewed for the Heritage Academy comprehensive desk review was 17. The review found overall that 16 files out of 17 files were compliant. An overview of the policy review and student file review for Heritage Academy 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

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findings are in the appendix:

Compliance Area	Policy Review (# compliant of # reviewed)	Student File Review (# compliant of # reviewed)
Child Find/Evaluation/FAPE	18 of 18	17 of 17
IEP Development	5 of 5	16 of 17
IEP Content	3 of 3	17 of 17
IEP Implementation	21 of 21	17 of 17
Properly Constituted ARD	8 of 8	17 of 17
State Assessment	4 of 4	17 of 17
Transition	6 of 6	6 of 6

## 2020-2021 CHARTER CAMPUS INFORMATION

Heritage Academy 015-815 has 6 of Active Campuses and is approved to serve students in PK-12 grade. Campuses are located in the following counties: Bexar. The student file review included 5 from PK-5 grade, 12 from grades 6-8 and 0 from grades 9-12. The chart below identifies the campuses which were included in the cyclical review.

Campus Name	Campus Number	County	Grade Level(s)
Heritage Academy of Windcrest	015815001	Bexar	PK-5
Heritage Academy of San Antonio	015815104	Bexar	05-06
Heritage Academy	015815101	Bexar	07-08
Heritage Academy of Del Rio Middle	015815042	Bexar	04-08

## ATA 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 SUBMISSION

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 December 18, 2020, the TEA Review and Support team received 47 surveys during the comprehensive desk review. The Review and Support surveys focused on the following review areas:

All participants felt they receive sufficient communication from their school. The best way the school/district provides information about trainings, online trainings, support groups and other available resources concerning special education services is via email followed by notices sent home, phone calls, the school website and social media.

Most parent/family member participants (66.67%) felt they would be most comfortable attending special education information sessions at the school/campus.

Seventy-five percent of participants indicated they have a clear understanding of special education services.

The most selected areas of special education the participants would like to know about were:

- Small and Rural Schools Network,
- Multiple Exceptionalities and Multiple Needs.

The majority of participants felt all training to help meet the needs of students with disabilities was effective.

Eighty-eight percent of participants felt there were frequent opportunities to collaborate with related service providers.

The participants reported no obstacles concerning student's special education programming and services.

Ninety-seven percent of participants agree with the importance of including students interests/life goals in the transition process.

Almost 85 percent of participants felt that during COVID school closure/remote learning, the Emergency Contingency Plan was effective in supporting student progress.

During COVID closures, support to students with moderate to severe disabilities were provided using the following methods:

- Teachers provided supports needed for students to be successful
- School staff made regular contact with students and parents to meet academic and emotional

needs

- Teachers modified work
- Provided individualized support

Participants indicated that during COVID school closure/remote learning, more professional development is needed.

Participants indicated that during COVID school closure/remote learning, the following strategies were used to support instructional continuity, but did not work well for students with disabilities:

- Shared device per family
- 1:1 device
- Online submission of assignments,
- Virtual instruction with child's teacher

The majority of participants (almost 97%) indicated that school staff worked with parents/guardians in addressing severe behavior and work refusal.

Most participants indicated they chose an in-person learning model. All participating in remote learning indicated that the students interacted with teachers consistently. They reported that remote learning for students receiving special education was both effective (64%) or ineffective (22%).

**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 Heritage Academy :

- All Full Individual Evaluations were completed within timelines.
- All Admission, Review and Dismissal committees included appropriate members.
- All folders reviewed included Intensive Program of Instruction for each state assessment area where the student did not meet standard.
- Transition areas for transition-age students met compliance requirements.

### 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 Heritage Academy :

- Consider review and training of benchmarks or short-term objectives aligned to alternate achievement standards.

## Technical Assistance

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

Topic	Resource
STAAR Alternate 2 Benchmarks	<a href="#">Technical Assistance: IEP Development</a> . <b>TEA Technical Assistance: IEP Development</b> - The IEP Development document is part of an ongoing series to provide technical assistance to LEAs from the Texas Education Agency.
Small and Rural Schools Network	<a href="#">Small and Rural Schools Network</a> : This network strives to build capacity of small and rural LEAs to provide a more equitable level of access for students with disabilities in these communities. The network will develop state-level infrastructures, resources, and professional development to support LEAs who face unique challenges, such as resource limitations and geographic remoteness.

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Multiple Exceptionalities and Multiple Needs

[Multiple Exceptionalities and Multiple Needs \(MEMN\)](#): A student with multiple exceptionalities and multiple needs is a student served by special education and identified in one or more of the following special populations: gifted and talented (GT), English learner (EL), or highly mobile family situation, including military, migrant, foster, or homeless. The multifaceted needs of these students require planned and purposeful coordination. Through the creation of partnerships and a foundation in evidenced-based practices, this network builds capacity for educator support through training and resources specific to identification and programming for students with multiple exceptionalities and multiple needs.

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## 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, Heritage Academy will receive formal notification of noncompliance in addition to this report.

The TEA Division of Special Education Monitoring 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.

### 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		Universal	Not applicable
CAP	N/A	N/A		30 days

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 Development

#### STUDENT FILE REVIEW

##### Updated clarification 10/2021

*1 Student folder was found in violation of 34 CFR §300.324 upon initial review. LEA corrected the individual student folder 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
ID6a	34 CFR §300.320(a)(2)(ii)		1 student folder did not meet requirements upon initial review.	None - Individual correction completed prior to issuance of findings.	No CAP required