

Texas Continuous Improvement Process

# Annual Performance Report | FFY 2008

July 1, 2008 – June 30, 2009

**Texas Education Agency**  
**Division of IDEA Coordination**  
<http://ritter.tea.state.tx.us/special.ed/spp/>  
**Submitted: February 1, 2010**

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## **Part B FFY 2008 Annual Performance Report**

**February 1, 2010**

### **Annual Performance Report (APR) Overview**

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). In February 2007, the first annual progress report related to the SPP, known as the State's Annual Performance Report (APR), was submitted to the Secretary of Education. An APR will be submitted annually through the 2010-2011 school year.

The State of Texas views the SPP as the foundation for the Texas Continuous Improvement Process (TCIP). The requirements of IDEA related to the development of the SPP and the accompanying APR correlate directly with the Division of IDEA Coordination's philosophy to build a system which encompasses data-driven, research-based improvement efforts according to stakeholder needs and input. The overview demonstrates how this philosophy guides the State in its efforts to improve results for students with disabilities. The following organizational elements are discussed: Organizational Structure Designed for Alignment with SPP; Overview of Texas Continuous Improvement Process; Broad Stakeholder Input; Public Dissemination of Information; Communication; technical assistance, and SPP/APR Submission Status.

#### **Organizational Structure Designed for Alignment with the SPP**

The Division of IDEA Coordination (Division) of the Texas Education Agency (TEA) provides leadership in implementing the requirements of IDEA 2004 in Texas. It is supported in that responsibility by twenty regional education service centers (ESCs) established throughout the state to provide training and technical assistance for the parents, school districts, charter schools, and other community stakeholders of each region. To facilitate the TEA's commitment to improved results for all students, responsibilities of the Division and the ESCs are aligned with SPP Indicators.

The Division has five teams with responsibilities directly aligned to the SPP:

- The Communications Team ensures a timely flow of accurate information to ESCs and the public through various avenues including the TEA website and email accounts.
- The Complaints Resolution Team provides oversight of the complaint resolution process, including the investigation of complaints and monitoring of corrective actions.
- The Data Team coordinates the collection and analysis of data required by ESCs and districts for improvement planning and to meet federal data reporting requirements.
- The Funding Team oversees all programmatic funding support and activities, including program approval, management of grants and contracts, and special funding initiatives such as High Cost Students.
- The State Policy and Continuous Improvement (SPCI) Team provides guidance to the state on special education rules and regulations, facilitates the Continuing Advisory Committee (CAC) which serves as the state's advisory panel, and represents the TEA in interagency activities. The SPCI team also maintains current information accessible to districts and the public on the "State Guidance" web page at <http://ritter.tea.state.tx.us/special.ed/guidance/>. Additionally, this team facilitates stakeholder improvement committees, development of the SPP and APR, and ESC continuous improvement activities (such as Statewide Leadership functions and Projects, Regional Reporting, and Public Input and Information Meetings).

Additional teams provide support and leadership for all Division duties and responsibilities. Division duties and responsibilities are determined by the results inherent in the TEA's mission statement. Since results accountability is integral to this organizational alignment, the Division has shifted its focus from measuring team efforts to measuring effective team results.

The alignment with SPP Indicators and results accountability extends to ESC responsibilities. Each ESC develops a regional special education continuous improvement plan (SECIP) based on improvement activities and progress/slippage as compared to the state targets. Statewide leadership in addressing identified areas of need in special education services is provided through eleven functions and five projects directed by various ESCs. Their primary responsibility is to provide leadership, training, technical assistance, and the dissemination of information throughout the state. Additionally, the ESCs coordinating these statewide leadership functions and projects are responsible for the implementation of many of the state's continuous improvement activities. The alignment of these activities with the SPP priorities is illustrated in the SPP alignment graphic at the end of the Overview. A complete description of statewide leadership functions and projects can be found at <http://ritter.tea.state.tx.us/special.ed/decfunc/>.

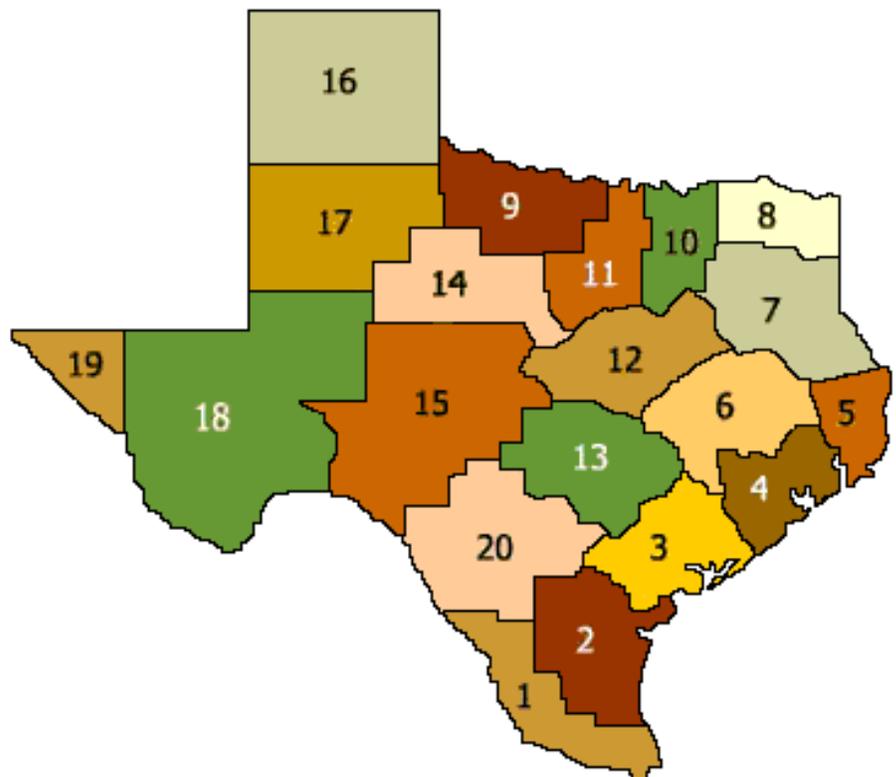
The ESC statewide leadership function leads establish and coordinate a 20-region network (see Figure 1.). This network ensures ongoing communication among ESCs about state-level needs assessment processes and planning, as well as implementing and evaluating statewide activities. Project leadership is focused on a specific activity. Measurable results for ESC function and project activities are reflected in reports submitted to the TEA by the ESCs.

**Statewide Leadership Functions activities for 2008-09 and 2009-10 are reflected in the “Improvement Activities” section of Indicator 1: Graduation.**

ESC contact information, including links to all 20 ESC websites, can be found at <http://ritter.tea.state.tx.us/special.ed/escinfo/contact.html>.

