



Texas Continuous Improvement Process

Annual Performance Report | FFY 2005

July 1, 2005 – June 30, 2006

**Texas Education Agency
Division of IDEA Coordination**

<http://www.tea.state.tx.us/special.ed/spp/>

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Part B 2005 Annual Performance Report

February 2007

Overview of the Texas Annual Performance Report

The Individuals with Disabilities Education Act (IDEA) of 2004, signed on December 3, 2004, requires each state to develop a six-year performance plan. This State Performance Plan (SPP) evaluates the State's efforts to implement the requirements and purposes of IDEA and illustrates how the State will continuously improve upon this implementation. The SPP is submitted to the Office of Special Education Programs (OSEP) at the U.S. Department of Education (USDE). Beginning in February 2007, an annual progress report related to the SPP, known as the State's Annual Performance Report (APR), will be submitted to the Secretary of Education. An APR will be submitted annually through the 2010-2011 school year.

In alignment with IDEA, the OSEP has identified five monitoring priorities and twenty indicators to be included in the SPP and reported in the APR. For each of the indicators, the State must report progress on measurable and rigorous targets and improvement activities over a six-year period of time in the APR. These indicators are performance or compliance in nature. Federal regulations and state law set the determination of compliance targets. The Texas Education Agency (TEA), in conjunction with the Texas Steering Committee (TSC), is responsible for the process of determining targets for performance-based indicators.

In January 2006, the Texas State Performance Plan (SPP) was submitted to the Office of Special Education Programs. The SPP may be viewed at <http://www.tea.state.tx.us/special.ed/spp/>.

The SPP contained baseline information and targets for 11 indicators.

State-level data related to these indicators and targets are reported in this APR submitted to the OSEP on February 1, 2007. In the spring of 2007 the State will report to the public on the performance of each local educational agency (LEA) in regard to the targets for six of these indicators on the Agency's website.

The following is an overview of the State's plan for continuous improvement.

Texas Continuous Improvement Process

For Texas, the requirements of IDEA related to the development of an SPP as well as the accompanying APR are synonymous with our existing philosophy to build a system which encompasses data-driven, research-based improvement efforts according to stakeholder needs and input. Texas views the SPP as an extension of and guiding tool for the Texas Continuous Improvement Process (TCIP).

Texas' system for sustained improvement originated in September of 2000 with the OSEP Continuous Improvement Monitoring Process (CIMP) and the Texas Self Assessment (see <http://www.tea.state.tx.us/special.ed/cimp/>).

This process, which began with one stakeholder group known as the Texas Steering Committee, has now evolved into an intricate continuous improvement system made up of multiple stakeholder groups which are focused specifically on the application of IDEA within the state of Texas. These committees use a data-driven process to address specific areas of improvement within the state. Membership for these groups is deliberately designed to provide knowledgeable representation of our state's population (see <http://www.tea.state.tx.us/special.ed/tcip/index.html>).

Broad Stakeholder Input

The state of Texas has designated improvement planning groups as exemplary sources for providing guidance and feedback on our continuous improvement cycle and the preparation of APRs. Based on

the representative make-up of these groups and their previous efforts in this area, Texas is in the fortunate position of leveraging these groups as a foundation for receiving broad stakeholder input.

It is through these groups that Texas will gather ongoing broad stakeholder input regarding the SPP and subsequent APRs. Improvement groups are centered on topics such as Access to General Curriculum (FAPE/LRE), Personnel Development, Discipline/ Behavior Management, Early Childhood Transition, Parent Training, Post-School Results, and State Supervision. More information about the Texas Continuous Improvement Process and these improvement groups can be found on the TEA website at <http://www.tea.state.tx.us/special.ed/tcip>.

Targets

The targets are based on compliance measures of 100% or 0%, based on the wording of the indicator. Others were set based on performance measures established by the Texas Legislature, and still others, by requirements under No Child Left Behind (NCLB). Improvement planning groups and the Texas Steering Committee will continue to review data and advise on targets through the time frame of the SPP.

Sampling Methodology

The sampling methodology used in gathering information for some of the indicators is explained in each indicator narrative and highlighted below:

- Include the 14 largest LEAs with ADA over 50,000 students each year of the time span of the State Performance Plan.
- Report all districts within the time span of the State Performance Plan.
- To ensure accurate representation of LEAs within the state in order to report state level data, the following demographic strata will be used: gender, race/ethnicity, age, disability category. In addition, Selection of LEAs will continue to be representative of the State based on district size and geographical region.
- To ensure accurate representation within an LEA in order to report LEA level data, the following demographic strata will be used: gender, race/ethnicity, age, disability category.
- All LEAs will be required to report data through an online data reporting system. LEAs with an N size less than 30 students will report on all students.
- Data will be reported at the state and LEA level on an annual basis throughout the span of the State Performance Plan. However, LEAs with an ADA determined to be small enough to result in the disclosure of personally identifiable information about individual children or where the data is insufficient will not be reported publicly.

As the data collection systems become more formalized, the State will consider improvement efforts related to factors such as reliability, validity, incomplete data, response rates, and the data collection and analysis process overall. The sampling methodologies were approved by the OSEP in the original SPP submission.

Public Dissemination of Information

Again, beginning with CIMP and the Texas Self Assessment in 2000, and throughout the Texas Continuous Improvement Process, the State has established, and will continue to improve upon, methods of ensuring public awareness and knowledge through public dissemination of information. A primary source of shared information continues to be the TEA special education website found at <http://www.tea.state.tx.us/special.ed/>.

Annual Performance Report Overview

#	Indicator	Target	Met Target?	Report LEA performance against state target
1	Graduation	> 75.6%	N (74.8%)	Spring 2007
2	Dropout	< 1.9%	N (6.8%)	Spring 2007
3A	Adequate Yearly Progress	100%	N (93.6%)	Spring 2007
3B	Adequate Yearly Progress	> 95%	Y 99% Math Y (99% Reading)	Spring 2007
3C	Adequate Yearly Progress	> 42% Math > 53% Reading	Y (65% Math) Y (69% Reading)	Spring 2007
4A	Suspension and Expulsion	0%	N (4.1%)	Spring 2007
5A	Educational Environments, Aged 6-21	> 54.5%	Y (55.9%)	Spring 2007
5B	Educational Environments, Aged 6-21	< 12.4%	N (12.6%)	Spring 2007
5C	Educational Environments, Aged 6-21	< 1.3%	Y (1.2%)	Spring 2007
6	Educational Environments, Aged 3-5	> 6.7%	N (6.6%)	Spring 2007
15	Effective General Supervision	100%	N (94.9%)	Public Reporting Not Required
16	Complaint Investigation Timeline	100%	N (99%)	Public Reporting Not Required
17	Due Process Hearing Timeline	100%	Y (100%)	Public Reporting Not Required
19	Mediation Agreements	> 77%	Y (79.6%)	Public Reporting Not Required
20	State Data Reporting	100%	Y (100%)	Public Reporting Not Required

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth.

Calculation:

The graduation rate is calculated as follows:

number of students from a given cohort
who received a high school diploma

divided by

total number of students in a given cohort
(graduation + GED* + continuing + dropout)

*GED = General Educational Development (GED) certificates

FFY	Measurable and Rigorous Target
2005	75.6% of students with disabilities graduate from high school with a regular diploma.

Actual Target Data for FFY 2005:

	4-Year Graduation Rates for Students with Disabilities and All Students					
	Class of 2004			Class of 2005		
	Cohort	Graduated	%	Cohort	Graduated	%
Students with Disabilities	31,491	23,750	75.4%	33,408	24,974	74.8%
All Students	270,911	229,133	84.6%	271,218	227,755	84.0%

Source: Academic Excellence Indicator System (AEIS) Datasets

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to increasing the graduation rate for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 2: Dropout Rate
- Indicator 3: Adequate Yearly Progress (participation and performance of students with disabilities on statewide assessments)

- Indicator 4: Suspension and Expulsion Rates
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)
- Indicator 13: Transition Planning
- Indicator 14: Post-School Outcomes

The data associated with the indicators above must be considered when addressing the graduation indicator. Specific improvement activities related to these areas include:

Texas Behavior Support Initiative

Region 4 Education Service Center (ESC) provides statewide leadership for the Texas Behavior Support Initiative (TBSI). Region 4 ESC works in conjunction with a 20-region network to ensure dissemination of information and training statewide. TBSI training modules assist campus teams in developing and implementing a wide range of behavior strategies and prevention-based interventions. These skills have helped educators establish systems of support at schoolwide, classroom, and individual student levels. Additional information regarding the Texas Behavior Support Initiative is available on the Region 4 ESC website at <http://www.txbsi.org/>.

TBSI is designed to build capacity in Texas schools for the provision of Positive Behavior Support (PBS) to all students. The goal of PBS is to enhance the capacity of schools to educate all students, especially students with challenging behaviors, by adopting a sustained, positive, preventative, and effective instructional approach to schoolwide discipline and behavior management. This approach focuses on teaching and encouraging positive schoolwide behavioral expectations and increasing school capacity to support sustained use of empirically validated practices.

During the 2005-06 school year, the TBSI Network completed the following activities:

- Developed trainings, supports, and guidelines to provide for implementation of a Schoolwide PBS Core Team.
- The TBSI website was enhanced to include links to the 20 regional network contacts and to provide ESC access to TBSI training modules. These modules guide school districts in their development of a schoolwide positive behavior and discipline management system.
- Initiated the development of an online training delivery model for Modules 1-4.
- Assisted in the development and dissemination of a "To the Administrator Addressed" letter designed to emphasize the importance of establishing and maintaining campus-based PBS Core Teams.
- Held a TBSI Statewide Positive Behavior Support Conference on June 26-28, 2006, in Austin, Texas which spotlighted research-based implementation and linked implementations to results for students, families, and campuses. Staff members from nine TBSI implementation campuses from eight districts with support from ESC personnel from six regions, provided overviews of their PBS programs to 280 educators from across the state. Keynote sessions were provided by two national presenters with expertise in the implementation of campus-based Positive Behavior Support. Members of the network met with university representatives to discuss the potential opportunities for collaboration.
- Represented the state at two national behavior conferences. TEA staff prepared and presented a summary of the information shared during these conferences for ESC network members.
 - October 20-21, 2005: Schoolwide PBS Forum (Rosemont, Illinois).
 - February 15-17, 2006: National Center for Culturally Responsive Educational Systems. Disproportionality Conference (Denver, Colorado).
 - March 21, 2006: Southeast Regional Resources Center (SERRC) Region PBS Forum.

- March 22-25, 2006: Association for Positive Behavior Support Conference and Statewide Networking Meeting (Reno, Nevada).
- Developed activities and prepared negotiations for the Texas Collaborative for Emotional Development in Schools (TxCEDS) project, a project designed to facilitate collaboration among school district and mental health agency personnel.

Access to the General Education Curriculum

Improvement planning in the area of Access to the General Curriculum (AGC) is led for the state by Region 20 Education Service Center (ESC). This ESC is responsible for coordinating with all 20 regions to develop a statewide AGC network. The purpose of the 20-region network is to ensure ongoing communication among ESCs about state-level needs assessments, program planning and implementation, and evaluating statewide activities regarding AGC.

The AGC Network has developed a framework for statewide collaboration through a comprehensive planning process. The primary purpose of this process is to provide professional development and technical assistance focused on ensuring that all students with disabilities gain access to and show progress in the general curriculum through curricular and instructional adaptations in the least restrictive environment (LRE).

Continuous improvement activities focused on AGC during the 2005-06 school year included the following activities:

- **The AGC District Data Analysis:** This analysis targets LEAs who are addressing issues related to the 125% Statewide Ratio Issue (<http://www.tea.state.tx.us/special.ed/125/>) and/or Performance-Based Monitoring Analysis System (PBMAS) Special education indicators 9, 10, and 11, (<http://www.tea.state.tx.us/pbm/2006PBMASManualFinal.pdf>). Districts now have a 125% Guide and the framework aligned with PBMAS in order to address these issues at the district level.
- **AGC Training Modules & Video Series:** This series contains training modules in the following areas: Leadership & Vision; Collaborative Teaching Models; TEKS-Based Instructional Strategies: Accommodations/Modifications; Assessment. Coordinating videos are also included for each topic depicting campuses across the state that are successfully providing students with disabilities access to the general curriculum. Early Childhood and Elementary Modules are available to provide ongoing training and support. Secondary Modules and Videos (Middle School and High School Videos) are completed and TOT training was provided on Sept. 27, 2006 for AGC Network members. Peer Supports and Self-Advocacy Modules & Videos have been added to the Secondary Training Series to support post-school outcomes. Districts have the series at their disposal for training school personnel involved in the AGC District Data Analysis Framework.
- **Inclusion Works Conference:** The 13th Annual Inclusion Works Conference was held February 22-25, 2006. The role of the AGC network was to provide guidance with the program, present information at conference, and help build administrator and parent attendance. The Network assisted Promising Practice Sites with presentations, recruited ESC core content specialists to provide content specific training, continued to focus on preschool, and access to TEKS-based instruction, and presented state accountability and AYP at the Principal's Academy.
- **Pre-Referral Pilot Project:** A clearinghouse of evidence based interventions and abstracts of tools are available for LEAs to use to guide them in making sound educational decisions regarding students with disabilities. TEA staff examined different early intervention assistance team processes that districts could utilize to support all struggling learners and have adopted three sound processes for building awareness and/or providing training. These are as follows:
 - Instructional Decision-Making Procedures for Ensuring Appropriate Instruction for Struggling Students.

- Problem Solving Team Training (addressing behavior/academic concerns)—Received by ESC-4 and hosted TOT training Dec. 2005.
- MCN Module 3—Partnered with Multicultural Network members.

