

Action Not Required

December 7, 2021

Mr. Oscar Aguero, Superintendent
Marfa ISD 189901
P O Box T
Marfa, TX 79843
oaguero@marfaisd.com

Subject: Cycle 2 Review Status Clarification and Update

Dear Mr. Oscar Aguero,

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 **Marfa 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 18 Education Service Center
Special Education Contact, Region 18 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: Marfa ISD

CDN: 189901

Status: Complete – See attached letter and updated Appendix

INTRODUCTION

The Texas Education Agency (TEA) would like to extend appreciation to Marfa 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, 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 Marfa ISD. On February 25, 2021, the TEA conducted a comprehensive desk review of Marfa ISD. The total number of files reviewed for the Marfa ISD 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 Marfa ISD are organized

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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	13 of 13
IEP Development	5 of 5	13 of 13
IEP Content	3 of 3	13 of 13
IEP Implementation	21 of 21	13 of 13
Properly Constituted ARD	8 of 8	13 of 13
State Assessment	4 of 4	12 of 13
Transition	6 of 6	13 of 13

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 Marfa 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 Marfa 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
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 April 1, 2021, the TEA Review and Support team received 15 surveys during the comprehensive desk review. The Review and Support surveys focused on the following review areas:

Respondents indicated that the best way the school/district provides information (trainings, online trainings, support groups and other available resources) concerning special education services is via email, notices sent home, and phone calls.

The majority of participants felt training in using accommodations and modifications, differentiated instruction, and classroom management were effective to help meet the needs of students with disabilities. Training in restorative practices, English Language Proficiency Standards (ELPS), and instructional grouping were ranked as somewhat effective.

Sixty-five percent of participants agreed or strongly agreed there were frequent opportunities to collaborate with related service providers and 9% felt there was not frequent opportunities to collaborate with service providers.

All participants agree with the importance of including students' interests/life goals in the transition process with 40% of participants strongly agreeing.

The majority of participants reported that remote learning for students receiving special education was somewhat effective.

COVID

Seventy 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:

- Teachers made regular contact with students and parents to meet academic and emotional needs.

- Teachers modified work.
- Teachers provided supports needed for students to be successful.

Participants indicated that during current COVID school closure/remote learning they needed professional development in how to teach virtually, how to provide connectedness with students, and how to use virtual platforms.

Participants indicated that during COVID school closure/remote learning the top two supports used by the district that didn't work well for students with disabilities were a shared device per family and online submission of assignments.

The majority of participants indicated they agreed or strongly agreed that they 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 Marfa ISD:

- Teacher input forms were included with student files, showing the important collaboration between general education and special education teachers when developing the IEP.
- Many progress reports are updated with explicit data, such as percentage of successful attempts, which allows for straightforward understanding of how the students are progressing towards their goals rather than the use of broad statements such as "in progress" or "continue".

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 Marfa ISD:

- Consider developing a process to include TEKS data (both strengths and weaknesses) from classroom assignments and local and state assessments when developing Present Levels of Academic Achievement and Functional Performance (PLAAFPs). Specifying strengths and weaknesses related to grade level TEKS on the teacher input form may encourage teachers to focus on academic information in addition to the student's personal attributes they did include. Effective PLAAFPs inform the annual goals and appropriate services and supports required for the student to meet those goals.

TECHNICAL ASSISTANCE

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

Topic	Resource
PLAAFP development and IEP goal development	<p>Technical Assistance: IEP Development.</p> <p>This TEA guidance document covers requirements and best practices in developing Individualized Education Programs for students with disabilities.</p>
IEP Goal Development Online Course	<p>https://txr20.escworks.net/catalog/session.aspx?session_id=72163</p> <p>This course was produced through a collaborative project between the Texas Education Agency and the Statewide Progress in the General Curriculum Network at Education Service Center 20. The course focuses on the portion of the ARD process related to developing a student's PLAAFP, using the PLAAFP to create enrolled grade level measurable annual academic goals, and progress monitoring.</p>

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, Marfa 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 Marfa ISD.

Areas of Strength

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

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 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 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	12/18/2019		N/A	N/A
CAP	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

State Assessment

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
SA4		TEC §28.0213	Student folder did not meet requirements upon initial review.	None - Individual correction completed prior to issuance of findings.	No CAP required