**Figure 1. 20 Regional Education Service Centers**

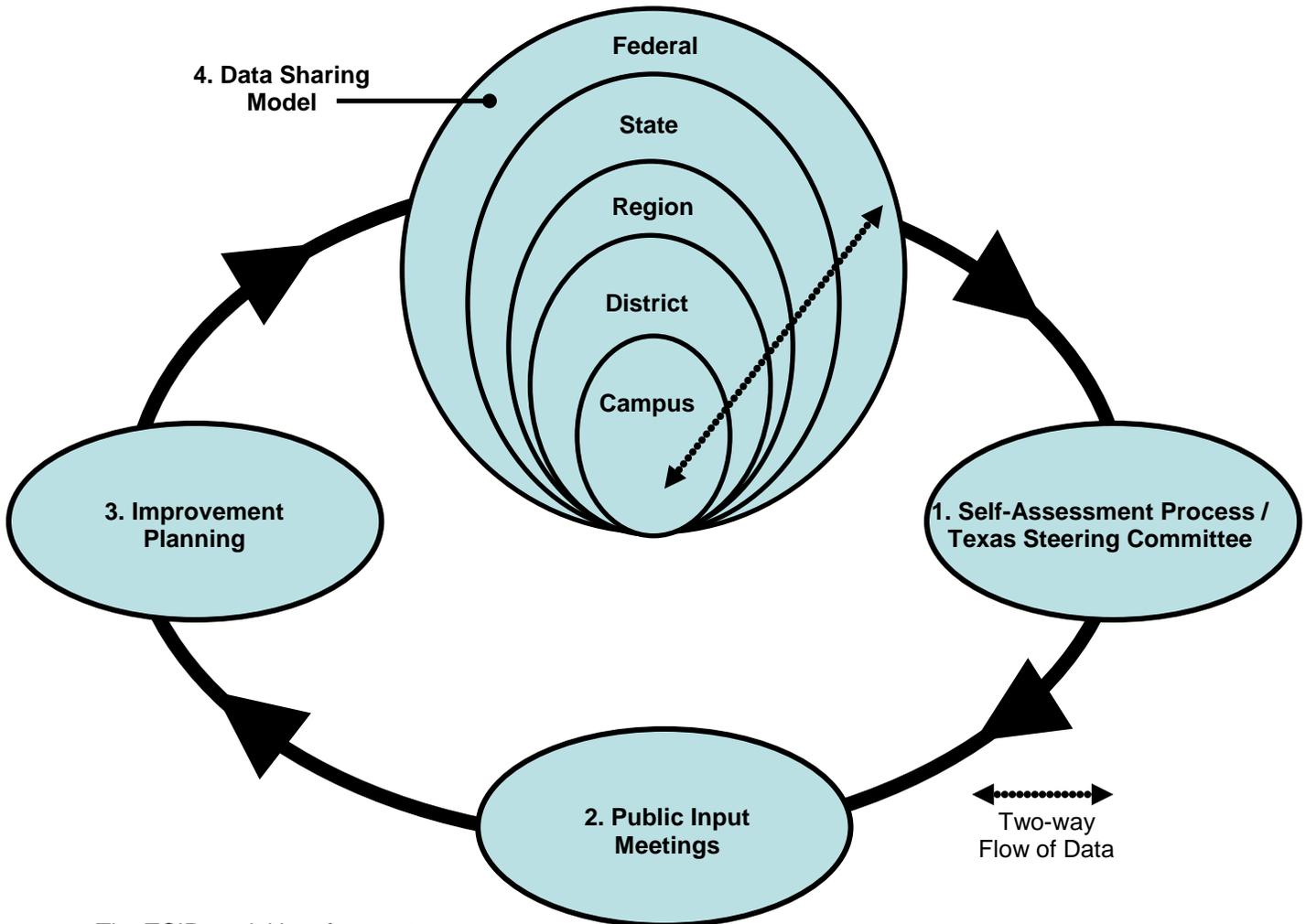
Region 01	Edinburg
Region 02	Corpus Christi
Region 03	Victoria
Region 04	Houston
Region 05	Beaumont
Region 06	Huntsville
Region 07	Kilgore
Region 08	Mt. Pleasant
Region 09	Wichita Falls
Region 10	Richardson
Region 11	Ft. Worth
Region 12	Waco
Region 13	Austin
Region 14	Abilene
Region 15	San Angelo
Region 16	Amarillo
Region 17	Lubbock
Region 18	Midland
Region 19	El Paso
Region 20	San Antonio



## Overview of the Texas Continuous Improvement Process

The origins of the Texas Continuous Improvement Process (TCIP) can be traced back to September of 2000 when the Office of Special Education Programs (OSEP) monitored the state using the Continuous Improvement Monitoring Process (CIMP). The State adopted aspects of the CIMP and created the TCIP Model (Figure 2).

Figure 2. Texas Continuous Improvement Process



The TCIP model has four parts:

### 1. Self Assessment

The self assessment is the first part of the TCIP. It is conducted by the Texas Steering Committee (TSC), a group of 20-25 special education stakeholders with diverse perspectives (parents, teachers, administrators, advocates, etc). The TSC performs the self assessment prior to the annual submission of the State Performance Plan (SPP) / Annual Performance Report (APR) on February 1 of each year.

The self assessment is accomplished by reviewing current data, discussing State progress and slippage, sharing on statewide improvement activities, and advising on targets. It is conducted at two meetings, one in November and one in January of each year.

## **2. Public Input and Information Meetings (PIIM)**

Another source of data the State considers in the course of continuous improvement for the future is feedback gathered at Public Input and Information Meetings (PIIM) hosted statewide. Each of the twenty regional education service centers (ESC) is required to hold at least one PIIM annually. The ESCs invite stakeholders knowledgeable of regional interests in special education issues to attend the meeting and participate in providing feedback on questions supporting three indicators of the SPP. The group of invited stakeholders includes parents, educators, and community agencies representative of the region's demographic diversity. In addition, ESCs announce the meeting through a variety of media to ensure that interested members of the public also have the opportunity to attend and participate in providing feedback. All stakeholders in the special education process are welcome.

The ESCs and the TEA collaborate in selecting which SPP Indicators will be used and developing questions for each year's PIIMs. For the 2008-09 school year, the following SPP Indicators were selected:

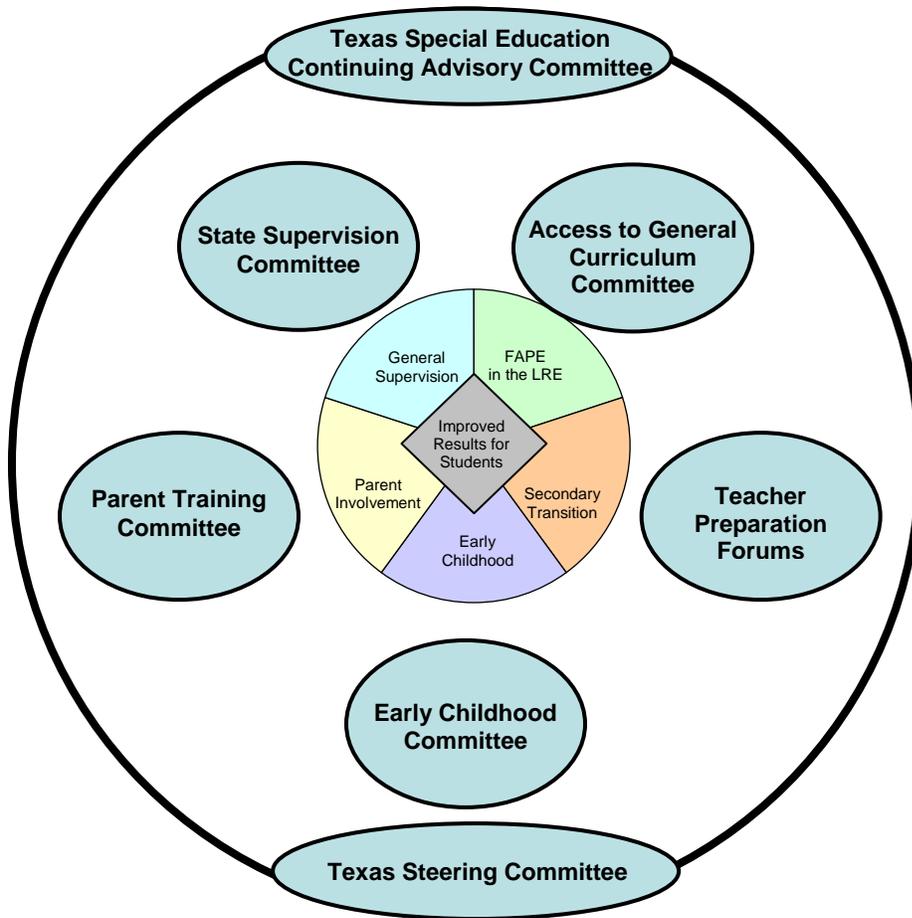
- Indicator 1: Graduation
- Indicator 2: Dropout
- Indicator 4: Rates of Suspension and Expulsion
- Indicator 8: Parent Involvement
- Indicator 13: Secondary Transition