Secondary Transition

Improvement planning in the area of Secondary Transition is led by Region 11 Education Service Center. This ESC is responsible for coordinating with all 20 regions to develop a statewide secondary transition network. The purpose of the regional network is to ensure ongoing communication among ESCs about state-level needs assessments, program planning and implementation, and evaluating statewide activities regarding secondary transition.

The Transition Network has developed a framework for statewide collaboration through a comprehensive planning process. The primary purpose of this process is to provide professional development and technical assistance focused on ensuring that all students who receive special education services successfully transition from high school to post-school activities.

Continuous improvement efforts concerning secondary transition were supported through the following activities of the leadership function of Region 11 ESC and Secondary Transition Network during the 2005-06 school year:

- Conducted trainings to facilitate the understanding of LEAs of post-school outcomes and a coordinated set of activities; the need for incorporating needs, strengths, preferences, and interests throughout the IEP; and the benefits of obtaining other agency participations and student/parent participations;
- Provided Academic Achievement Record (AAR) training and evaluation;
- Facilitated understanding of transition in Texas for agencies and organizations likely to provide services to students/adults;
- Continued to improve the transition website in order to provide information to students, parents, LEAs, etc., throughout the state; and
- Provided professional development for network members by national consultants on creating a statewide system to address transition issues and community based job coaching.

Response to Intervention

Response to Intervention (RTI) is an instructional model which addresses the needs of all students through a continuum of services provided in general education. This model includes:

- High-quality instruction and tiered intervention strategies aligned with individual student need;
- Frequent monitoring of progress to make results-based academic or behavioral decisions; and
- Application of child response data to important educational decisions (such as those regarding placement, intervention, curriculum, and instructional goals and methodologies).

Stakeholders in both general and special education are continuing the dialogue necessary to establish the framework for addressing the needs of all struggling students. The crossover between general education and special education implicit in RTI and the related activities described above will require a blending or “braiding” of programs and issues in order to maximize resources and avoid duplication of efforts. Braided Services describes the blending of several concepts that are a part of the reauthorization of Individuals with Disabilities Education Act (IDEA '04) and that have a considerable degree of overlap, in particular the involvement of both special and general education.

A Braided Services Advisory Committee, including parents, representatives from ESCs, and TEA staff, met in June 2006. The purpose for this meeting was to discuss state priorities and their relationships to each other and the role of state leadership in addressing state priorities in a braided manner. A list of recommendations regarding State guidance related to Braided Services was developed.

II. Explanation of Progress or Slippage

The graduation rates for the Class of 2005 students with disabilities and for all students decreased from the rates of the Class of 2004. An emphasis on making the exit-level assessment more rigorous may be a contributing factor to the slight decrease in both rates. The Post-School Results improvement group will convene in the spring 2007 to review graduation data, performance on exit-level assessments, and other factors that are contributing to the progress or slippage for this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the 75% target for FFY 2006.

II. Improvement Activities / Timelines / Resources

The improvement activities related to increasing the graduation rate for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 2: Dropout Rate
- Indicator 3: Adequate Yearly Progress (participation and performance of students with disabilities on statewide assessments)
- Indicator 4: Suspension and Expulsion Rates
- Indicator 5: Educational Environments, Ages 6-21 (placements in the least restrictive environment)
- Indicator 13: Transition Planning
- Indicator 14: Post-School Outcomes

The data associated with the indicators above must be considered when addressing the graduation indicator.

Specific improvement activities related to these areas include:

Texas Behavior Support Initiative

Continuous improvement activities focused on TBSI during the 2006-2007 school year include the following:

- Initiate online instructional modules for TBSI Modules 1-4. Modules 5 and 6 will be delivered in a face-to-face format.
- Assist ESC personnel in addressing technology and logistical issues related to TBSI Online Modules 1-4.
- Investigate the feasibility of online delivery TBSI Modules 5 & 6. Initiate the development of Module 5, if feasible.
- Assist in the organization and facilitation of the TBSI Statewide Conference, to be held in Dallas, TX on June 25-27 for approximately 500-600 district/ESC personnel.
- Revise the Behavior Flowchart to reflect IDEA 2004, in collaboration with Deer Park ISD. Add Behavior Flowchart to the TBSI website. Provide training for network members regarding the use of the flowchart (February 23, 2007).
- Facilitate a meeting between the data subcommittee and Texas Education Agency personnel to discuss data collection and analysis (December 7, 2006).

- Maintain the TBSI website.
- Develop and deliver a one-day new network member orientation (August 29, 2006).
- Conduct two TxCEDS stakeholder group meetings to introduce the project and to begin the development of a model for the integration of mental health services in Texas.
- Attend Behavior Discipline Management Improvement Group meeting (June 12, 2007).
- Investigate the possibility of developing PBS training modules for parents (in collaboration with Parent Involvement Statewide Leadership Function).

Access to the General Education Curriculum

Continuous improvement activities focused on AGC during the 2006-07 school year include the following:

125% Support Initiative

Provide intensive support to Cycle 10 (2003-2005) 125% Districts/Charter Schools. Increase least restrictive environment (LRE) placements for students with disabilities within Cycle 10-125% Districts/Charter Schools and remove them from the 125% <http://www.tea.state.tx.us/special.ed/125/>. Districts now have a 125% Guide and the framework aligned with PBMAS Special education indicators 9, 10, and 11, (<http://www.tea.state.tx.us/pbm/2006PBMASManualFinal.pdf>) in order to address these issues at the district level. Network members have also been trained in all AGC Training Modules and will attend Power of 2 Co-Teaching TOT (April 2007) to assist 125% districts.

Research –Based Intervention Clearinghouse

- Maintenance of this ongoing project to compile a collection of research-based interventions that LEAs will view to best support students to successfully gain access to the general education curriculum **(August 2006-May 2007)**.
- Analysis of the academic interventions to evaluate the level of research, target population, appropriate grade level, appropriate tier of instruction, and key component of reading that each intervention addresses.
- Development and posting Content Strand Areas (Secondary Reading, Elementary Reading, Secondary Math, and Elementary Math) to the AGC website. Reading strands are currently in process **(October 2006-August 2007)**.

Inclusion Works Conference and Pre-Planning Meeting

- A face-to-face meeting to pre-plan the strands of the conference will be held. The conference will be directed toward parents, teachers, and administrators and will utilize ESC trainers for selected sessions. The purpose of this conference is to provide education in a variety of avenues for implementing a successful, inclusion model in local school districts **(February 28-March 2, 2007)**.

AGC TEKS-Based Instruction Video Series & Training Modules

- The series contains training modules in the following areas: Leadership & Vision; collaborative Teaching Models; TEKS-Based Instructional Strategies: Accommodations/Modifications; Assessment. Coordinating videos are also included for each topic depicting campuses across the State that are successfully providing students with disabilities access to the general curriculum.
- The AGC Network will provide training within each regional service area and add all training modules to the AGC website. Districts will then access the modules for training of local campus personnel. The 125% Systemic Support Initiative is integrated into these regional area trainings **(September 2006-August 2007)**.

Secondary Transition

During the 2006-07 school year the Secondary Transition Network will facilitate the understanding of transition as a results-oriented process which includes coordinated, measurable annual IEP goals, transition services in the form of coordinated sets of activities, and reasonably enables a student in reaching postsecondary goals by the following:

- General transition training, student training, and parent training which include new rules and regulations, self-determination, coordinated goals and activities for the attainment of post-school activities, and advocacy of the parents and the students in the IEP process **(September 2006 – August 2007)**.
- AAR training and the evaluation of effectiveness **(September 2006 – August 2007)**.
- Facilitating joint agency and ESC trainings for the collaboration of districts and agencies **(September 2006 – August 2007)**.
- Enhancement of the transition website in order to disseminate information statewide **(September 2006 – August 2007)**.
- Professional Development:
 - Job development in rural areas/job carving/job coaching **(November 2006)**.
 - 18 – 21 year old program **(November 2006)**.
 - Transition assessment training and book studies **(September 2006 –May 2007)**.
 - Disclosure of disability (SOP) **(September 2006)**.
 - K-12 articulation of transition process **(May 2007)**.
- Texas Transition Institute: National Perspectives **(February 28 – March 2, 2007)**.

Response to Intervention (RTI) and Braided Services 2006-2007 Activities include:

- A Braided Services Intra-Agency Advisory Committee including representatives from a variety of divisions will meet to discuss and promote collaboration among the various divisions and explore best practices for establishing an effective Braided Services Model. This model will bridge services among and between the participating divisions of TEA and promote discussions of programs and issues in order to maximize resources and avoid duplication of efforts **(August 2006)**.
- The RTI Conference for ESC teams consisting of both regular and special education support staff will be held at ESC 13. Research and policy foundation for RTI will be shared, along with core principles and essential components. Regional school projects will be highlighted. ESCs will disseminate RTI information to districts throughout the year **(September 2006)**.
- A director for RTI will be hired in the Division of Curriculum at TEA. This position will facilitate leadership to the state in the implementation of the RTI model **(January 2007)**.

TEA information and resources related to dropout prevention and graduation recovery efforts to help all students to earn a high school diploma can be found on the TEA website at <http://www.tea.state.tx.us/dpchs/>.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth.

Calculation:

The dropout rate is calculated as follows:

number of students from a given cohort
who dropped out before the fall of a given year

divided by

total number of students in a given cohort
(graduation + GED* + continuing + dropout)

*GED = General Educational Development (GED) certificates

FFY	Measurable and Rigorous Target
2005	The dropout rate for students with disabilities shall not exceed 1.9%.

Actual Target Data for FFY 2005:

	Drop out Rates for Students with Disabilities and All Students					
	Class of 2004			Class of 2005		
	Cohort	Dropped Out	%	Cohort	Dropped Out	%
Students with Disabilities	31,491	1,978	6.3%	33,408	2,273	6.8%
All Students	270,911	10,507	3.9%	271,218	11,650	4.3%

Source: Academic Excellence Indicator System (AEIS) Datasets

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to decreasing the dropout rate for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 3: Adequate Yearly Progress (participation and performance of students with disabilities on statewide assessments)
- Indicator 4: Suspension and Expulsion Rates

- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)
- Indicator 13: Transition Planning
- Indicator 14: Post-School Outcomes.

The data associated with the indicators above must be considered when addressing the dropout indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

II. Explanation of Progress or Slippage

The dropout rates for the Class of 2005 students with disabilities and for all students increased from the rates of the Class of 2004. The Post-School Results improvement group will convene in the spring 2007 to review dropout data and other factors that are contributing to the progress or slippage for this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the 2.9% target for FFY 2006 APR.

II. Improvement Activities / Timelines / Resources

The improvement activities related to decreasing the dropout rate for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 3: Adequate Yearly Progress (participation and performance of students with disabilities on statewide assessments)
- Indicator 4: Suspension and Expulsion Rates
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)
- Indicator 13: Transition Planning
- Indicator 14: Post-School Outcomes.

The data associated with the indicators above must be considered when addressing the dropout indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. Percent = $[(\# \text{ of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)}) \div (\text{total } \# \text{ of districts that have a disability subgroup that meets the State's minimum "n" size in the State})] \times 100$.

B. Participation rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in regular assessment with no accommodations (percent = $[(b) \div (a)] \times 100$);
- c. # of children with IEPs in regular assessment with accommodations (percent = $[(c) \div (a)] \times 100$);
- d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = $[(d) \div (a)] \times 100$); and
- e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = $[(e) \div (a)] \times 100$).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = $[(b + c + d + e) \div (a)]$.

C. Proficiency rate =

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = $[(b) \div (a)] \times 100$);
- c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = $[(c) \div (a)] \times 100$);
- d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = $[(d) \div (a)] \times 100$); and
- e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = $[(e) \div (a)] \times 100$).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = $[(b + c + d + e) \div (a)]$.

FFY	Measurable and Rigorous Target
2005 (2005-06)	<p>Indicator 3A 100%</p> <p>Indicator 3B Participation on Math Assessments = 95% Participation on Reading Assessments = 95%</p> <p>Indicator 3C Performance on Math Assessments = 42% (AYP Target in NCLB) Performance on Reading Assessments = 53% (AYP Target in NCLB)</p>

Actual Data for FFY 2005 (2005-06):

**Table 3A | Adequate Yearly Progress,
Local Education Agency (LEA) Performance on AYP Objective**

State's AYP objectives for progress for disability subgroup includes:

1. 95% of students with disabilities participated in assessment in Reading/ELA
2. 95% of students with disabilities participated in assessment in Mathematics
3. 53% of students with disabilities meet the proficiency standard in Reading/ELA
4. 42% of students with disabilities meet the proficiency standard in Mathematics

Status	2004-05	2005-06
LEAs that did not meet AYP Objective	45	78
LEAs that met AYP Objective	1184	550
Total Number of LEAs	1229*	628**
% of LEAs that Met AYP Objective	96.3%	87.6%

Source: Adequate Yearly Progress Dataset

*As defined in 2004-05, the total number of LEAs in the State is reported.

**Total number of LEAs reported represents the number of districts in the State that have a disability subgroup that meets the State's minimum "n" size.

