

Action Not Required

December 14, 2021

Mrs. Windy L Schwartz, Superintendent
Malone ISD 109908
P O Box 38
Malone, TX 76660-0038
windy.schwartz@maloneisd.org

Subject: Cycle 2 Review Status Clarification and Update

Dear Mrs. Windy L Schwartz,

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 **Malone 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 p. 6, and 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 12 Education Service Center
Special Education Contact, Region 12 Education Service Center

Enclosure



Cycle 2 Group 2

Dates: January – March 2021

TEXAS EDUCATION AGENCY 2020-2021 CYCLICAL MONITORING REPORT

Local Education Agency (LEA) Name: Malone ISD

CDN: 019908

Status: Complete – See attached letter and updated Appendix

INTRODUCTION

The Texas Education Agency (TEA) would like to extend appreciation to Malone 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 January 22, 2021, the TEA conducted a policy review of Malone ISD. On January 22, 2021, the TEA conducted a comprehensive desk review of Malone ISD. The total number of files reviewed for the Malone ISD comprehensive desk review was 12. The review found overall that 11 files out of 12 files were compliant. An overview of the policy review and student file review for Malone 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	12 of 12
IEP Development	5 of 5	12 of 12
IEP Content	3 of 3	12 of 12
IEP Implementation	21 of 21	12 of 12
Properly Constituted ARD	8 of 8	12 of 12
State Assessment	4 of 4	12 of 12
Transition	6 of 6	2 of 3

2020–2021 DYSLEXIA COMPLIANCE SUMMARY

The dyslexia monitoring process focuses on three-core elements: early identification and intervention, program of instruction, and parent notification. The TEA Department of Review and Support: Dyslexia Monitoring reviewed Malone ISD artifacts using a program evaluation protocol 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 Malone ISD are in the 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

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 April 1, 2021, the TEA Review and Support team received 7 Surveys.

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 notices sent home, followed by phone calls, and the school website.

All parent/family member participants felt they would be most comfortable attending special education information sessions at the school/campus.

All participants somewhat agree that they have a clear understanding of special education services.

No data to report for areas of special education that participants would like to learn about.

Most of the participants felt training in using sheltered instruction, English Language Proficiency Standards (ELPS), special education state assessment determination, differentiated instruction, and Reading and Math instruction were effective in helping meet the needs of students with disabilities.

Most of the participants agree that there were frequent opportunities to collaborate with related service providers.

All participants indicated there were no obstacles concerning student's special education programming and services.

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

All participants indicated they chose In-Person learning model.

COVID

All 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 formative assessment for learning.

Participants indicated that during COVID school closure/remote learning, strategies used by the district that did not work well for students with disabilities were: Online submission of assignments; Virtual instruction with child's teacher; Shared device per family; and Transportation delivery of assignments and supplies.

Most participants indicated that they agreed or strongly agreed that school 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 Malone ISD:

- All monitored special education policies and practices follow federal and state requirements and are linked to the Legal Framework to support compliance with state and federal guidelines and support positive student outcomes.
- 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.
- COVID-19 related contingency plans ensured students continued to receive services according to their Individualized Education Program (IEP).

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 Malone ISD:

- Consider consistent implementation of methods and systems to measure student progress in all areas of instruction to ensure development of Individualized Education Program (IEP) goals and objectives based on current student ability and need.
- Consider developing a system to ensure student's first transition ARD committee meeting is held prior to his/her 14th birthday.

TECHNICAL ASSISTANCE

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

Topic	Resource
IEP Development (Student Progress)	https://www.inclusionintexas.org/ . The Inclusion in Texas Network - The Inclusion in Texas Network promotes a statewide culture of high expectations for students with disabilities and significantly improves academic and functional outcomes for students served by special education. The network assists LEAs to build capacity to develop and appropriately implement instructional programs that provide meaningful access to inclusive environments and grade-level standards, where appropriate.
Transition	https://www.texastransition.org . The Student-Centered Transitions Network builds collaborative infrastructures among students, families, schools, LEAs, and communities. The SCTN aims for all students with disabilities to be actively involved in planning, communicating, and evaluating progress in meeting their transition goals from early childhood through high school graduation and postsecondary readiness.

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, Malone 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 LEA has met all state and federal requirements pertaining to the implementation of the dyslexia program. Additionally, the TEA has identified the following strengths, considerations, and technical assistance recommendations for Malone ISD.

Areas of Strength

An area of strength for the LEA includes a comprehensive procedure manual that includes identification, evaluation, and intervention for student identified with dysgraphia under Section 504 or IDEA.

Areas of Consideration

The LEA's dyslexia program is in alignment with state and federal requirements. The following resources are recommended to support the implementation of the dyslexia program, 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 Edna Morales in the Texas Education Agency Department of Review and Support: Dyslexia Monitoring, by phone at 512-463-9260 or by email at Edna.MoralesStrittmatter@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 Senate Bill 2075 of the 86th Legislature, TEC 38.003 (c-1), and 19 TAC 74.28. 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 the 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

Transition

Student File Review

Item	IDEA Citation	TEC/TAC Citation	Evidence of Findings	Required Actions	Must Be Addressed in CAP
TR1	34 CFR §300.320(b)	TAC 89.1055(j); TEC §29.0111	Student folder did not meet requirements upon initial review.	None - Individual correction completed prior to issuance of findings.	No CAP required