All ESCs were required to select one question from Indicator 8, as well as one question from two of the remaining indicators (1, 2, 4, and 13). During the PIIM, ESCs obtain consensus from participating stakeholders on the feedback to be reported to the TEA. The TEA analyzes the feedback reported from all twenty regions in order to identify trends for guiding improvement planning within the State. Feedback at the regional level remains at the ESC and is used for guiding improvement planning within the region. Statewide Summary of Regional Feedback report is available on the TEA website at <http://ritter.tea.state.tx.us/special.ed/tcip/> and regional summary reports are available from each ESC.

### 3. Improvement Committees (ICs), 2008-09

There are currently five improvement committees that advise the TEA on data, improvement activities, and targets (see Figure 3). While the Texas Steering Committee performs the self assessment, the Texas Special Education Continuing Advisory Committee, the federally required state advisory panel, provides a broad perspective on improvement in the state. Improvement committees focus on a particular state priority (indicators in the SPP/APR).

Figure 3. TCIP Improvement Committees



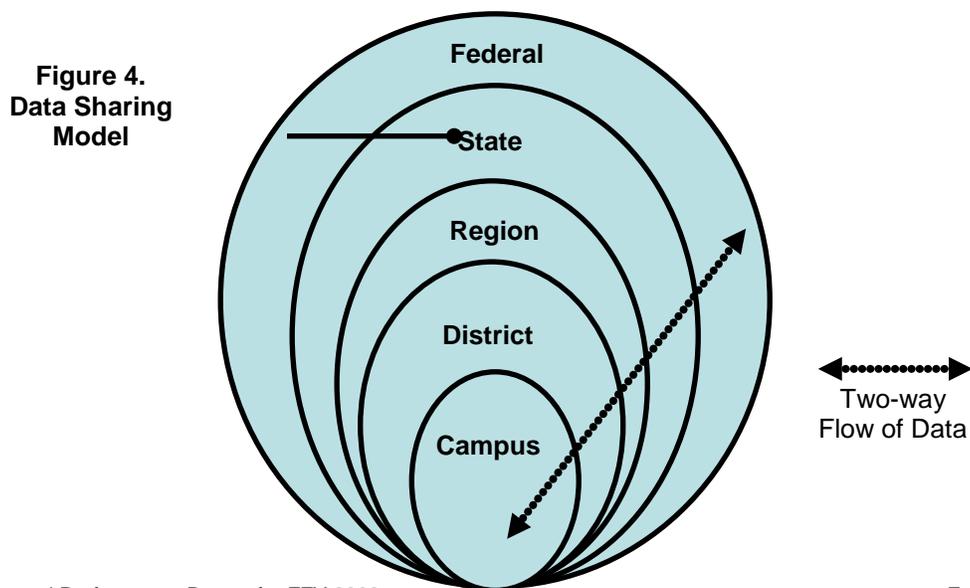
### TCIP Improvement Committees

TCIP Improvement Committee	Focus	Meetings
Access to General Curriculum	Provides advisement on free appropriate public education in the least restrictive environment (FAPE/LRE) issues, discipline, secondary transition, post-school outcomes, and disproportionate representation in special education	May 7, 2008
Continuing Advisory Committee	Provides broad perspective on Texas Continuous Improvement Process (Governor-appointed state advisory panel)	July 29, 2008 October 29, 2008 February 26, 2009 April 1, 2009
Early Childhood	Provides advisement on effective transition between IDEA Part C (ECI) and IDEA Part B (TEA) , Early Childhood Outcomes, Preschool Least Restrictive Environment (LRE) issues	May 8, 2008
Parent Training	Provides advisement on the building a coordinated system of consistent, accurate information and training available to parents	August 13, 2008
State Supervision	Provides advisement on issues related to complaint resolution, mediation, due process hearings, and monitoring processes	June 10, 2008
Teacher Preparation Forums	Provides advisement on issues related to adequate supply of personnel and pre-service training of personnel	September 9, 2009
Texas Steering Committee	Performs annual self-assessment (State Performance Plan/Annual Performance Report) and advises on Texas Continuous Improvement Process	November 12, 2008 January 14, 2009

#### 4. Data Sharing Model

TCIP uses a multi-level, data-sharing model in order to inform improvement (see Figure 4). Data is reported from the campus level and aggregated at the district level for submission to the TEA. The TEA generates reports for districts and regional ESCs for improvement planning purposes. The TEA reports aggregate data to the OSEP.

This data-sharing model reflects the accountability aspects in the No Child Left Behind (NCLB) statute (which focuses on campus and district level accountability), as well as the reauthorized Individuals with Disabilities Education Act, 2004 (which has always focused on student level accountability).



## Broad Stakeholder Input

The cornerstone of the Texas Continuous Improvement Process is access to broad stakeholder input. To ensure feedback that is truly representative of the state's geographic and ethnic diversity, a systematic approach for obtaining stakeholder participation was developed. Key stakeholder roles were determined, and a recruitment plan was implemented. The key perspectives or roles included in all improvement committees are parents, teachers, campus and school district administrators, parent-support and advocacy groups, higher education institutions, and other state agencies. The TEA routinely reviews group membership to keep it current and contacts ESCs seeking recommendations to fill vacancies. In particular, parent involvement is sought through the Parent Coordination Network led by Region 9 ESC, as well as through the Parent Training and Information (PTI) Projects. Further, the expertise of group members is fully leveraged through requests for recommendations of other parents and professional colleagues for improvement group membership, and in some cases, some group members serve on additional improvement committees themselves. All 20 regions are represented within the overall improvement group membership. More information about the Texas Continuous Improvement Process and these improvement groups can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/tcip>.

An equally important source for stakeholder feedback is the Public Input and Information Meetings (PIIMs) conducted each year by the ESCs. ESCs invite stakeholders to ensure each region's diversity is appropriately reflected among participants. In addition, ESCs inform the general public of the opportunity to participate in the meetings through their websites and ListServes, as well as working with school districts to promote the meetings. These public meetings provide the TEA with qualitative data on people's views of the special education system. Stakeholders in attendance respond to questions related to selected SPP indicators. The TEA and 20 ESCs collaborate in selecting the SPP indicators for discussion and developing the questions. The information gathered during the public meetings is shared with TCIP Improvement Committees to help guide statewide improvement efforts. Additionally, each ESC considers the input from its PIIMs in developing plans for training and other activities within the region. Stakeholder responses from each region are posted on the ESC's website, and a statewide summary of responses is posted on the TEA website at <http://ritter.tea.state.tx.us/special.ed/tcip/index.html>.