Table 3B.1 | Statewide Participation Rate, Math

	2004-05		2005-06	
	#	%	#	%
a. # of children with IEPs in grades assessed <i>TAKS, SDAA II, LDAA</i>	297,680	---	288,765	---
b. # of children with IEPs in regular assessment with no accommodations <i>TAKS</i>	101,607	34.13%	40,686	14.09%
c. # of children with IEPs in regular assessment with accommodations <i>TAKS with accommodations</i>	Data Not Available	Data Not Available	52,864	18.30%
d. # of children with IEPs in alternate assessment against grade level standards <i>SDAA II on grade level</i>	47,379	15.92%	59,834	20.72%
e. # of children with IEPs in alternate assessment against alternate achievement standards <i>SDAA II off grade level and LDAA</i>	145,933	49.02%	132,708	45.96%
Participants, Grades 3-8, 10	294,919	99.07%	286,092	99.07%
Non-participants	2,761	00.93%	2,673	00.93%

Source: Adequate Yearly Progress Dataset

Table 3B.2 | Statewide Participation Rate, Reading

	2004-05		2005-06	
	#	%	#	%
a. # of children with IEPs in grades assessed <i>TAKS, SDAA II, LDAA</i>	299,038	---	290,932	---
b. # of children with IEPs in regular assessment with no accommodations <i>TAKS</i>	95,118	31.95%	89,211	30.66%
c. # of children with IEPs in regular assessment with accommodations <i>TAKS with accommodations</i>	Data Not Available	Data Not Available	2,407	0.83%
d. # of children with IEPs in alternate assessment against grade level standards <i>SDAA II on grade level</i>	45,345	15.23%	55,194	18.97%
e. # of children with IEPs in alternate assessment against alternate achievement standards <i>SDAA II off grade level and LDAA</i>	155,467	52.23%	141,305	48.57%
Participants, Grades 3-8, 10	295,930	99.41%	288,117	99.07%
Non-participants	3,108	00.59%	2,815	00.93%

Source: Adequate Yearly Progress Dataset

Table 3C.1 | Statewide Performance Rate, Math

	2004-05		2005-06	
	#	%	#	%
a. # of children with IEPs in grades assessed	271,803	100.00%	264,889	100.00%
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations TAKS	51,799	19.05%	53,933	20.36%
c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations TAKS with accommodations	Data Not Available	Data Not Available	Data Not Available	Data Not Available
d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards SDAA II on grade level	37,485	13.79%	52,615	19.86%
e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards SDAA II off grade level and LDAA	93,680	34.47%	65,721	24.81%
Total Proficient, Grades 3-8, 10	182,964	67.31%	172,269	65.03%

Source: Adequate Yearly Progress Dataset

Table 3C.2 | Statewide Performance Rate, Reading

	2004-05		2005-06	
	#	%	#	%
a. # of children with IEPs in grades assessed	271,546	100.00%	263,027	100.00%
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations TAKS	56,607	20.85%	58,860	22.38%
c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations TAKS with accommodations	Data Not Available	Data Not Available	Data Not Available	Data Not Available
d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards SDAA II on grade level	36,190	13.33%	47,313	17.99%
e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards SDAA II off grade level and LDAA	97,561	35.93%	67,414	25.63%
Total Proficient, Grades 3-8, 10	190,358	70.10%	173,587	66.00%

Source: Adequate Yearly Progress Dataset

Table 3B.1A | Participation Rate by Grade, Math

Grade	a. # of children with IEPs in grades assessed TAKS, SDAA II, LDAA		b. # of children with IEPs in regular assessment with no accommodations TAKS		c.# of children with IEPs in regular assessment with accommodations TAKS with accommodations		d. # of children with IEPs in alternate assessment against grade level standards SDAA II on grade level		e.# of children with IEPs in alternate assessment against alternate achievement standards SDAA II off grade level and LDAA	
3	38,591	13.4%	5,058	12.4%	12,534	23.7%	6,712	11.2%	14,136	10.7%
4	41,351	14.3%	4,016	9.9%	11,239	21.3%	8,940	14.9%	16,981	12.8%
5	45,521	15.8%	3,147	7.7%	11,926	22.6%	10,370	17.3%	19,900	15.0%
6	44,148	15.3%	5,487	13.5%	7,228	13.7%	10,680	17.8%	20,485	15.4%
7	42,651	14.8%	6,487	15.9%	4,886	9.2%	9,597	16.0%	21,283	16.0%
8	41,427	14.3%	7,058	17.3%	3,623	6.9%	8,794	14.7%	21,473	16.2%
10	35,076	12.1%	9,433	23.2%	1,428	2.7%	4,741	7.9%	18,450	13.9%
Total	288,765	100.0%	40,686	100.0%	52,864	100.0%	59,834	100.0%	132,708	100.0%

Source: Adequate Yearly Progress Dataset

Table 3B.2B | Participation Rate by Grade, Reading

Grade	a. # of children with IEPs in grades assessed TAKS, SDAA II, LDAA		b. # of children with IEPs in regular assessment with no accommodations TAKS		c.# of children with IEPs in regular assessment with accommodations TAKS with accommodations		d. # of children with IEPs in alternate assessment against grade level standards SDAA II on grade level		e.# of children with IEPs in alternate assessment against alternate achievement standards SDAA II off grade level and LDAA	
3	39,831	13.7%	16,573	18.6%	505	21.0%	5,580	10.1%	17,042	12.1%
4	41,479	14.3%	12,195	13.7%	496	20.6%	8,003	14.5%	20,612	14.6%
5	46,182	15.9%	13,529	15.2%	451	18.7%	9,308	16.9%	22,724	16.1%
6	44,242	15.2%	10,974	12.3%	341	14.2%	10,364	18.8%	22,275	15.8%
7	42,764	14.7%	11,244	12.6%	258	10.7%	9,034	16.4%	21,835	15.5%
8	41,531	14.3%	12,075	13.5%	213	8.8%	8,229	14.9%	20,528	14.5%
10	34,903	12.0%	12,621	14.1%	143	5.9%	4,676	8.5%	16,289	11.5%
Total	290,932	100.0%	89,211	100.0%	2,407	100.0%	55,194	100.0%	141,305	100.0%

Source: Adequate Yearly Progress Dataset

Table 3C.1A | Performance Rate by Grade, Math

Grade	a. # of children with IEPs in grades assessed		b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations TAKS		c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations TAKS with accommodations		d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards SDAA II on grade level		e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards SDAA II off grade level and LDAA	
3	36048	13.6%	12,539	23.2%	Data Not Available	Data Not Available	6,080	11.6%	5,258	8.0%
4	38391	14.5%	10,906	20.2%	Data Not Available	Data Not Available	8,125	15.4%	6,804	10.4%
5	41743	15.8%	11,378	21.1%	Data Not Available	Data Not Available	9,503	18.1%	9,160	13.9%
6	40875	15.4%	7,187	13.3%	Data Not Available	Data Not Available	9,012	17.1%	9,953	15.1%
7	39013	14.7%	4,983	9.2%	Data Not Available	Data Not Available	8,018	15.2%	11,007	16.7%
8	37675	14.2%	4,057	7.5%	Data Not Available	Data Not Available	7,700	14.6%	12,185	18.5%
10	31144	11.8%	2,883	5.3%	Data Not Available	Data Not Available	4,177	7.9%	11,354	17.3%
Total	264,889	100.0%	53,933	100.0%	Data Not Available	Data Not Available	52,615	100.0%	65,721	100.0%

Source: Adequate Yearly Progress Dataset

Table 3C.2A | Performance Rate by Grade, Reading

Grade	a. # of children with IEPs in grades assessed		b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations TAKS		c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations TAKS with accommodations		d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards SDAA II on grade level		e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards SDAA II off grade level and LDAA	
3	34,331	13.1%	12,093	20.5%	Data Not Available	Data Not Available	4,844	10.2%	6,371	9.5%
4	38,429	14.6%	8,777	14.9%	Data Not Available	Data Not Available	7,021	14.8%	8,033	11.9%
5	41,579	15.8%	9,341	15.9%	Data Not Available	Data Not Available	8,256	17.4%	10,090	15.0%
6	40,898	15.5%	8,449	14.4%	Data Not Available	Data Not Available	9,193	19.4%	10,765	16.0%
7	39,044	14.8%	6,216	10.6%	Data Not Available	Data Not Available	7,504	15.9%	10,922	16.2%
8	37,703	14.3%	7,232	12.3%	Data Not Available	Data Not Available	7,331	15.5%	11,162	16.6%
10	31,043	11.8%	6,752	11.5%	Data Not Available	Data Not Available	3,164	6.7%	10,071	14.9%
Total	263,027	100.0%	58,860	100.0%	Data Not Available	Data Not Available	47,313	100.0%	67,414	100.0%

Source: Adequate Yearly Progress Dataset

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to increasing the participation and performance rates for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)

The data associated with the indicators above must be considered when addressing the adequate yearly progress indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

II. Explanation of Progress or Slippage

3A. The State did not meet the 100% target (87.6%). A year to year comparison of the data are not available since the methodology for determining performance for 3A changed (number of districts that met the "n" size decreased). Trend data will be available for the next ARP submission.

3B. The State exceeded the 95% target for students participating on math assessments (99%) and on reading assessments (99%). The State continues to emphasize the overall importance of Adequate Yearly progress by providing timely and accurate information to school districts and the public on the TEA's website at <http://www.tea.state.tx.us/ayp/index.html>.

3C. The State exceeded the 42% target for students performing on math assessments (65%) and the 53% target for students performing on reading assessments (66%). The Texas Reading Initiative and Texas Math Initiative (see description at end of the Indicator) continue to contribute to increased student performance in the Texas Assessment Program.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

State will not revise the targets.

Targets for FFY 2006:

- 3A = 100%
- 3B = Participation Math and Reading = 95%
Revised from 100% to 95% to align to NCLB requirement
- 3C = Performance – Math (50%) and Performance – Reading (60%)

II. Improvement Activities / Timelines / Resources

The improvement activities related to increasing the participation and performance rates for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)

The data associated with the indicators above must be considered when addressing the adequate yearly progress indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

Additional State-Level Activities

Under the accountability provisions in the No Child Left Behind (NCLB) Act, all public school campuses, school districts, and the State are evaluated for Adequate Yearly Progress (AYP). Districts, campuses, and the State are required to meet AYP criteria on three measures: Reading/Language Arts, Mathematics, and either Graduation Rate (for high schools and districts) or Attendance Rate (for elementary and middle/junior high schools). Activities to meet the needs of students with disabilities are embedded in the following statewide academic initiatives:

- **Student Success Initiative** - The goal of the Student Success Initiative (SSI) is to ensure that all students receive the instruction and support they need to be academically successful in reading and mathematics. The academic support provided under the SSI takes many forms, but students identified as being in need must be provided additional targeted instruction to ensure that they are afforded the opportunity for intensive instruction if they fall behind their classmates (<http://www.tea.state.tx.us/studentsuccess/index.html>).
- **Texas Math Initiative** - The Texas Math Initiative goals are to identify best practices and proven research-based models for math instruction by empowering teachers, parents and school districts to enact meaningful changes that will provide measurable results. This initiative brings together teachers, administrators and math experts to build consensus on reform efforts and give teachers a clear understanding of the math skills expected of students and the best instructional practices to enhance student performance (<http://www.tea.state.tx.us/math/>).
- **Texas Reading Initiative** - The Texas Reading Initiative (TRI) was developed in collaboration with the U.S. Department of Education, national reading experts, universities, colleges, regional Education Service Centers, and local school districts. The TRI adheres to scientific research-based principles for beginning reading instruction. Utilizing the Pre-K Guidelines and the Texas Essential Knowledge and Skills (TEKS) for Grades K-3 and the State's adopted reading textbooks, the TRI commits its energies and funding to ensure that all Texas students are reading on grade level or above by the end of Grade 3, and continues to support reading achievement for students in subsequent school years (<http://www.tea.state.tx.us/reading/>).
- **Texas Reading First Initiative** – The Texas Reading First Initiative provides an opportunity for every district to help all students achieve reading mastery by the end of the third grade. The Texas Reading First Initiative grant will strengthen the Texas Reading Initiative which already employs an infrastructure to link the State's business community, policymakers, state educational professionals, university-based research partners, and regional technical assistance providers together (<http://www.tea.state.tx.us/reading/readingfirst/readingfirst.html>).

Expansion of Accommodations

The Texas Education Agency will provide additional guidance to administrators, educators, and parents regarding the use of accommodations for all assessments in the Texas Assessment Program. Data regarding the use of these accommodations will be collected and reported beginning in the 2007-2008 school year.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

<p>A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.</p>

<p>A "significant discrepancy" is defined as exceeding the 0.56 cut point for 2005-06 (see Methodology below).</p>

FFY	Measurable and Rigorous Target
2005	<p>Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.</p>

Methodology for Identifying LEAs with Significant Discrepancies in Suspension/Expulsion Rates

The State calculates and compares the rates of suspensions and expulsions of students with disabilities (SWD) and the rates of students without disabilities (SWOD) by local education agency (LEA). This methodology has been revised from the one in the State Performance Plan (SPP) 2005-2010. Baseline data has been recalculated and reported in the FFY 2005 APR.

Determining the Ratio of Suspension/Expulsions

The State first calculates the rates of suspension/expulsion of students with disabilities and students without disabilities, and then creates a ratio of the rates. The ratio measures the number of times students with disabilities are suspended/expelled over the students without disabilities.

1. Calculating the Rates

Rate of SWD suspended/ expelled in LEA	=	$\frac{\text{\# of SWD suspended/expelled in LEA}}{\text{\# of SWD in the LEA}}$
Example		
12.72%	=	$\frac{42}{330} * 100$

Rate of SWOD suspended/ expelled in LEA	=	$\frac{\text{\# of SWOD suspended/expelled in LEA}}{\text{\# of SWO in the LEA}}$
Example		
8.27%	=	$\frac{186}{2249} * 100$

2. Calculating the Ratio

Ratio	=	$\frac{\text{Rate of SWD}}{\text{Rate of SWOD}}$
Example		
1.54	=	$\frac{12.72\%}{8.27\%} * 100$

Determining the Cut Point

The State produces a plot of the ratios using a *proc univariate normal plot*. Based on the plot, LEAs that have ratios within the 95 percentile area are considered to have statistically acceptable rates of suspensions and expulsions. The LEAs with ratios that are over the 95 percentile area (remaining 5%) may be considered to have a significant discrepancy in the rates of suspensions and expulsions of students with disabilities.

Data Cut Points

	Cut Point
2005-06	> 0.49 (at over 95%)
2004-05	> 0.56 (at over 95%)

Actual Target Data for FFY 2005:

Indicator 4A: Suspensions/Expulsions, Students with Disabilities

	2004-05	2005-06
a. # of districts with significant discrepancy	55	58
b. Total LEAs	1245	1242
Calculation: a / b * 100	4.4%	4.6%

Source: Public Education Information Management System (PEIMS) Datasets

Note: In applying the methodology described in this indicator, 58 districts were identified as having a potential significant discrepancy. This methodology did not factor in districts with small student populations (minimum "n" size of 30 students enrolled). For 2005-06, an additional four districts with small student populations will receive further review to determine if a significant discrepancy exists.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to decreasing the rates of suspension and expulsion for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)

The data associated with the indicators above must be considered when addressing the suspension and expulsion indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

II. Explanation of Progress or Slippage

The percentage of districts with a potential significant discrepancy in the rate of suspending and expelling students with disabilities remains the same from 2004-05 (baseline year) to 2005-06. Twelve LEAs were reported in both the baseline year and 2005-06. The Discipline/Behavior Management improvement group will convene in the spring 2007 to review discipline data and other factors that are contributing to the progress or slippage for this indicator

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the 0% target for FFY 2006.

II. Improvement Activities / Timelines / Resources

The improvement activities related to decreasing the rates of suspension and expulsion for students with disabilities are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation Rate
- Indicator 5: Educational Environments, Ages 6-21
(placements in the least restrictive environment)

The data associated with the indicators above must be considered when addressing the suspension and expulsion indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;¹
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- | |
|---|
| <ul style="list-style-type: none"> A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100. B. Percent = [(# of children with IEPs removed from regular class greater than 60% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100. C. Percent = [(# of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100. |
|---|

FFY	Measurable and Rigorous Target
2005	<ul style="list-style-type: none"> A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the baseline year's rate to 54.5% B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the baseline year's rate to 12.4% C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the baseline year's rate to 1.3%

¹ At the time of the release of this package, revised forms for collection of 618 State-reported data had not yet been approved. Indicators will be revised as needed to align with language in the 2005-2006 State-reported data collections.

Actual Target Data for FFY 2005:

Educational Environment, Aged 6-21

Children who received special education services...	2004-05		2005-06	
	#	%	#	%
A. Outside the regular class less than 21% of day	252,110	53.3%	261,545	56.0%
B. Outside the regular class more than 60% of day	61,098	12.9%	58,920	12.6%
C. In a Public Separate School Facility, Private Separate School Facility, Public Residential Facility, or Homebound/ Hospital Placement	6,642	1.4%	5,937	1.3%
D. Outside the regular class at least 21% of day but no more than 60% of day	152,822	32.3%	140,767	30.1%
Total Students, Aged 6-21	472,672	100.0%	467,169	100.0%

Source: Annual Federal Data Reports, Texas Education Agency

Federal Definitions for Educational Environments, ages 6-21 with Texas PEIMS Instructional Arrangement Codes			
<p>Outside Regular Class < 21% Children with disabilities receiving special education and related services outside the regular classroom for less than 21 percent of the school day.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>00 No Instructional Setting</p> <p>40 Mainstream</p> <p>41 Resource room < 21%</p> <p>81 Residential Care & Treatment (RCT), Mainstream</p> </td> <td style="width: 50%; vertical-align: top;"> <p>82 RCT, Resource room < 21%</p> <p>91 Off Home Campus, Mainstream</p> <p>92 Off Home Campus, Resource room <21%</p> </td> </tr> </table>		<p>00 No Instructional Setting</p> <p>40 Mainstream</p> <p>41 Resource room < 21%</p> <p>81 Residential Care & Treatment (RCT), Mainstream</p>	<p>82 RCT, Resource room < 21%</p> <p>91 Off Home Campus, Mainstream</p> <p>92 Off Home Campus, Resource room <21%</p>
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<p>Private Separate School Facility Children with disabilities who received education programs in private separate day school facilities. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in private separate schools.</p> <p>60 Nonpublic Day School</p>			

Federal Definitions for Educational Environments, ages 6-21
with Texas PEIMS Instructional Arrangement Codes

Public Residential Facility

Children with disabilities who received education programs and lived in public residential facilities during the school week. This includes children with disabilities receiving special education and related services for greater than 50 percent of the school day in public residential facilities.

30 *State School*

70 *Texas School for the Blind and Visually Impaired*

71 *Texas School for the Deaf*

Private Residential Facility

Children with disabilities who received education programs and lived in private residential facilities during the school week. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50 percent of the school day in private residential facilities.

50 *Residential Nonpublic School Program*

Homebound/Hospital Placement

Children with disabilities who received education programs in homebound/hospital environment includes children with disabilities placed in and receiving special education and related services in: hospital programs, or homebound programs.

01 *Home Bound*

02 *Hospital Class*

Definitions for the PEIMS Instructional Arrangements are in the *Student Attendance Accounting Handbook* located on the TEA website at <http://www.tea.state.tx.us/school.finance/handbook/index.html>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

Access to the General Education Curriculum

Improvement planning in the area of Access to the General Curriculum (AGC) is led for the state by Region 20 Education Service Center (ESC). This ESC is responsible for coordinating with all 20 regions to develop a statewide AGC network. The purpose of the 20-region network is to ensure ongoing communication among ESCs about state-level needs assessments, program planning and implementation, and evaluating statewide activities regarding AGC.

The AGC Network has developed a framework for statewide collaboration through a comprehensive planning process. The primary purpose of this process is to provide professional development and technical assistance focused on ensuring that all students with disabilities gain access to and show progress in the general curriculum through curricular and instructional adaptations in the least restrictive environment (LRE).

Continuous improvement activities focused on AGC during the 2005-06 school year included the following activities:

- **The AGC District Data Analysis:** This analysis targets LEAs who are addressing issues related to the 125% Statewide Ratio Issue (<http://www.tea.state.tx.us/special.ed/125/>) and/or Performance-Based Monitoring Analysis System (PBMAS) Special education indicators 9, 10, and 11, (<http://www.tea.state.tx.us/pbm/2006PBMASManualFinal.pdf>). Districts now have a 125% Guide and the framework aligned with PBMAS in order to address these issues at the district level.
- **AGC Training Modules & Video Series:** This series contains training modules in the following areas: Leadership & Vision; Collaborative Teaching Models; TEKS-Based Instructional Strategies; Accommodations/Modifications; Assessment. Coordinating videos are also included for each topic depicting campuses across the state that are successfully providing students with disabilities access to the general curriculum. Early Childhood and Elementary Modules are available to provide ongoing training and support. Secondary Modules and Videos (Middle School and High School Videos) are completed and TOT training was provided on Sept. 27, 2006 for AGC Network members. Peer

Supports and Self-Advocacy Modules & Videos have been added to the Secondary Training Series to support post-school outcomes. Districts have the series at their disposal for training school personnel involved in the AGC District Data Analysis Framework.

- **Inclusion Works Conference:** The 13th Annual Inclusion Works Conference was held February 22-25, 2006. The role of the AGC network was to provide guidance with the program, present information at conference, and help build administrator and parent attendance. The Network assisted Promising Practice Sites with presentations, recruited ESC core content specialists to provide content specific training, continued to focus on preschool, and access to TEKS-based instruction, and presented state accountability and AYP at the Principal's Academy.
- **Pre-Referral Pilot Project:** A clearinghouse of evidence based interventions and abstracts of tools are available for LEAs to use to guide them in making sound educational decisions regarding students with disabilities. TEA staff examined different early intervention assistance team processes that districts could utilize to support all struggling learners and have adopted three sound processes for building awareness and/or providing training. These are as follows:
 - Instructional Decision-Making Procedures for Ensuring Appropriate Instruction for Struggling Students.
 - Problem Solving Team Training (addressing behavior/academic concerns)—Received by ESC-4 and hosted TOT training Dec. 2005.
 - MCN Module 3—Partnered with Multicultural Network members.

II. Explanation of Progress or Slippage

The State exceeded its targets for increasing Educational Environments A and B, and made progress toward the target for Educational Environment C. Note: Caution must be used in the analysis of student data from the 2005-06 school year as a result of the influx of students from gulf states impacted by Hurricanes Katrina and Rita.

5A. The State exceeded the $\geq 54.5\%$ target (59.9%).

5B. The State did not meet the $\leq 12.4\%$ target (12.6%).

5C. The State exceeded the $\leq 1.3\%$ target (1.2%).

The Access to General Curriculum improvement group will convene in the spring 2007 to review LRE data and other factors that are contributing to the progress or slippage for this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the targets for FFY 2006:

- 5A $\geq 55.5\%$
- 5B $\leq 11.9\%$
- 5C $\leq 1.27\%$

II. Improvement Activities /Timelines and Resources Access to the General Education Curriculum

Continuous improvement activities focused on AGC during the 2006-07 school year include the following:

125% Support Initiative

Provide intensive support to Cycle 10 (2003-2005) 125% Districts/Charter Schools. Increase least restrictive environment (LRE) placements for students with disabilities within Cycle 10-125% Districts/Charter Schools

and remove them from the 125% <http://www.tea.state.tx.us/special.ed/125/>. Districts now have a 125% Guide and the framework aligned with PBMAS Special education indicators 9, 10, and 11, (<http://www.tea.state.tx.us/pbm/2006PBMASManualFinal.pdf>) in order to address these issues at the district level. Network members have also been trained in all AGC Training Modules and will attend Power of 2 Co-Teaching TOT (April 2007) to assist 125% districts.

Research –Based Intervention Clearinghouse

- Maintenance of this ongoing project to compile a collection of research-based interventions that LEAs will view to best support students to successfully gain access to the general education curriculum **(August 2006-May 2007)**.
- Analysis of the academic interventions to evaluate the level of research, target population, appropriate grade level, appropriate tier of instruction, and key component of reading that each intervention addresses.
- Development and posting Content Strand Areas (Secondary Reading, Elementary Reading, Secondary Math, and Elementary Math) to the AGC website. Reading strands are currently in process **(October 2006-August 2007)**.

Inclusion Works Conference and Pre-Planning Meeting

- A face-to-face meeting to pre-plan the strands of the conference will be held. The conference will be directed toward parents, teachers, and administrators and will utilize ESC trainers for selected sessions. The purpose of this conference is to provide education in a variety of avenues for implementing a successful, inclusion model in local school districts **(February 28-March 2, 2007)**.

AGC TEKS-Based Instruction Video Series & Training Modules

- The series contains training modules in the following areas: Leadership & Vision; collaborative Teaching Models; TEKS-Based Instructional Strategies: Accommodations/Modifications; Assessment. Coordinating videos are also included for each topic depicting campuses across the State that are successfully providing students with disabilities access to the general curriculum.
- The AGC Network will provide training within each regional service area and add all training modules to the AGC website. Districts will then access the modules for training of local campus personnel. The 125% Systemic Support Initiative is integrated into these regional area trainings **(September 2006-August 2007)**.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = [(# of preschool children with IEPs who received special education services in settings with typically developing peers) divided by the (total # of preschool children with IEPs)] times 100.

FFY	Measurable and Rigorous Target
2005	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the baseline year's data to 6.7%

Actual Target Data for FFY 2005:

	Educational Environment, Aged 3-5			
	2004-05		2005-06	
	#	%	#	%
Early Childhood Setting	2,117	5.1%	2,664	6.6%
Early Childhood Special Education Setting	10,232	24.6%	9,310	23.1%
Home	197	0.5%	207	0.5%
Part-Time Early Childhood/ Part-Time Early Childhood Special Education Setting	7,059	17.0%	7,368	18.3%
Itinerant Service Outside The Home (Optional)	21,893	52.7%	20,622	51.3%
Residential Facility/Separate School	66	0.2%	65	0.2%
Total Students, Aged 3-5	41,564	100.0%	40,236	100.0%

Source: Annual Federal Data Reports, Texas Education Agency

Federal Definitions for Educational Environments, ages 3-5
with Texas PEIMS Instructional Arrangement Codes

Early Childhood Setting

Children who received ALL (100%) of their special education and related services in educational programs designed primarily for children without disabilities. No special education or related services are provided in separate special education settings.

- 40 Mainstream
- 81 Residential Care & Treatment (RCT), Mainstream
- 91 Off Home Campus, Mainstream

Early Childhood Special Education Setting

Children who received ALL (100%) of their special education and related services in educational programs designed primarily for children with disabilities housed in regular school buildings or other community-based settings. No special education or related services are provided in early childhood or other settings.

- 45 Full Time Early Childhood Special Education Setting
- 87 RCT, Community class
- 89 RCT, Full Time Early Childhood Special Education
- 97 Off Home Campus, Community class
- 98 Off Home Campus, Full Time Early Childhood Special Education

Home

Children who received all (100%) of their special education and related services in the principal residence of the child's family or caregivers.

- 01 Homebound

Part-time Early Childhood/Part-time Early Childhood Special Education Setting

Children who received special education and related services in multiple settings, including special education and related services are provided in: (1) the home, (2) educational programs designed primarily for children *without* disabilities, (3) programs designed primarily for children *with* disabilities, (4) residential facilities, and (5) separate schools.