### Technical Assistance Related to SPP Indicators and Determinations

As required in Sections 616(e)(1) and 642 of the Individuals with Disabilities Education Act (IDEA), if the Department of Education determines, for two consecutive years, that a State needs assistance, the Department must take one of a number of specific actions. One of the three possible actions is to advise the State of available sources of technical assistance that may help the State address the areas in which the State needs assistance. In June 2008, the Department notified those states with a determination level of needs assistance or lower for two consecutive years to access technical assistance. Texas was one of those states that received such notification.

Each State identified as needing assistance for two consecutive years is responsible for determining the technical assistance appropriate to meet the State's improvement needs and for informing OSEP, in the next Annual Performance Report (APR), of the technical assistance sources from which the State received assistance, and what actions the State took as a result of that technical assistance. A State's use of any technical assistance resources, including services and products, is voluntary, even if the State is required by its June 2008 Determination Letter to access technical assistance.

This technical assistance may take numerous forms including but not limited to the following:

- Assistance from OSEP
- Other offices of the USDE
- OSEP's Technical Assistance Centers
- Advice by Experts to address the areas in which the state needs assistance

- Designating and using distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, technical assistance and other support.

### **FFY 2008 and 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

A listing of the technical assistance the State received in FFY 2008 and planning to receive in FFY 2009 is listed at the end of the "Improvement Activities" section for each indicator and posted on the TEA website at <http://ritter.tea.state.tx.us/special.ed/spp>.

### **Public Dissemination of Information**

The TEA is committed to fully informing the parents of students with disabilities, educators, and the general public of Texas on the development of the Texas SPP and results reported in the APR as required by the United States Department of Education (USDE) Office of Special Education Programs (OSEP). The Special Education section of the TEA website at <http://ritter.tea.state.tx.us/special.ed/> serves as a principal source for disseminating this information. In addition, all 20 ESCs maintain websites to provide regional, as well as statewide, information (see <http://ritter.tea.state.tx.us/ESC/>).

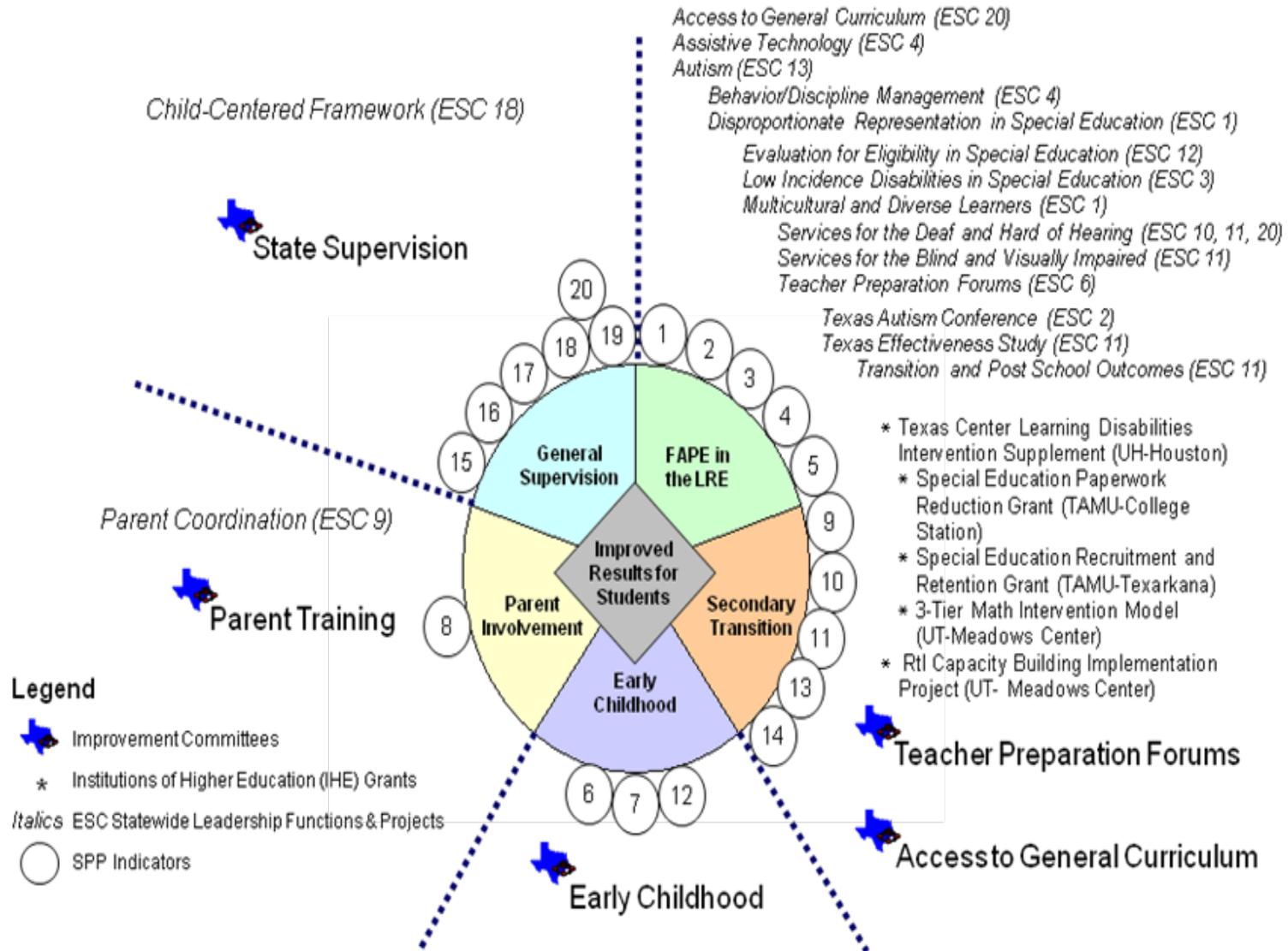
District performance against the state targets in the State Performance Plan is reported in the *District Profiles* webpage at <http://ritter.tea.state.tx.us/special.ed/spp/distprofiles.html>. Profiles are updated each spring. State performance against state targets is reported in the APR which is posted to the web each spring after final approval of the APR from OSEP. Complete information about the SPP/APR, SPP/APR Reports, State Targets, District Public Reporting, and State Performance Plan can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/spp/index.html>.

### APR Submission Status

States are required to submit an APR for each year in the six-year timeframe of SPP. Below is a chart depicting the APR submissions (past and present).

<b>Submitted</b>	<b>Indicators</b>
February 2007	Indicators 1, 2, 3, 4A, 5, 6, 15, 16, 17, 19, 20
February 2008	Indicators 1, 2, 3, 4A, 5, 9, 10, 15, 16, 17, 18, 19, 20
February 2009	Indicator 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
February 2010	Indicators 1, 2, 3, 4A, 5, 7*, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20 [*SPP Submission]

# Texas Continuous Improvement Process Alignment Map



## Part B State Annual Performance Report (APR) for 2008

**Monitoring Priority: FAPE in the LRE**

**Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

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

**Measurement:** States must report using the graduation rate calculation and timeline established by the Department under the ESEA

A detailed description of the State's methodology for calculating the graduation rate can be found in the State's *2009 Consolidated State Application Accountability Workbook*, page 48, on the TEA website at: <http://ritter.tea.state.tx.us/ayp/txworkbook09.pdf>

FFY	Measurable and Rigorous Target
2008	70% of students with disabilities graduate from high school with a regular diploma. Note: Target is the same target as for all students.

**Actual Target Data for FFY 2008:**

Class	Cohort	Graduated	%
2008 (2007-08)	34,357	23,966	69.8%
2007 (2006-07)	34,845	24,513	70.3%
2006 (2005-06)	34,176	24,851	72.7%
2005 (2004-05)	33,408	24,974	74.8%
2004 (2003-04)	31,491	23,750	75.4%

**Source:** Academic Excellence Indicator System (AEIS) Datasets  
same % reported to USDE

<b>Table 2: 4-Year Graduation Rates for All Students</b>			
<b>Class</b>	<b>Cohort</b>	<b>Graduated</b>	<b>%</b>
2008 (2007-08)	300,488	237,576	79.1%
2007 (2006-07)	290,662	226,712	78.0%
2006 (2005-06)	283,698	227,975	80.4%
2005 (2004-05)	271,218	227,755	84.0%
2004 (2003-04)	270,911	229,133	84.6%

**Source:** Academic Excellence Indicator System (AEIS) Datasets  
same % reported to USDE

## **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

### **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 proficiency rates 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).

### **Education Service Center (ESC) Statewide Leadership Improvement Activities**

Designated ESCs are responsible for establishing and coordinating a 20-region network, which ensures ongoing communication among ESCs about state-level, planning, implementing, and evaluating statewide activities and needs assessment processes. The 20-region network for each of the leadership areas provides training and technical assistance to districts throughout the state. Statewide leadership focused on specific activities related to Indicators 1, 2, 3, 4, 5, 13, and 14.

Improvement Activities have been divided into three categories:

- **Conference/Meeting Participation**  
Staff attend conferences to gain knowledge and expertise which is shared throughout the 20-region network. Staff facilitates meetings to gather and share information for continuous improvement.

- **Technical Assistance**

Technical assistance can take on many forms from fielding phone calls, communication at monthly director's meeting, developing guidance for the web, etc.

- **Training**

All training was developed and delivered to educators, parents and/or students. Annual training is updated to reflect new federal and state rules and regulations.

#### Access to the General Curriculum

The Access to General Curriculum network implemented the following improvement activities:

<b>Conference/Meeting Participation</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>• Inclusion Works (IW) Conference The 16th Annual Inclusion Works Conference was held February 25-28, 2009. This conference was hosted in partnership with The Arc of Texas. The Inclusion works Conference continues to support all AGC Statewide Leadership goals related to FAPE in the LRE. The role of the AGC Network is to provide guidance on the conference program, present at the conference and help build administrator and parent attendance.</li> </ul>	February 2009	Completed
<ul style="list-style-type: none"> <li>• Conduct two AGC Network Meetings.</li> </ul>	September 2008 February 2009	Completed
<ul style="list-style-type: none"> <li>• TETNs Updates The purpose of the Network and TETN meetings is to revisit the Target LRE process throughout the year at all AGC scheduled meetings and to review the implementation of new modules within the region.</li> </ul>	December 2008, March 2009, and June 2009	Completed

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>• Targeted LRE Support The AGC Network supported districts with LRE data concerns through data analysis designed to use with districts exceeding the 125% ratio. The primary goal of this process was to increase the number of students with disabilities served in LRE settings (PEIMS Code 40, 41, 42). AGC Network members provided technical assistance to implement successfully the AGC activities related to Indicators 7 &amp; 8 within the Performance Based Monitoring Analysis System (PBMAS) Continuous Improvement Plan.</li> </ul>	November 2008 – May 2009	Completed
<ul style="list-style-type: none"> <li>• Standards-Based IEPs Training Module The AGC Network worked in coordination with the following Networks: Multicultural and Diverse Learners Network (MCDL), Texas Assistive Technology Network (TATN), and Three Low Incidence disabilities Network (3LID) to develop a training module for Standards Based IEPs. The purpose of this module is to provide a training that meets both state and federal regulations and best practices for districts to follow when developing standards based IEPs.</li> </ul>	January 2009	Completed

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>• Texas State Assessments Training Module The AGC Network developed a training module to address Texas State Assessments: TAKS Accommodated and TAKS-M.</li> </ul>	May 2009	Completed

<ul style="list-style-type: none"> <li>Update Training Modules and Videos The AGC Network updated the AGC Training Modules and Videos. The AGC Network also collaborated with the Multicultural and Diverse Learners Network (MCDL) to make connections between the ABC Training Modules and the Responding Educationally to All Learners (REAL) Modules. Focus will be on Module 1: Developing Cultural Proficiency and Module 4: Designing Instruction for Diverse Learners.</li> </ul>	April 2009	Completed
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### Assistive Technology

The Texas Assistive Technology Network implemented the following improvement activities:

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Provided training, updates, and technical assistance on funding.</li> <li>Provided training, updates, and technical assistance on Adequate Yearly Progress reporting.</li> <li>Provided training, updates, and technical assistance on monitoring.</li> <li>Provided technical assistance on data analysis.</li> </ul>	August 2007 – September 2008	Completed

### Autism

The Texas Initiative for Autism Training Network implemented the following improvement activities:

Conference/Meeting Participation	Timeline	Status
<ul style="list-style-type: none"> <li>Conducted Autism Network Meetings.</li> </ul>	October 2008, February and May 2009	Completed
<ul style="list-style-type: none"> <li>Continued to participate in national summits/conferences regarding autism.</li> </ul>	November 2008 – August 2009	Completed

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>After reviewing the results of the survey regarding barriers and concerns related to accessibility of autism trainings, a focus group determined solutions to barriers and publish a report via the website.</li> </ul>	October 2008	Completed
<ul style="list-style-type: none"> <li>Core Trainings regarding various aspects of autism trainings were developed and made accessible via the web site as well as available at all 20 ESCs in order to ensure the dissemination of information throughout the state.</li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Needs Assessment for Determining Training Needs Utilizing student data, staff knowledge, and local/regional resources, a Training Needs document was developed for administrators/ Admission, Review, and Dismissal (ARD) committees to use to determine if training is required on any strategies described in a student's IEP.</li> </ul>	March 2009	Completed

<ul style="list-style-type: none"> <li>Recommended Practices Manual Created a web-based resource to include diagnostic considerations, instructional/behavior management strategies, recommended practices, and ARD committee considerations.</li> <li>Updated, expanded, and maintained a website, which includes information related to diagnosis, current research, recommended practices, evidence-based practices, state/national organizations, and state/national conferences.</li> <li>National Professional Development Center (NPDC) Grant Developed an application for a technical assistance grant from The National Professional Development Center on Autism Spectrum Disorders. While the grant does not bring funding into the State, it provided professional development and technical assistance aimed at evidence-based practices that will support the Autism Initiative at ESC Region XIII.</li> </ul>	December 2008	Completed
	September 2008 – August 2009	Completed
	May 2009	Completed

### Behavior and Discipline Management

The Texas Behavior Support Initiative (TBSI) Network implemented the following improvement activities:

Conference/Meeting Participation	Timeline	Status
<ul style="list-style-type: none"> <li>Facilitated planning meetings for campus teams participating in the TBSI School wide Discipline project.</li> </ul>	November 2008 – May 2009	Completed
<ul style="list-style-type: none"> <li>Participated in the Statewide Behavior and Discipline Management Network.</li> </ul>	November 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>Attended, facilitated, and sponsored district presentation at state TBSI Conference.</li> </ul>	June 2009	Completed

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Developed a leadership academy for campus administrators to address topics of disciplinary actions for students with disabilities.</li> </ul>	January 2009 – May 2009	Completed
<ul style="list-style-type: none"> <li>Conducted 11 on-site campus Common Area Observation for campuses participating in the TBSI School wide Discipline Project.</li> </ul>	November 2008 – February 2009	Completed
<ul style="list-style-type: none"> <li>Facilitated online TBSI training and documentation of completion.</li> </ul>	October 2008 – September 2009	Completed

### Disproportionate Representation

The Texas Initiative on Disproportionate Representation Network implemented the following improvement activities:

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Maintained Resource Guide regarding disproportionate representation with on-going research of best practices for use by districts.</li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Continued data analysis from the Performance Based Monitoring Analysis System related to disproportionate related to disproportionate representation and the interface with SPP/APR data.</li> </ul>	January– June 2009	Completed

<ul style="list-style-type: none"> <li>Developed guidance regarding use of EIS funds based on agency data and information collected from districts utilizing EIS funds.</li> </ul>	December 2008	Completed
<ul style="list-style-type: none"> <li>Defined disproportionality in terms understood by the public.</li> </ul>	December 2008	Completed
<ul style="list-style-type: none"> <li>Maintained web site with current information regarding rules, calculation method, links to national and state resources, and updates on resource tools.</li> </ul>	September 2008 – August 2009	Completed

Evaluation

The Evaluation Network implemented the following improvement activities:

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Each ESC offered training within the regions on the module <i>Building the Bridge Between FIE and Instruction</i></li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Purchased resource books for leadership team to use in book studies, development of trainings, and technical service to evaluation personnel within the regions: <i>The Child Clinician's Report Writing Handbook</i>, <i>The ABCs of CBM- A Practical Guide to Curriculum-Based Measurement</i>, and <i>Functional Education Evaluation: Look At All We Can Do</i>.</li> </ul>	October 2008	Completed
<ul style="list-style-type: none"> <li>Each ESC offered training for evaluation staff within the regions on the module <i>Disproportionality in Special Education</i>.</li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Statewide Leadership for Evaluation worked collaboratively with the Texas Assistive Technology Network (TATN) to provide: <ul style="list-style-type: none"> <li>Informal web links for IEP teams to help in determining accommodations for the classroom and for state assessment (TAKS)</li> <li>Specific and directed links on respective state lead web pages in relation to accommodations for assessment and assistive technology</li> <li>Development of a FAQs online document to address general questions around assessment and assistive technology.</li> <li>Networking and resource development via a face-to-face collaboration of network leadership members. This meeting will be adjacent to the Special Education Directors and state lead meeting.</li> </ul> </li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Statewide Leadership for Evaluation worked collaboratively with the Three Low Incidence Disabilities (3LID) network by linking to their website to access the following documents: <ul style="list-style-type: none"> <li>The updated "Assessment &amp; Curriculum Matrix"</li> <li>List of appropriate evaluation tools for use when evaluating students with low incidence disabilities (this is currently under-development by the 3LID network)</li> </ul> </li> </ul>	January 2009	Completed

<ul style="list-style-type: none"> <li>Statewide Leadership for Evaluation worked collaboratively with Multicultural Diverse Learners (MCDL) network by: <ul style="list-style-type: none"> <li>Attending training hosted by MCDL and presented by NCCRESt (National Center for Culturally Responsive Educational Systems) on "Cultural Response to RTI."</li> <li>Statewide Leadership for Evaluation will provide a copy of the newly developed training module "<i>Disproportionality in Special Education</i>" to MCDL state lead. MCDL network will share the updated REAL (Responding Educationally to All Learners) modules.</li> </ul> </li> </ul>	September 2008	Completed
<ul style="list-style-type: none"> <li>Statewide Leadership for Evaluation worked collaboratively with Legal Frameworks for the Child-Centered Process by: <ul style="list-style-type: none"> <li>Attending the training on the "Documentation Toolbox" to turn it around at the respective ESCs.</li> </ul> </li> </ul>	September 2008	Completed
<ul style="list-style-type: none"> <li>Developed a web page for the Statewide Leadership to be available for evaluation personnel, teachers, parents, and other interested parties.</li> </ul>	October 2008	Completed
<ul style="list-style-type: none"> <li>Updated the "<i>Ready, Set, Go: Training for New Evaluation Personnel</i>" module to meet current legal updates and to provide additional resources.</li> </ul>	March 2009	Completed
<ul style="list-style-type: none"> <li>Conducted 2 network meetings that will focus on Training on Cross-Battery Assessment &amp; Report Writing which will members will turn around in their regions to build capacity with districts. Also finalize Statewide Evaluation Project (SWEPE) 2009 and begin making plans for SWEPE 2010.</li> </ul>	March 2009	Completed

### High School / Transition

The Secondary Transition Network implemented the following improvement activities:

Conference/Meeting Participation	Timeline	Status
<ul style="list-style-type: none"> <li>Attended the Secondary Transition State Planning Institutes facilitated by the National Secondary Transition Technical Assistance Center (NSTTAC).</li> <li>Attended the Making Connections Institute facilitated by NSTTAC, the National Post-School Outcomes Center, OSEP, and the National Dropout Prevention Center; the Division on Career Development and Transition Regional conference; and the Texas Transition Conference.</li> <li>Participated in the conference call to the technical assistance center at the University of North Carolina will facilitate a verification of Texas transition activities and opportunities for further growth.</li> <li>Attended training given by Elena Gallegos with Walsh, Anderson Brown, Schulze, and Aldridge on the Texas Legal Framework in relation to how the IEP reflects state and federal law.</li> </ul>	November 2008 – May 2009	Completed

<b>Technical Assistance and Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>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. Advocacy of the parents and the students in the IEP process is also included. Training on data collection and analysis of data for Indicator 13 to all districts in the state: <ul style="list-style-type: none"> <li>AAR (Academic Achievement Record) training</li> <li>Texas Transition</li> <li>Parents and the Transition Process</li> <li>Transition Planning for Students</li> <li>Summary of Performance</li> <li>Postsecondary Goals</li> <li>Transition Assessment</li> </ul> </li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Facilitated joint agency and ESC trainings for the collaboration of districts and agencies.</li> </ul>	February 2009	Completed
<ul style="list-style-type: none"> <li>Enhanced the transition website in order to disseminate information statewide.</li> </ul>	September 2008	Completed
<ul style="list-style-type: none"> <li>Enhanced the higher education connection for focus on postsecondary education.</li> </ul>	September 2008 – August 2009	Completed

### **Multicultural and Diverse Learners**

The Multicultural and Diverse Learners Network implemented the following improvement activities:

<b>Conference/Meeting Participation</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>Conducted two Network Meetings.</li> </ul>	October 2008 and January 2009	Completed
<ul style="list-style-type: none"> <li>Continued to participate in national summits/conferences regarding Disproportionality.</li> </ul>	September 2008 – August 2009	Completed