- 41 Resource Room/Services, less than 21%
- 42 Resource Room/Services, at least 21% & less than 50%
- 43 Self-contained, Regular Campus, at least 50% & no more than 60%
- 44 Self-contained, Regular Campus – more than 60%
- 82 RCT, Resource room, less than 21%
- 83 RCT, Resource room, at least 21% & less than 50%
- 84 RCT, Self-contained, Regular campus, at least 50% & no more than 60%
- 85 RCT, Self-contained, Regular campus, more than 60%
- 92 Off Home Campus, Resource room, less than 21%
- 93 Off Home Campus, Resource, at least 21% & less than 50%
- 94 Off Home Campus, Self-contained, Regular Campus, at least 50% & no more than 60%
- 95 Off Home Campus, Self-contained, Regular Campus, more than 60%

Residential Facility

Children who received all (100%) of their special education and related services in publicly or privately operated residential schools or residential medical facilities on an inpatient basis.

- 02 Hospital Class
- 30 State School
- 50 Residential Nonpublic School Program
- 70 Texas School for the Blind and Visually Impaired
- 71 Texas School for the Deaf

Separate School

Children who received all (100%) of their special education and related services in educational programs in public or private day schools designed specifically for children with disabilities.

- 60 Nonpublic Day School
- 86 RCT, Separate campus
- 96 Off Home Campus, Separate campus

Itinerant Service Outside the Home (Optional)

Children who received all (100%) of their special education and related services at a school, hospital facility on an outpatient basis, or other location for a short period of time (i.e., no more than 3 hours per week). These services may be provided individually or to a small group of children. This may include, but is not limited to: speech instruction up to 3 hours per week in a school, hospital, or other community-based setting.

- 00 No Instructional Setting

Definitions for the PEIMS Instructional Arrangements are in the *Student Attendance Accounting Handbook* located on the TEA website at <http://www.tea.state.tx.us/school.finance/handbook/index.html>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

Improvement Activities Completed:

Access to the General Education Curriculum

Improvement planning in the area of Access to the General Curriculum (AGC) is led for the state by Region 20 Education Service Center (ESC). This ESC is responsible for coordinating with all 20 regions to develop a statewide AGC network. The purpose of the 20-region network is to ensure ongoing communication among ESCs about state-level needs assessments, program planning and implementation, and evaluating statewide activities regarding access to the general curriculum.

The AGC Network has developed a framework for statewide collaboration through a comprehensive planning process. The primary purpose of this process is to provide professional development and technical assistance focused on ensuring that all students with disabilities gain access to and show progress in the general curriculum through curricular and instructional adaptations in the least restrictive environment (LRE).

Preschool LRE Initiative

In promoting an increase of preschool services in the least restrictive environment and an expansion of placement options throughout the state, the AGC state leadership has developed and implemented a Preschool Least Restrictive Environment District Program Analysis (Preschool LRE) Initiative. The Texas Education Agency (TEA) makes funds available to all regional education service centers to support districts involved in the Preschool LRE Initiative. As this initiative moves into its fourth year, the focus will remain on creating partnerships within communities in order to broaden the continuum of placement options and increase the number of preschool students receiving services in the least restrictive environment. Some of the specific activities surrounding this focus include an annual statewide *Inclusion Works* conference, AGC Network training via both telecommunication and face-to-face meetings, and the addition of a component for visiting best practice sites. Detailed information related to the Preschool LRE Initiative can be found on the Region 20 ESC website at <http://www.esc20.net/sped/preschoollre.html>.

Continuous improvement activities focused on Preschool LRE during the 2005-06 school year included the following activities:

Preschool Least Restrictive Environment (LRE) Initiative

This initiative continued into the fourth year and assisted participating districts in assessing and improving the quality of educational programming for preschool children with disabilities in the least restrictive environment. The Preschool LRE Initiative had the following specified goals:

- To assist districts in assessing their current preschool practices for children with disabilities,
- To increase the number of preschool students in the least restrictive settings,
- To increase the continuum of placement options for preschool students with disabilities, and
- To improve the quality of services and collaboration with other service providers, i.e., childcare centers, Head Start, parents, etc.

The process utilized for each individual district preschool LRE initiative encompassed the following phases: data collection and self-analysis, data analysis, determination of potential solutions and the development of an action plan.

The ESC Preschool network has supported the continued progress of the Preschool LRE Initiative by sponsoring training via both telecommunication and face-to-face meetings for regional personnel to receive and then make available to district personnel.

Early Childhood Special Education Network

The TEA and Early Childhood Special Education contacts from each ESC will continue to serve as sources of guidance, leadership and resources for the expansion and improvement of both placement options and service in the least restrictive environment. This network of ESC preschool specialists works to promote increased awareness of the requirements and benefits of LRE settings, methods for expanding placement options via community and interagency relationships, the development and improvement of resources regarding LRE (including a *LRE Q & A* brochure available on the Region 20 ESC website at <http://www.esc20.net/>), and regional training and technical assistance.

These Preschool LRE improvement activities will be ongoing through the 2010-2011 school year.

District-Level Data Collection and Reporting

The State will explore opportunities to collect more informative data regarding preschool students coded "Itinerant Service Outside of the Home." The TEA will develop, through both monitoring and programmatic efforts, a standardized method by which LEAs provide district-level analysis regarding actual placements for preschool students in this code. This information will increase the State's ability to make informed decisions and enhance guidance surrounding improvement activities in the area of preschool services in the least restrictive environment.

II. Explanation of Progress or Slippage

The State did not meet the 6.7% target (6.6%) for students with disabilities in the Early Childhood Setting. Note: Caution must be used in the analysis of student data from the 2005-06 school year as a result of the influx of students from gulf states impacted by Hurricanes Katrina and Rita.

The Access to General Curriculum improvement group will convene in the spring 2007 to review LRE data and other factors that are contributing to the progress or slippage for this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the 8.4% target for FFY 2006.

II. Improvement Activities / Timelines / Resources

Continuous improvement activities focused on Preschool LRE during the 2006-07 school year included the following activities:

Preschool Least Restrictive Environment (LRE) Initiative

Preschool LRE Project – Year V continues to focus on creating partnerships, broadening the continuum of placement options, and serving preschool students in the least restrictive environment with a renewed effort to recruit additional district participation in the Preschool LRE Initiative **(October 2006-May 2007)**.

District-Level Data Collection and Reporting

Participating Preschool LRE districts collect baseline and summative data related to the expected results of the project that include the following:

- Increase the percentage of preschool students served in less restrictive settings.
- Expand placement options for students with disabilities.
- Increase partnerships with other service providers.
- Increase overall quality preschool program components.

The Early Childhood Special Education Network provides technical assistance and ongoing follow-up to target districts that exceeded the 125% statewide average ratio. Technical assistance includes a guidance document with a framework aligned with the State's Performance Based Monitoring Analysis System

(PBMAS). More information about 125% statewide average ratio can be found on the TEA Website at <http://www.tea.state.tx.us/special.ed/125/index.html>(**August 2007**).

Preschool placement data concerns are actively being addressed in consultation with the TEA Division of Public Education Information Management System (PEIMS) to facilitate a more effective way to represent the many factors associated with preschool placement data. The disaggregation of the "00-No instructional setting" code remains a challenge to understanding statewide Preschool LREs since actual placements for this portion of the PPCD population are unknown (**Spring 2007**).

Early Childhood AGC Training Modules & Video Series

The AGC Network developed instructional video series and training modules to support inclusionary best practices for preschool students with disabilities. These training modules have been developed for the purpose of promoting understanding, knowledge, and skills among administrators, educators, and parents in order that:

- Preschool students with disabilities have greater access to the general education curriculum.
- Preschool students with disabilities have opportunities to develop meaningful social relationships and friendships.
- Preschool students with disabilities engage in meaningful and relevant instruction.

The Network will continue to provide training within each regional service area and add all training modules to the AGC website. Districts will then access the modules for training of local campus personnel.

Early Childhood Special Education Network

The TEA and Early Childhood Special Education contacts from each ESC will continue to serve as sources of guidance, leadership and resources for the expansion and improvement of both placement options and service in the least restrictive environment. This network of ESC preschool specialists works to promote increased awareness of the requirements and benefits of LRE settings, methods for expanding placement options via community and interagency relationships, the development and improvement of resources regarding LRE (including a *LRE Q & A* brochure available on the Region 20 ESC website at <http://www.esc20.net/>), and regional training and technical assistance.

These Preschool LRE improvement activities will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

FFY	Measurable and Rigorous Target
2005	100% compliance with requirement for correction of noncompliance within one year of identification.

Actual Target Data for FFY 2005:

State Supervision Data

	2004-05	2005-06
Number of LEAs	32 LEAs found with noncompliance issues in 2003-04	701 LEAs in intervention 177 LEAs found with noncompliance issues in 2004-05
a. Noncompliance issues identified	188	333
b. Pending review at time of SPP/APR reporting, still within one year timeline	0	99
c. Noncompliance issues corrected	183	222
d. Noncompliance issues not corrected within 1 year	5	12
Calculation: [(c – d) / c] * 100	97.3%	94.6%

Source | Texas Education Agency, State Supervision Data

Resolution of Remaining 2003-04 Noncompliance as Reported in State Performance Plan, January 2006

In the 2003-04 monitoring cycle, there were five issues of noncompliance identified within one local education agency (LEA) that were not corrected within the one-year timeline. TEA representatives conducted frequent follow-up with the LEA and engaged in other interventions and sanctions as discussed below.

The LEA in question was required to engage in intervention activities again in the 2004-05 monitoring cycle. In May 2005, the LEA submitted its 2004-05 PBM intervention information, and 18 additional issues of noncompliance were identified beyond the five issues remaining from 2003-04.

In September 2005, the LEA was notified that it was subject to escalated oversight and sanctions under 19 Texas Administrative Code (TAC) §89.1076, *Interventions and Sanctions* due to continuing noncompliance from the 2003-04 monitoring cycle, as well as the subsequent identification of additional noncompliance. Escalated interventions initially included frequent conference calls with LEA stakeholders involved in the implementation of corrective action activities, written status reports from the LEA, and the submission of LEA documents verifying implementation of corrective action activities.

The LEA was required to engage in additional intervention activities again as part of the 2005-06 monitoring cycle. In January 2006, further submissions were received from the LEA related to the 2005-06 monitoring cycle, and an additional 12 issues of noncompliance were identified.

In April 2006, an on-site review was conducted.

As of August 2006, the five noncompliance issues initially identified in 2003-04 were verified as having been corrected. However, due to the numerous issues related to 2004-05 and 2005-06 monitoring activities, the LEA was notified in August 2006 that, based on: 1) the LEA's failure to systemically correct instances of continued noncompliance, 2) patterns of additional noncompliance having been found in subsequent LEA and TEA reviews, and 3) lack of evidence that the LEA had integrated findings and corrective activities into the continuous improvement plan based on a thorough and holistic understanding of the core issues identified in the monitoring process, the TEA would assign a special purpose monitor to the LEA. The monitor was assigned in October 2006 and continues to work with the LEA.

Uncorrected Noncompliance Issues of 2004-05

As part of the 2004-05 special education monitoring process, all LEAs were evaluated through the Performance-Based Monitoring Analysis System (PBMAS). 701 LEAs received ratings that placed them into one of four stages of intervention. Information on the 2004-05 stages of intervention is available at <http://www.tea.state.tx.us/pmi/spedmon/2004>. Depending on the stage of intervention, LEAs were required to engage in various self-evaluation activities to focus on improving results for students with disabilities and to facilitate continuous feedback and use of information to support continuous improvement.

Stage of Intervention	# of LEAs
1A	452
1B	178
2	57
3	14
Total	701

Each LEA in Stage 1B, 2, and 3 intervention was required to submit its self-evaluation data and a continuous improvement plan (CIP) to the TEA. The CIP was developed to incorporate the LEA's plans, based on the findings from all required intervention activities, to improve results for students with disabilities and to correct any instances of identified noncompliance. TEA representatives review all documents submitted by LEAs, including the CIP. Follow-up activities are conducted with LEAs throughout the year to verify CIP implementation.

Noncompliance issues may have been identified by the LEA as it conducted various PBM intervention activities or by the TEA as it reviewed and audited the LEA's submission. During 2004-05, 701 LEAs participated in the intervention process. Out of these 701 LEAs, 177 were identified as having 333 issues of noncompliance. LEAs were required to develop and implement a continuous improvement plan (CIP) to correct any noncompliance items as soon as possible, but in no case longer than one calendar year from the date of identification of noncompliance.

Due to the overlapping implementation timelines for 2004-05 and 2005-06 PBM intervention activities (May submission deadlines in 2004-05 and January submission deadlines for 2005-06), TEA review and correspondence activities occurred off of the regular annual cycle. Therefore, the TEA timeline for verifying correction of the 333 issues of noncompliance identified in 2004-05 is September 2006 to February 2007. As of the date of this report, 99 issues have not yet reached the one year timeline for correction. The correction of these citations will be reflected in a future annual performance report.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

- The Program Effectiveness Review was revised to require additional information related to continuum of services for children 3-4 years old for Stages 1B, 2, and 3.
- In 2005-06, four LEAs were placed into escalated oversight and sanctions due to issues of continuing noncompliance. On-site reviews were conducted within each LEA. The outcomes of the reviews were:
 - One LEA was assigned a special purpose monitor, to be paid for by the LEA.
 - One LEA was assigned a focused technical assistance team, to be paid for by the LEA.
 - During 2004-05, one LEA did not complete the PBM process and submit the required self-evaluation documents and CIP. The LEA was notified that it was in escalated oversight and sanctions. An on-site review was conducted in November 2005. During the on-site review, six issues of noncompliance were identified. As TEA representatives have worked with the LEA, some issues have been verified as corrected, but other issues of noncompliance have been newly identified. The latest issues of noncompliance were identified in July 2006 and are scheduled for correction no later than July 2007. Due to additional noncompliance having been found in subsequent LEA and TEA reviews, TEA is in the process of making a determination regarding any further sanctions that will be utilized.
 - An on-site review was conducted for one LEA, and, while noncompliance still was not corrected at the time of the on-site review, correction of continuing issues of noncompliance was verified in October 2006.
- In 2005-2006, six LEAs were selected randomly to receive data validation and verification on-site reviews. The primary focus of the TEA's validation and verification activities was to validate the LEA's implementation of the Special Education Monitoring system. On-site validation activities were centered on confirming the following:
 - accuracy of data for items driving the PBM System;
 - appropriate implementation of the system according to TEA requirements, including implementation of the review process, Continuous Improvement Plan, and any required corrective actions; and
 - accuracy of LEA-determined findings.

During the on-site visits, the TEA reviewed PBM documentation, conducted focused interviews with LEA staff, and verified district data in order to validate the LEA's original findings. The TEA was able to verify and validate all of the six LEAs' implementation of the 2004-05 PBM intervention process. However, two LEAs were found to have four issues of noncompliance not originally present during the 2004-05 intervention process. TEA representatives are working with these LEAs to verify correction of noncompliance. Correction of these issues of noncompliance will be reported in a future performance report.

- An on-site visit was conducted with three sites of the Texas Youth Commission to verify compliance with the provision of related services to students with disabilities. Noncompliance continues at one site. In October 2006, the TYC was notified that it was placed in escalated oversight and interventions under 19 TAC §89.1076, *Interventions and Sanctions* resulting from continuing issues of noncompliance. TEA representatives will continue to follow up with the campuses to verify immediate correction of outstanding issues.
- In April 2006, the Agency reported 132 LEAs were identified with areas of noncompliance concerning "Frequency and amount of IEP services". This number, after review and confirmation of data, was 109 at the end of the 2004-2005 monitoring year. Of these 109, 103 have been corrected within the one year timeline. None has been identified as demonstrating continued noncompliance in this area while six remain unresolved. These six are included in the 99 noncompliance instances still under the one-year timeline for 2004-2005 as reported in this report.

II. Explanation of Progress or Slippage

Ten LEAs from the 2004-05 year continue to have 12 unresolved issues of noncompliance that have gone beyond the one-year timeline, and they have been notified that they are subject to escalated oversight and sanctions under 19 TAC §89.1076, *Interventions and Sanctions*. The notification letter instructed each of these LEAs to take immediate steps to rectify any instances of continuing noncompliance. TEA representatives will continue to follow up frequently with these ten LEAs and require documentation to verify correction. If documentation does not verify immediate correction, additional sanctions will be implemented.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision. This is an indicator with a 100% compliance target.

II. Improvement Activities / Timelines / Resources

During the 2006-07 year, TEA will engage in various activities to improve the monitoring system.

- A targeted on-site review by the TEA will be conducted for 18 LEAs in 2006-2007 that were identified for review based upon their historical data and ongoing student performance and program effectiveness concerns as reflected in the PBMAS and PBM system. These on-site reviews will take place under a Stage 4 Intervention, which is designed to address issues of substantial, imminent, or ongoing risk related to noncompliance identified in substantiated complaints, adverse due process hearing decisions, previously determined areas of noncompliance, ongoing performance or effectiveness concerns, and/or other documented substantial, imminent, or ongoing risks as reflected in an LEA's data. The reviews will be designed to examine the origins of the LEA's continuing low performance and/or program effectiveness concerns. A longitudinal study of each LEA's data over a period of time will determine the focus and activities of the review. The goal of Stage 4 Intervention is to assist the LEA in developing and implementing more effective CIP improvement activities, leading to improved performance and program effectiveness. Information concerning Stage 4 intervention is available at <http://www.tea.state.tx.us/pmi/spedmon/2007/onsite.html>.
- Training on the PBMAS and PBM intervention stages will continue for LEAs and Education Service Centers (ESCs) through Texas Education Telecommunications Network (TETN) presentations, conferences, etc.

- Guidance documents for the various stages of interventions will be enhanced to assist LEAs throughout the intervention process.
- Data validation and verification reviews will be conducted with randomly selected LEAs to verify the 2005-2006 PBM system and process.
- A focus group, composed of representatives from LEAs and ESCs, will study the effectiveness of the PBM system and make recommendations for improvement.
- LEAs and ESCs will continue to have an opportunity to participate in an annual survey related to the PBM system, which will be utilized to make improvements to the system. Stakeholders also will have the opportunity to provide public comment on the PBMAAS through the official TEA rules adoption process.
- The TEA will consult and collaborate with the Texas School for the Deaf and the Texas School for the Blind and Visually Impaired to develop and implement a system for monitoring the performance and effectiveness of each school's program.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision
--

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100.

FFY	Measurable and Rigorous Target
2005	100% of complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Target Data for FFY 2005:

Complaint Investigation Timeline

	2004-05	2005-06
(1) Signed, written complaints total	485	451
(1.1) Complaints with reports issued	183	204
(a) Reports with findings	129	156
(b) Reports within timeline	14	175
(c) Reports within extended timelines	0	28
Calculation: [(1.1(b) + 1.1(c)) / 1.1 * 100	7.6%	99.5%

Source | Texas Education Agency, State Supervision Data

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to an effective general supervision system are interrelated to several other indicators in the State Performance Plan (SPP) including:

- Indicator 15: Effective General Supervision
- Indicator 17: Due Process Hearing Timeline
- Indicator 18: Early Resolution Session
- Indicator 19: Mediation Agreements

The data associated with the indicators above must be considered when addressing the complaints timeline indicator.

Continuous improvement activities accomplished for this indicator include:

- Continued review and revision to the complaint procedures as needed to ensure a neutral, consistent, and responsive process.
- Management of complaint timelines to ensure signed written complaints will be resolved within the 60-day timelines or a timeline extended for exceptional circumstances with respect to a particular complaint.
- Continued refinement of complaint processes related to development of investigative reports, correspondence with complaint parties, and follow-up on corrective actions associated with complaints.
- TEA Division of IDEA Coordination staff members attended trainings associated with facilitating admission, review, and dismissal (ARD) committee meetings. This information, as well as the early and local dispute processes, is being used to train staff at education service centers in an effort to enhance the technical assistance to local education agencies in resolving and preventing disputes.
- TEA staff representing complaint resolution, mediation, due process hearings, and resolution sessions participated in a self-assessment process with staff from Consortium for Appropriate Dispute Resolution in Special Education (CADRE). This process was valuable to understand current status of each of the functions and areas of growth.
- In order to disseminate information regarding the State's special education complaints policies and procedures, the Agency has participated in the following:
 - TEA Division of IDEA Coordination staff members have conducted information sharing with the Education Service Centers (ESCs) through the Texas Education Telecommunications Network (TETN) with regard to the complaints process;
 - TEA Division of IDEA Coordination staff members have conducted information sharing with school districts and other organizations through the January 2006 TCASE meeting with regard to the State's early resolution process;
 - TEA Division of IDEA Coordination staff members have conducted information sharing with school districts and other organization through the summer 2006 TCASE meeting with regard to the State's special education complaints reconsideration process;
 - TEA Division of IDEA Coordination staff members have conducted information sharing with the Parent Resource Network in fall 2006 with regard to the new special education complaints regulations and procedures;
 - The Agency participates in information sharing with school districts, parents, and organizations with regard to special education complaints procedures, including changes made to said procedures as a result of the IDEIA through the Agency's website.
 - The Agency provided information to the Parent Resource Network in fall 2006 with regard to the new special education complaints regulations and procedures;
 - The Agency provided information to the Texas Project First website regarding the dispute resolution continuum in Texas;
 - The Agency provided information to school districts, parents, and organizations with regard to special education complaints procedures, including revisions to the procedures as a result of the IDEA 2004 final regulations on the TEA website at <http://www.tea.state.tx.us/special.ed/medcom/procedures.html>.
 - The Agency finalized and implemented the Continuum of Dispute Resolution Management System (CDRMS), utilizing the system to conduct quantitative analysis of complaints by school district/region and substantiation.

II. Explanation of Progress or Slippage

Of the 204 investigative reports issued, 175 were issued within the 60-calendar day timeline, and 28 were issued within their respective extended timelines. One(1) complaint was not issued within either the 60-calendar day or an extended timeline. Due to a restructuring of the special education complaints policies and procedures, the system now ensures inherent checks and balances that are flexible and that are able to ensure the completion of those special education complaint investigations that do not meet the exceptional circumstances for an extension of the 60-calendar day regulatory timeline. The system permits the Agency, the LEA, and the complainant to pursue local resolution and a formal investigation of each special education complaint simultaneously in a manner that does not interfere with the Agency's ability to conduct and complete a formal investigation within the 60-calendar day regulatory timeline. Additionally, the one(1) complaint that was not completed within timeline for the 2005-06 fiscal year was not a result of a systemic problem, rather it was an isolated incident resulting from an understood issue that has since been corrected using the Agency's CDRMS database.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision. This is an indicator with a 100% compliance target.

II. Improvement Activities / Timelines / Resources

TEA Division of IDEA Coordination:

- will conduct training for new special education directors with regard to special education complaints procedures;
- will deliver presentations to school districts and other organizations at statewide conferences with regard to special education complaints procedures;
- will deliver presentations to education service centers via teleconferencing with regard to special education complaints procedures;
- will update the CDRMS based on current regulations to reflect issues upon which complaints are filed and substantiated by school district/region in order to provide more extensive data to the Education Service Centers to ensure more specific areas of focused technical assistance for school districts;
- will evaluate performance data with regard to the special education complaints team on a continuous basis to ensure compliance with special education regulations;
- will make available to all staff members trainings associated with facilitating ARD committee meetings and mediation. This will be used to assist staff at education service centers in an effort to enhance their technical assistance to local education agencies in resolving and preventing disputes; and
- will or did participate in the 2006 Jobsalike Conference sponsored by the Southeast Regional Resource Center (SERRC) and by the CADRE project as a means of reviewing and discussing policies and procedures and common issues with other State's special education complaints teams that arise with regard to special education complaints.

In order to disseminate information regarding the State's special education complaints policies and procedures, the TEA Division of IDEA Coordination staff members will:

- conduct information sharing with the Education Service Centers (ESCs) through the Texas Education Telecommunications Network (TETN) with regard to the complaints process;
- conduct information sharing with school districts and other organizations through the 2007 Winter and Summer TCASE meetings with regard to the State's early resolution process; and
- continue to participate in information sharing with school districts, parents, and organizations with regard to special education complaints procedures, including changes made to said procedures as a result of the IDEIA through the Agency's webpage.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision
--

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

FFY	Measurable and Rigorous Target
2005	The State will demonstrate 100% compliance with this indicator.

Actual Target Data for FFY 2005:

Due Process Hearing Timeline

	2004-05	2005-06
(3) Hearing requests total	425	277
(3.2) Hearings (fully adjudicated)	58	32
(a) Decisions within timeline	5	4
(b) Decisions within extended timeline	53	28
Calculation: (3.2(a) + 3.2(b)) / (3.2) * 100	100%	100%

Source | Texas Education Agency, State Supervision Data

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to an effective general supervision system are interrelated to several other indicators in the State Performance Plan (SPP) including:

- Indicator 15: Effective General Supervision
- Indicator 16: Complaint Investigation Timeline
- Indicator 18: Early Resolution Session
- Indicator 19: Mediation Agreements

The data associated with the indicators above must be considered when addressing the due process timeline indicator.

Continuous improvement activities accomplished for this indicator include:

- Texas Education Agency (TEA) staff monitor special education hearing officer (SEHO) dockets to assure compliance with timelines. On a weekly basis the TEA Docket Administrator emails a copy of each hearing officer's docket to the hearing officer. Cases in which a deadline is forthcoming in the following week are highlighted, thus alerting the hearing officer that TEA must receive either a final decision or an order of continuance in the case no later than the highlighted date on the special education hearings docket.
- If extensions of time are granted, the hearing officer must issue a written order identifying the good cause grounds for the extension, the specific number of days of extension that the hearing officer is granting, and the date by which the final decision must be reached. The date by which the final decision must be reached shall be determined by adding the number of days of extension that are granted by the hearing officer to the original 45-day period. The hearing officer must submit a copy of the order of continuance to the TEA Docket Administrator for entry onto the special education hearings docket.
- The TEA monitor the date decisions are due and makes contact with the hearing officer before the deadline to assure that the decision will be issued on or before the deadline. Implementation of decisions adverse to local education agencies (LEAs) is managed by the TEA Division of IDEA Coordination.
- Effective management of the State's due process hearing system is emphasized in the hiring process for hearing officers. TEA publishes a request for proposal (RFP) advertising for "Independently Contracted Special Education Hearing Officers" which contains as a job requirement compliance with the 45-day deadline for issuing final decisions.
- The most recent RFP was published in June 2006. Contracts with TEA began on September 1, 2006, with the option for TEA to extend the contracts for up to four years.
- Capacity building needs identified for impartial hearing officers this year include implementation of the requirements of Individuals with Disabilities Education Improvement Act, 2004 (IDEA 2004) Regulations and development of a uniform system through which all hearing officers track the scheduling of resolution sessions and whether or not a resolution session resulted in a signed settlement agreement between the parent and the LEA .
- Hearing officers are provided continuing legal education training in May 2006 and September 2006 to address these specific issues. Hearing officers are required, pursuant to their contracts with TEA, to attend training provided by TEA three times annually at which licensed attorneys representing school districts, parents, the Office of the Attorney General, and other entities provide continuing legal education. Additionally, hearing officers are required to attend one conference annually at which the focus of the training is special education or administrative law where the hearing officer receives no less than 10 hours of continuing legal education.
- TEA staff representing complaint resolution, mediation, due process hearings, and resolution sessions participated in a self-assessment process with staff from Consortium for Appropriate Dispute Resolution in Special Education (CADRE). This process was valuable to understand current status of each of the functions and areas of growth.

II. Explanation of Progress or Slippage

The State met the 100% compliance target.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision. This is an indicator with a 100% compliance target.

II. Improvement Activities / Timelines / Resources

Improvement activities for 2006-2007 include provision of continuing legal education training by TEA in February and June as well as attendance at one conference at which the focus of the legal training is special education law and the hearing officer receives no less than 10 hours of continuing legal education.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision
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Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

FFY	Measurable and Rigorous Target
2005	77% of mediations held result in mediation agreements.

Actual Target Data for FFY 2005:

Mediation Agreements

	2004-05	2005-06
(2) Mediation requests total	259	250
(2.1) Mediations		
(a) Mediations related to due process	164	83
(i) Mediation agreements	124	67
(b) Mediations not related to due process	91	74
(i) Mediation agreements	71	58
Calculation: 2.1(a)(i) + 2.1(b)(i) divided by 2.1 * 100	76.5%	79.6%

Source | Texas Education Agency, State Supervision Data

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The improvement activities related to an effective general supervision system are interrelated to several other indicators in the State Performance Plan (SPP) including:

- Indicator 15: Effective General Supervision
- Indicator 16: Complaint Investigation Timeline
- Indicator 17: Due Process Hearing Timeline
- Indicator 18: Early Resolution Session

The data associated with the indicators above must be considered when addressing the mediation indicator.

Improvement Activities 2005-2006 included:

- Mediators attended training sessions conducted by agency staff in May and September 2006, and legal education courses in special education. In addition to an increase in the training budget allowance for each mediator in the current contract, several mediators attend conferences and educational opportunities on their own time and at their own expense (in excess of agency reimbursement).
- TEA staff representing complaint resolution, mediation, due process hearings, and resolution sessions participated in a self-assessment process with staff from Consortium for Appropriate Dispute Resolution in Special Education (CADRE). This process was valuable to understand current status of each of the functions and areas of growth.

II. Explanation of Progress or Slippage

State exceeded the target. The number of mediations resulting in agreements increased. It will be important to monitor this indicator related to the other indicators in the Dispute Resolution Continuum. The resolution of disputes at the local level or in less invasive functions such as mediation or Resolution Sessions is a focus for the State.

The State is projecting a 10% increase in mediation agreements over the six years of the State Performance Plan (SPP). This target will be monitored over time in relation to the new requirement of resolutions required for due process filings and the new options associated with the complaint process for early resolution.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision to the 81.3% target for FFY 2006.

II. Improvement Activities / Timelines / Resources

Improvement activities for 2006-2007 include provision of continuing legal education training by TEA in February and June as well as attendance at one conference at which the focus of the legal training is special education law and the mediator receives no less than 10 hours of continuing legal education.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Part B State Annual Performance Report (APR) for 2005

Monitoring Priority: Effective General Supervision Part B / General Supervision
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Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

<p>Measurement:</p> <p>State reported data, including 618 data and annual performance reports, are:</p> <ol style="list-style-type: none"> a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).
--

FFY	Measurable and Rigorous Target
2005	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.

Actual Target Data for FFY 2005:

Federal Data Report Submissions
Annual Federal Data Report (AFDR) and State Performance Plan (SPP)

Federal Data Report	Deadline	2004-05	2005-06
AFDR Assessment	February 1	February 1, 2005	February 1, 2006
AFDR Child Count	February 1	March 24, 2005*	March 29, 2006*
AFDR Education Environment	February 1	March 24, 2005*	March 29, 2006*
AFDR Discipline	November 1	November 1, 2004	November 1, 2005
AFDR Personnel	November 1	November 1, 2004	November 1, 2005
AFDR Exit	November 1	November 1, 2004	November 1, 2005
State Performance Plan	December 3, 2005	NA	January 30, 2006**

*Texas submits its February AFDR in March due to data availability issues. Current year PEIMS data are available for reporting purposes the first week of March. The USDE Office of Special Education Programs (OSEP) has recognized this issue and continues to grant the State an extension to the February 1 deadline.

** The USDE Office of Special Education Programs (OSEP) granted Texas, and other states impacted by Hurricane Katrina, an extension on the deadline to January 30, 2006, to submit the SPP.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2005:

I. Improvement Activities Completed

The TEA Division of IDEA Coordination staff whose primary responsibility is facilitating the completion of the Annual Federal Data Reports attended Westat's annual Part B/C Data Conference in May 2006.

II. Explanation of Progress or Slippage

The TEA Division of IDEA Coordination continues to maintain timely and accurate data report submissions.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

I. Targets

No revision. This is an indicator with a 100% compliance target.

II. Improvement Activities / Timelines / Resources

TEA Division of IDEA Coordination plans to:

- send appropriate staff to attend WESTAT's annual Part B/C Data Conference in July 2007;
- report appropriate Annual Federal Data Report through the EDEN electronic submission process; and
- continue to post AFDRs on the TEA website at <http://www.tea.state.tx.us/special.ed/afdr/index.html> and the SPP/APR on the TEA website at <http://www.tea.state.tx.us/special.ed/spp/index.html>.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 school year.

Appendices

Table 6	Report of State Assessments <i>Report of the participation and performance of students with disabilities on state assessments by content area, grade, and type of assessment.....</i>	47
Table 7	Report of Dispute Resolution <i>Report of dispute resolution under Part B of the Individuals with Disabilities Education Act, 2005-06.....</i>	65

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION A. ENROLLMENT DATA FOR THE MATH ASSESSMENT¹

GRADE LEVEL	STUDENTS WITH IEPs (1)	ALL STUDENTS (2)
3	38591	338446
4	41351	328313
5	45521	336399
6	44148	321774
7	42651	335778
8	41427	332526
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	35076	306358

¹At a date as close as possible to the testing date.

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

OMB NO.: 1820-0659

FORM EXPIRES: 09/30/2007

STATE: Texas

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK REGULAR ASSESSMENT ON GRADE LEVEL ACHIEVEMENT STANDARDS			
	TOTAL (3)	SUBSET WHO TOOK THE ASSESSMENT WITH ACCOMODATIONS (3A)	SUBSET WITH CHANGES TO THE ASSESSMENT THAT INVALIDATED THEIR SCORE ¹ (3B)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ² (3C)
3	17592	12534	0	691
4	15255	11239	0	777
5	15073	11926	0	1391
6	12715	7228	0	717
7	11373	4886	0	734
8	10681	3623	0	773
HIGH SCHOOL (SPECIFY GRADE: <u> 10 </u>)	10861	1428	0	837

¹ Changes to the assessment that invalidate a score are changes in testing materials or procedures that enable a student to participate in the assessment, but result in a score that is not deemed by the State to be comparable to scores received by students without these changes. In some States these changes are called modifications or nonstandard administrations.

² Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK OUT OF GRADE LEVEL ASSESSMENT		
	TOTAL (4)	SUBSET WITH CHANGES TO THE ASSESSMENT THAT INVALIDATED THEIR SCORE ¹ (4A)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ² (4B)
3	0	0	0
4	0	0	0
5	0	0	0
6	0	0	0
7	0	0	0
8	0	0	0
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	0	0	0

¹ Changes to the assessment that invalidate a score are changes in testing materials or procedures that enable a student to participate in the assessment, but result in a score that is not deemed by the State to be comparable to scores received by students without these changes. In some States these changes are called modifications or nonstandard administrations.

² Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

OMB NO.: 1820-0659

FORM EXPIRES: 09/30/2007

STATE: Texas

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK ALTERNATE ASSESSMENT				
	TOTAL (5)	SUBSET WHOSE ALTERNATE WAS SCORED AGAINST GRADE LEVEL STANDARDS (5A)	SUBSET WHOSE ALTERNATE WAS SCORED AGAINST ALTERNATE ACHIEVEMENT STANDARDS (5B)	SUBSET COUNTED AT THE LOWEST ACHIEVEMENT LEVEL BECAUSE OF THE NCLB CAP ³ (5C)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ⁴ (5D)
3	20848	6712	14136	7441	1701
4	25921	8940	16981	7878	2008
5	30270	10370	19900	7748	2209
6	31165	10680	20485	6558	2288
7	30880	9597	21283	4742	2506
8	30267	8794	21473	3303	2500
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	23191	4741	18450	1261	2071

³ NCLB cap is the limit on the percent of students whose scores can be held to alternate achievement standards in AYP calculations.

⁴ Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

OMB NO.: 1820-0659

FORM EXPIRES: 09/30/2007

STATE: Texas

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT		
	PARENTAL EXEMPTIONS (6)	ABSENT (7)	EXEMPT FOR OTHER REASONS ⁵ (8)
3	0	151	0
4	0	175	0
5	0	178	0
6	0	268	0
7	0	398	0
8	0	479	0
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	0	1024	0

⁵ Provide list of other reasons for exemption with the number of students exempted by each grade and reason for exemption.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT

REGULAR ASSESSMENT ON GRADE LEVEL (9A)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9A ROW TOTAL ²
		Achievement Level ¹	Achievement Level								
3	TAKS	4362	12539	0	0	0	0	0	0	0	16901
4	TAKS	3572	10906	0	0	0	0	0	0	0	14478
5	TAKS	2304	11378	0	0	0	0	0	0	0	13682
6	TAKS	4811	7187	0	0	0	0	0	0	0	11998
7	TAKS	5656	4983	0	0	0	0	0	0	0	10639
8	TAKS	5851	4057	0	0	0	0	0	0	0	9908
HIGH SCHOOL (SPECIFY GRADE: — 10 —)	TAKS	7141	2883	0	0	0	0	0	0	0	10024

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

¹ Include all students whose regular assessment score was in the lowest achievement level plus all students who received a score but changes to the assessment invalidated their score (column 3B).

² The total number of students reported by achievement level in 9A is to equal the number reported in column 3 minus the number reported in columns 3C.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT ON GRADE LEVEL STANDARDS (9B)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9B ROW TOTAL ⁴
		Achievement Level ³	Achievement Level								
3	SDAA On Grade Level	157	6080	0	0	0	0	0	0	0	6237
4	SDAA On Grade Level	220	8125	0	0	0	0	0	0	0	8345
5	SDAA On Grade Level	220	9503	0	0	0	0	0	0	0	9723
6	SDAA On Grade Level	1001	9012	0	0	0	0	0	0	0	10013
7	SDAA On Grade Level	891	8018	0	0	0	0	0	0	0	8909
8	SDAA On Grade Level	501	7700	0	0	0	0	0	0	0	8201
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	SDAA On Grade Level	191	4177	0	0	0	0	0	0	0	4368

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

³ Include all students whose score on the alternate assessment on grade level standards was in the lowest achievement level plus all students who received a score but changes to the assessment invalidated their score.

⁴ The total number of students reported by achievement level in 9B is to equal the number reported in column 5A minus that portion of 5D that includes students whose assessment scored on grade level standards was invalid.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT SCORED AGAINST ALTERNATE STANDARDS (9C)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9C ROW TOTAL ⁶
		Achievement Level ⁵	Achievement Level								
3	LDAA/SDAA Off Gr Lvl	7652	5258	0	0	0	0	0	0	0	12910
4	LDAA/SDAA Off Gr Lvl	8764	6804	0	0	0	0	0	0	0	15568
5	LDAA/SDAA Off Gr Lvl	9178	9160	0	0	0	0	0	0	0	18338
6	LDAA/SDAA Off Gr Lvl	8911	9953	0	0	0	0	0	0	0	18864
7	LDAA/SDAA Off Gr Lvl	8458	11007	0	0	0	0	0	0	0	19465
8	LDAA/SDAA Off Gr Lvl	7381	12185	0	0	0	0	0	0	0	19566
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	LDAA/SDAA Off Gr Lvl	5398	11354	0	0	0	0	0	0	0	16752

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

⁵ Include all students whose assessment counted in the lowest achievement level because of the NCLB cap plus all students who received a score but changes to the assessment invalidated their score.

⁶ The total number of students reported by achievement level in 9C is to equal the number reported in column 4 plus the number reported in column 5B minus the number reported in columns 4B and that portion of 5D that includes students whose alternate assessment scored on alternate standards was invalid.

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION C. PERFORMANCE OF STUDENTS WITH DISABILITIES ON MATH ASSESSMENT (CONTINUED)*

GRADE LEVEL	TOTAL FOR COLUMN 9A (ON PAGE 4)	TOTAL FOR COLUMN 9B (ON PAGE 5)	TOTAL FOR COLUMN 9C (ON PAGE 6)	NO VALID SCORE ⁷ (10)	TOTAL ⁸ (11)
3	16901	6237	12910	2543	38591
4	14478	8345	15568	2960	41351
5	13682	9723	18338	3778	45521
6	11998	10013	18864	3273	44148
7	10639	8909	19465	3638	42651
8	9908	8201	19566	3752	41427
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	10024	4368	16752	3932	35076

⁷ The number of students reported in column 10 is to equal the number reported in column 3C plus column 4B plus column 5D plus column 6 plus column 7 plus column 8.

⁸ The number of students reported in column 11, the row total, should equal the number of students with IEPs reported in Section A. If the number of students is not the same, provide an explanation.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION D. ENROLLMENT DATA FOR THE READING ASSESSMENT¹

GRADE LEVEL	STUDENTS WITH IEPs (1)	ALL STUDENTS (2)
3	39831	344255
4	41479	329437
5	46182	338828
6	44242	322422
7	42764	336470
8	41531	333144
HIGH SCHOOL (SPECIFY GRADE: <u> 10 </u>)	34903	309371

¹At a date as close as possible to the testing date.

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION E. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK REGULAR ASSESSMENT ON GRADE LEVEL ACHIEVEMENT STANDARDS			
	TOTAL (3)	SUBSET WHO TOOK THE ASSESSMENT WITH ACCOMODATIONS (3A)	SUBSET WITH CHANGES TO THE ASSESSMENT THAT INVALIDATED THEIR SCORE ¹ (3B)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ² (3C)
3	17078	505	0	3436
4	12691	496	0	649
5	13980	451	0	2035
6	11315	341	0	666
7	11502	258	0	747
8	12288	213	0	871
HIGH SCHOOL (SPECIFY GRADE: <u> 10 </u>)	12764	143	0	785

¹ Changes to the assessment that invalidate a score are changes in testing materials or procedures that enable a student to participate in the assessment, but result in a score that is not deemed by the State to be comparable to scores received by students without these changes. In some States these changes are called modifications or nonstandard administrations.

² Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

OMB NO.: 1820-0659

FORM EXPIRES: 09/30/2007

STATE: Texas

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK OUT OF GRADE LEVEL ASSESSMENT		
	TOTAL (4)	SUBSET WITH CHANGES TO THE ASSESSMENT THAT INVALIDATED THEIR SCORE ¹ (4A)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ² (4B)
3	0	0	0
4	0	0	0
5	0	0	0
6	0	0	0
7	0	0	0
8	0	0	0
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	0	0	0

¹ Changes to the assessment that invalidate a score are changes in testing materials or procedures that enable a student to participate in the assessment, but result in a score that is not deemed by the State to be comparable to scores received by students without these changes. In some States these changes are called modifications or nonstandard administrations.

² Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION E. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WITH DISABILITIES WHO TOOK ALTERNATE ASSESSMENT				
	TOTAL (5)	SUBSET WHOSE ALTERNATE WAS SCORED AGAINST GRADE LEVEL STANDARDS (5A)	SUBSET WHOSE ALTERNATE WAS SCORED AGAINST ALTERNATE ACHIEVEMENT STANDARDS (5B)	SUBSET COUNTED AT THE LOWEST ACHIEVEMENT LEVEL BECAUSE OF THE NCLB CAP ³ (5C)	SUBSET WHOSE ASSESSMENT RESULTS WERE INVALID ⁴ (5D)
3	22622	5580	17042	8473	1933
4	28615	8003	20612	9009	2228
5	32032	9308	22724	8561	2398
6	32639	10364	22275	6697	2390
7	30869	9034	21835	5401	2580
8	28757	8229	20528	4158	2471
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	20965	4676	16289	1884	1901

³ NCLB cap is the limit on the percent of students whose scores can be held to alternate achievement standards in AYP calculations.

⁴ Invalid results are assessment results that cannot be used for reporting and or aggregation due to problems in the testing process (e.g. students do not take all portions of the assessment or students do not fill out the answer sheet correctly).

TABLE 6
**REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
 ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT**

2005-06

SECTION B. PARTICIPATION OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	STUDENTS WHO DID NOT TAKE ANY ASSESSMENT		
	PARENTAL EXEMPTIONS (6)	ABSENT (7)	EXEMPT FOR OTHER REASONS ⁵ (8)
3	0	131	0
4	0	173	0
5	0	170	0
6	0	288	0
7	0	393	0
8	0	486	0
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	0	1174	0

⁵ Provide list of other reasons for exemption with the number of students exempted by each grade and reason for exemption.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT

REGULAR ASSESSMENT ON GRADE LEVEL (9A)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9A ROW TOTAL ²
		Achievement Level ¹	Achievement Level								
3	TAKS	1549	12093	0	0	0	0	0	0	0	13642
4	TAKS	3265	8777	0	0	0	0	0	0	0	12042
5	TAKS	2604	9341	0	0	0	0	0	0	0	11945
6	TAKS	2200	8449	0	0	0	0	0	0	0	10649
7	TAKS	4539	6216	0	0	0	0	0	0	0	10755
8	TAKS	4185	7232	0	0	0	0	0	0	0	11417
HIGH SCHOOL (SPECIFY GRADE: 10)	TAKS	5227	6752	0	0	0	0	0	0	0	11979

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

¹ Include all students whose regular assessment score was in the lowest achievement level plus all students who received a score but changes to the assessment invalidated their score (column 3B).

² The total number of students reported by achievement level in 9A is to equal the number reported in column 3 minus the number reported in columns 3C.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT ON GRADE LEVEL STANDARDS (9B)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9B ROW TOTAL ⁴
		Achievement Level ³	Achievement Level								
3	SDAA On Gr Lvl	282	4844	0	0	0	0	0	0	0	5126
4	SDAA On Gr Lvl	433	7021	0	0	0	0	0	0	0	7454
5	SDAA On Gr Lvl	448	8256	0	0	0	0	0	0	0	8704
6	SDAA On Gr Lvl	495	9193	0	0	0	0	0	0	0	9688
7	SDAA On Gr Lvl	855	7504	0	0	0	0	0	0	0	8359
8	SDAA On Gr Lvl	270	7331	0	0	0	0	0	0	0	7601
HIGH SCHOOL (SPECIFY GRADE: <u> 10 </u>)	SDAA On Gr Lvl	1100	3164	0	0	0	0	0	0	0	4264

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

³ Include all students whose score on the alternate assessment on grade level standards was in the lowest achievement level plus all students who received a score but changes to the assessment invalidated their score.

⁴ The total number of students reported by achievement level in 9B is to equal the number reported in column 5A minus that portion of 5D that includes students whose assessment scored on grade level standards was invalid.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

ALTERNATE ASSESSMENT SCORED AGAINST ALTERNATE STANDARDS (9C)											
GRADE LEVEL	TEST NAME	NOT PROF	PROF								9C ROW TOTAL ⁶
		Achievement Level ⁵	Achievement Level								
3	LDAA/SDAA Off Gr Lvl	9192	6371	0	0	0	0	0	0	0	15563
4	LDAA/SDAA Off Gr Lvl	10900	8033	0	0	0	0	0	0	0	18933
5	LDAA/SDAA Off Gr Lvl	10840	10090	0	0	0	0	0	0	0	20930
6	LDAA/SDAA Off Gr Lvl	9796	10765	0	0	0	0	0	0	0	20561
7	LDAA/SDAA Off Gr Lvl	9008	10922	0	0	0	0	0	0	0	19930
8	LDAA/SDAA Off Gr Lvl	7523	11162	0	0	0	0	0	0	0	18685
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	LDAA/SDAA Off Gr Lvl	4729	10071	0	0	0	0	0	0	0	14800

LOWEST ACHIEVEMENT LEVEL CONSIDERED PROFICIENT: PROF

⁵ Include all students whose assessment counted in the lowest achievement level because of the NCLB cap plus all students who received a score but changes to the assessment invalidated their score.

⁶ The total number of students reported by achievement level in 9C is to equal the number reported in column 4 plus the number reported in column 5B minus the number reported in columns 4B and that portion of 5D that includes students whose alternate assessment scored on alternate standards was invalid.

TABLE 6
REPORT OF THE PARTICIPATION AND PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE
ASSESSMENTS BY CONTENT AREA, GRADE, AND TYPE OF ASSESSMENT

2005-06

SECTION F. PERFORMANCE OF STUDENTS WITH DISABILITIES ON READING ASSESSMENT (CONTINUED)

GRADE LEVEL	TOTAL FOR COLUMN 9A (ON PAGE 4)	TOTAL FOR COLUMN 9B (ON PAGE 5)	TOTAL FOR COLUMN 9C (ON PAGE 6)	NO VALID SCORE ⁷ (10)	TOTAL ⁸ (11)
3	13642	5126	15563	5500	39831
4	12042	7454	18933	3050	41479
5	11945	8704	20930	4603	46182
6	10649	9688	20561	3344	44242
7	10755	8359	19930	3720	42764
8	11417	7601	18685	3828	41531
HIGH SCHOOL (SPECIFY GRADE: <u>10</u>)	11979	4264	14800	3860	34903

⁷ The number of students reported in column 10 is to equal the number reported in column 3C plus column 4B plus column 5D plus column 6 plus column 7 plus column 8.

⁸ The number of students reported in column 11, the row total, should equal the number of students with IEPs reported in Section A. If the number of students is not the same, provide an explanation.

SECTION A: Written, signed complaints	
(1) Written, signed complaints total	451
(1.1) Complaints with reports issued	204
(a) Reports with findings	156
(b) Reports within timeline	175
(c) Reports within extended timelines	28
(1.2) Complaints withdrawn or dismissed	203
(1.3) Complaints pending	44
(a) Complaint pending a due process hearing	21
SECTION B: Mediation requests	
(2) Mediation requests total	250
(2.1) Mediations	
(a) Mediations related to due process	83
(i) Mediation agreements	67
(b) Mediations not related to due process	74
(i) Mediation agreements	58
(2.2) Mediations not held (including pending)	93
SECTION C: Hearing requests	
(3) Hearing requests total	277
(3.1) Resolution sessions	173
(a) Settlement agreements	65
(3.2) Hearings (fully adjudicated)	32
(a) Decisions within timeline	4
(b) Decisions within extended timeline	28
(3.3) Resolved without a hearing	229
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	9
(4.1) Resolution sessions	6
(a) Settlement agreements	5
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

Glossary of Data Elements on Table 7

Change of placement ordered – The hearing officer's written decision in an *expedited hearing (fully adjudicated)* ordered a change in placement of a child with a disability.

Complaint pending – A *written, signed complaint* that is either still under investigation or the SEA's report is not complete.

Complaint pending a due process hearing – A *written, signed complaint* in which one or more of the allegations in the complaint are the subject of a due process hearing that has not been resolved.

Complaint with report issued – A written decision was provided by the state education agency (SEA) to the complainant and local education agency (LEA) regarding alleged violations of a requirement of Part B of IDEA 2004.

Complaint withdrawn or dismissed – A *written, signed complaint* that was withdrawn by the complainant for any reason or that was dismissed by the SEA because none of the allegations in the complaint addressed violations of a requirement of Part B of IDEA 2004 (e.g., all the allegations had to do with personnel issues). In these cases, the complaints do not trigger the otherwise required investigative procedures the State must follow and do not result in a report.

Decision within extended timeline – The written decision from a *hearing (fully adjudicated)* was provided to the parties in the hearing more than 45 days after the receipt of a request for a hearing, but within a specific time extension granted by the hearing or reviewing officer at the request of either party.

Decision within timeline – The written decision from a *hearing (fully adjudicated)* was provided to the parties in the hearing not later than 45 day after the receipt of a request for a hearing.

Expedited hearing (fully adjudicated) – A hearing officer conducted a hearing concerning a disputed manifestation determination and/or disciplinary removal of a student to an alternative education setting and issued a written decision to the parent and public agency about whether a change of placement should be made.

Expedited hearing request – A hearing request filed by the parent of a child with a disability to dispute the manifestation determination and/or disciplinary removal of a student from an educational placement and the placement of that student in an alternate education setting, as provided for in Section 615(k) of IDEA 2004.

Hearing (fully adjudicated) – A hearing officer conducted a hearing, decided matters of law and issued a written decision to the parent and public agency.

Hearing request – A filing by any party to initiate a due process hearing on matters relating to the identification, evaluation, or educational placement of a child with a disability, or to the provision of FAPE to such child. The filing must meet the conditions specified in Section 615(b)(7) of IDEA 2004.

Mediation agreement – A written agreement between a parent and public agency reached through mediation.

Mediation not held (including pending) – A request for mediation that has not been conducted.

Mediation not related to due process – A session conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was not initiated due to a due process hearing request.

Mediation related to due process – A session conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was initiated due to a due process hearing request.

Mediation request – A request by a party to a dispute involving any matter to meet with a qualified and impartial mediator to resolve the dispute(s).

Report with findings – The written decision, provided by the SEA to the complainant and LEA in response to a written, signed complaint, which finds the LEA to be in non-compliance with one or more allegations in a written, signed complaint.

Report within extended timeline – The written decision from the SEA was provided to the complainant and the LEA more than 60 days after the *written, signed complaint* was filed, but within an appropriately extended timeline. An appropriately extended timeline is an extension beyond 60 days that was granted due to exceptional circumstances that existed with respect to a particular complaint.

Report within timeline – The written decision from the SEA was provided to the complainant and the LEA not later than 60 days after receiving the *written, signed complaint*.

Resolution session – A meeting, convened by the LEA, between the parent(s) and school personnel within 15 days of receiving a *hearing request*. The meeting is convened to discuss the complaint(s) described in the *hearing request* and provide the opportunity to resolve the complaint(s). The meeting must be held unless the parents and the LEA agree in writing to waive such a meeting or agree to mediation.

Resolved without a hearing – A *hearing request* that has not been fully adjudicated and is also not under consideration by a hearing officer. This includes hearing requests resolved through a *mediation agreement* or through a resolution session *settlement agreement*, those settled by some other agreement between the parties (parent and public agency) prior to completion of the hearing, those withdrawn by the parent, those rejected by the hearing officer as without cause, and those not fully adjudicated for other reasons

Settlement agreement – A legally binding written document, signed by the parent and a representative of the public agency, specifying the resolution of the basis for a due process *hearing request* arrived at in a *resolution session*.

Written, signed complaint – A signed, written letter submitted to a SEA by an individual or organization (complainant) that alleges a violation of a requirement of Part B of IDEA 2004.