<b>Technical Assistance and Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>Conducted a Training of Trainers on the National Center for Culturally Responsive Education Systems (NCCRESt) Culturally Responsive to Intervention Module to the 20 Network teams to ensure dissemination of information throughout the state.</li> </ul>	September 2008	Completed
<ul style="list-style-type: none"> <li>Product Development In order to have a more user-friendly format, the MDL revised the content and context of the Responding Educationally to All Learners (REAL) utilizing feedback from the Evaluation Project, trainings from the NCCRESt, and review of the recent literature.</li> </ul>	March 2009	Completed
<ul style="list-style-type: none"> <li>Focused Support to Districts with Disproportionate Representation Network Member provided focused support to districts with disproportionate representation as identified by SPP Indicators 9 and 10 and/or those districts obtaining a Performance Based Monitoring Analysis System (PBMAS) performance level of 3 on Indicators 13 and 14 of the state monitoring system: <a href="http://ritter.tea.state.tx.us/pbm/2008PBMASManualFinal.pdf">http://ritter.tea.state.tx.us/pbm/2008PBMASManualFinal.pdf</a>.</li> </ul>	September 2008 – August 2009	Completed

<ul style="list-style-type: none"> <li>Developed and maintained a MDL web page with links to national and state resources.</li> </ul>	September 2008 – August 2009	Completed
<ul style="list-style-type: none"> <li>Distributed current research articles and resources in the area of diversity and special education issues.</li> </ul>	September 2008 – August 2009	Completed

### Three Low Incidence Disabilities

The Three Low Incidence Disabilities (LID) Network implemented the following improvement activities:

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Provided technical assistance to (LID) “Early Literacy Skills Builder” project teams in Region 3.</li> </ul>	October 2008 – September 2009	Completed
<ul style="list-style-type: none"> <li>Participated in Statewide Leadership networks (3LID, TATN, DHH, Autism).</li> </ul>	October 2008 – September 2009	Completed
<ul style="list-style-type: none"> <li>Developed “Teaching Literacy to Students with Significant Disabilities” modules training.</li> </ul>	December 2008	Completed

### Other Statewide Activities

Response to Intervention (RtI)

The TEA implemented the following improvement activities related to RtI:

Technical Assistance and Training	Timeline	Status
<ul style="list-style-type: none"> <li>Incorporated Positive Behavior Supports in Response to Intervention guidance.</li> </ul>	November 2008	Completed
<ul style="list-style-type: none"> <li>Provided guidance for RTI – The Role of the Counselor in the Support of PBS at All Levels.</li> </ul>	September 2008	Completed
<ul style="list-style-type: none"> <li>Provided training on the integration of academic and behavioral interventions within a Response to Intervention (RtI) model</li> </ul>	August 2008	Completed
<ul style="list-style-type: none"> <li>Funding Guidance Document Developed a funding document to identify possible funding sources currently available to districts for the implementation of RtI.</li> </ul>	February 2009	Completed

### FFY 2008 Technical Assistance Update

As part of the consequence of the State’s determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the Office of Special Education Project Director’s Conference (OSEP-PDC) in Washington DC (July 2009).

## II. Explanation of Progress or Slippage

The Class of 2008 graduation rate for students with disabilities was 69.8% (70%). The graduation rate decreased 0.5% from the previous year. The decrease may be the result of more rigorous graduation requirements for all students. Graduation requirements for 2009-10 are outlined in correspondence to all school districts at <http://ritter.tea.state.tx.us/taa/comm070609.html>. The State met the annual graduation rate targets under Title 1 of the ESEA of 70%.

A detailed description of the State's methodology for calculating the graduation rate can be found in the State's *2009 Consolidated State Application Accountability Workbook*, page 48, at <http://ritter.tea.state.tx.us/ayp/txworkbook09.pdf>.

Additionally, a complete description of the State's graduation and dropout rates can be found in the report *Secondary School Completion and Dropouts in Texas Public Schools* which can be found on the TEA website at: <http://ritter.tea.state.tx.us/research/>.

## Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

### I. Targets

Annual graduation rate targets under Title 1 of the ESEA applicable to the Class of 2009 (FFY 2009) and Class of 2010 (FFY 2010) are currently pending review by the U.S. Department of Education. Updated targets for SPP Indicator 1 will be posted on the TEA website at <http://ritter.tea.state.tx.us/special.ed/spp/spptargets.html>.

### 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 have been grouped by statewide leadership function/project. Improvement activities with a status of "Continuing" are planned through the 2010-11 school year.

Access to the General Curriculum

The Access to General Curriculum network will implement the following improvement activities:

Conference/Meeting Participation	Timeline	Status
<p><b>Inclusion Works Conference</b></p> <p>The AGC network will collaborate with the Arc of Texas to plan, market, and present the Inclusion Conference in Texas. The Inclusion Works Conference continues to support all AGC Statewide Leadership goals related to FAPE in the LRE. The role of the AGC Network is to provide guidance on the conference program, present at the conference and help build administrator and parent attendance.</p>	February 2010	Continuing

Technical Assistance	Timeline	Status
<p>Technical Assistance will be provided to districts with data concerns identified through data analysis to address LRE settings regarding students with disabilities.</p> <p>Face-to-Face meeting with Network members.</p> <p>Conduct one AGC Network Meeting to provide training on Standards-based IEP online module.</p> <p>TETN Updates.</p> <ul style="list-style-type: none"> <li>• Prepare for Inclusion Works! Conference.</li> <li>• Review evaluations from Inclusion Works! Conference; discussion of 10-11 AGC plan; additional updates (i.e. SBIEPs, PLRE, additional trainings/products).</li> <li>• plan and prepare projects for 10-11 AGC plan; begin planning of next year's agendas.</li> </ul>	November 2009- May 2010	Continuing
	September 2009	Continuing
	December 2009	Continuing
	March 2010	Continuing
	June 2010	Continuing

Training	Timeline	Status
<p><b>Training on Standards-Based IEPs:</b></p> <p>An online module will be developed on writing standards-based IEPs. The module will include case studies at preschool, elementary and secondary levels.</p> <p><b>Guidelines for Co-teaching:</b></p> <p>The AGC Network will work with a nationally known expert in the field of co-teaching and develop guidelines for co-teaching. The guidelines will describe the various forms of co-teaching, a continuum of support in the general education classroom and include considerations for implementing co-teaching at the campus level.</p> <p><b>LRE Question and Answer Document:</b></p> <p>The LRE Q and A document on the AGC webpage will be reviewed and updated.</p>	September 2009	Continuing
	January 2010	New
	November 2009	New

<p><b>Guidelines for the Use of Paraprofessionals:</b></p> <p>The AGC network will create guidelines for the appropriate use of paraprofessional as a supplementary aid and service for a student who receives special education services in a general education classroom.</p>	<p>April 2010</p>	<p>New</p>
<p><b>Network Collaboration:</b></p> <p>The TATN Network will present at the Inclusion Works Conference.</p> <p>The TATN Network Lead will present Universal Design for Learning and give an update on Accessible Instructional Materials (AIM) at the September Face to Face meeting.</p> <p>The Secondary Transition Network Lead and the AGC Network Lead will have phone conferences regarding the Standards – Based IEPs online module and other future trainings/guidelines to discuss how graduation is impacted and add to these trainings.</p>	<p>September 2009 - May 2010</p>	<p>New</p>

**Assistive Technology**

The Texas Assistive Technology Network will implement the following improvement activities:

Conference/Meeting Participation	Timeline	Status
<p><b>TATN Conference:</b></p> <p>Sponsor one Texas Assistive Technology Network statewide conference (“TATN Conference”) to provide national level speakers, vendor demonstrations and multilevel training opportunities in Texas for educators, education personnel, parents and other stakeholders.</p>	<p>June 15-18, 2010</p>	<p>New</p>
<p>Attend the Statewide Leadership in Assistive Technology in Education (SLATE) conference.</p>	<p>January 27-30, 2009</p>	<p>New</p>

Technical Assistance	Timeline	Status
<p>Provide one face-to-face meeting for network members.</p> <ul style="list-style-type: none"> <li>Leadership function updates preparation for statewide conference; National issues on Accessible Instructional Materials; State initiatives regarding AT, AIM, UDL, and implementation.</li> </ul>	<p>September 29-30, 2010</p>	<p>Continuing</p>
<p>Provide two (2) statewide broadcasts (either via TETN or web-based):</p> <ul style="list-style-type: none"> <li>“Differentiating Instruction Through Technology”; and update members on conference committees/ prepare for 2010-2011 initiatives.</li> <li>Update on: deliverables, conference committees, and accessible instructional materials; and “Rtl, UDL, and the Role of Assistive Technology.”</li> </ul>	<p>November 2009</p> <p>March 2010</p>	<p>New</p> <p>New</p>

<p>Develop training materials and online resource information to be delivered via the TATN website to include:</p> <ul style="list-style-type: none"> <li>• Updates on the National Instructional Materials Accessibility Standard (NIMAS) as it pertains to Texas, ESCs and districts.</li> <li>• Accessible Instructional Materials (AIM) -- collaborate with TEA representatives on development of providing information and training on how districts can access and/or request core instructional materials (other than Braille and Large Print) from TEA.</li> <li>• Universal Design for Learning (UDL) – continue development of resources for instruction and practical applications within the classroom.</li> <li>• Update and revise previously developed modules with pertinent new information.</li> </ul> <p>Continue the use of web based communication system (Blackboard) to facilitate professional collaboration.</p> <p>Provide statewide needs assessment survey (volunteer basis) based on the Quality Indicators in AT (QIAT) and results of the survey which can be accessed from the TATN website and analyzed statewide and by region.</p> <p>Continue to provide results from QIAT survey on an annual basis. Data is used by each region and compared statewide to capture self-assessed quality indicators in AT.</p> <p>Facilitate dissemination of project information to the TATN network members who will distribute to local districts and respective organizations.</p>	December 2009	Continuing
	September 2009	New
	March 2010	Continuing
	May 2010	Continuing
	August 2010	Continuing
	August 2010	Continuing
	September 2009- August 2010	New
	May 2010	New

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<p>Statewide capacity building through meetings and professional development activities:</p> <ul style="list-style-type: none"> <li>• Attend and participate in web-based meetings.</li> </ul>	November 2009 January 2010 February 2010 March 2010 April 2010 May 2010	New
<ul style="list-style-type: none"> <li>• Participate in web-based subcommittee meetings (as appropriate) to plan/coordinate conference activities.</li> </ul>	August 2010	New
<ul style="list-style-type: none"> <li>• Attend and facilitate the TATN Conference at Region 20 on June 15–18, 2010.</li> </ul>	June 2010	New
<ul style="list-style-type: none"> <li>• Provide input and guidance to project activities.</li> </ul>	August 2010	New
<ul style="list-style-type: none"> <li>• Share knowledge and expertise with other members.</li> </ul>	August 2010	New
<ul style="list-style-type: none"> <li>• Facilitate dissemination of project information to their local districts and respective agencies/organizations.</li> </ul>	August 2010	New

<p>Statewide capacity building through product development and dissemination of information.</p>	<p>December 2009</p>	<p>New</p>
<p>Develop training materials and online resource information to be delivered via the TATN website. District and ESC personnel will be able to access materials and multi-media information on topics indicated below and disseminate this information to districts. Contracted services needed for information gathering, validation, build and develop user-friendly web-based materials and resources.</p>	<p>May 2010</p>	<p>New</p>
<p>Materials will include:</p> <ul style="list-style-type: none"> <li>• Updates on the National Instructional Materials Accessibility Standard (NIMAS) as it pertains to Texas, ESCs and districts. Present practical information on the NIMAS acquisition and process via TEA to assist regional ESCs and districts with NIMAS and the provision of accessible instructional materials implementation. Coordinate with other states via State Leaders of Assistive Technology in Education (SLATE) organization to gather information and present to network on best practices.</li> </ul>	<p>September 2009 – August 2010</p>	<p>New</p>
<p>a. Coordinate and publish Web links and other related information to statewide leadership functions as needed.</p>	<p>September 2009 – August 2010</p>	<p>New</p>
<p>Statewide Management and Leadership of TATN Provide services to facilitate network and other leadership function communication and collaboration:</p>		
<p>a) Provide web based communication system (Blackboard) to facilitate professional collaboration between network members:</p> <ul style="list-style-type: none"> <li>• Facilitate the online community by posting documents to share, providing updates and initiating/monitoring conversations and discussions.</li> <li>• Host, update and continue to develop TATN website to serve as a resource for ESCs, districts, parents and other stakeholders.</li> </ul>	<p>September 2009 – August 2010</p>	<p>New</p>
<p>b) Collaborate with other statewide leadership functions and projects</p> <p><b>Technical assistance for Texas Visual Impairment Network:</b></p> <ul style="list-style-type: none"> <li>• Provide a representative from TATN on the VI Network.</li> <li>• Collaborate with the Services for the Blind and Visually Impaired Network to provide NIMAS and NIMAC updates and any processes for the implementation for providing print materials to students with visual impairments in Texas.</li> <li>• Coordinate Web links.</li> <li>• Communicate information and activities.</li> </ul>	<p>September 2009- August 2010</p>	<p>New</p>

<p><b>Three Low Incidence Disabilities Statewide Leadership Function:</b></p> <ul style="list-style-type: none"> <li>Facilitate the promotion of the 3 LID Modules on “Teaching Literacy to Students with Significant Disabilities.”</li> <li>Collaborate with the network to support the use of AT in literacy instruction.</li> </ul> <p><b>Statewide Evaluation Network:</b></p> <ul style="list-style-type: none"> <li>Share informational Web links and existing “Consideration” and “Evaluation” TATN training modules.</li> <li>Collaborate and share specific Web links to respective state lead Web pages in relation to accommodations for evaluation and assistive technology.</li> <li>Develop a question and answer (FAQ) online document to address general questions regarding evaluation and assistive technology.</li> </ul> <p><b>Access to the General Curriculum Network:</b></p> <ul style="list-style-type: none"> <li>Share and collaborate on current educational issues which are common for both networks, specifically regarding assistive technology: <ul style="list-style-type: none"> <li>Response to Intervention.</li> <li>Universal Design for Learning.</li> <li>Accessible Instructional Materials.</li> <li>Other issues as identified.</li> </ul> </li> <li>Present at Inclusion Works! conference on above topics.</li> <li>Provide further input for the Standards-Based IEP module.</li> <li>Participate at the next AGC Improvement Committee meeting in Austin on September 16 and 17, 2009.</li> </ul> <p><b>Deaf and Hard of Hearing collaboration:</b></p> <ul style="list-style-type: none"> <li>Develop a troubleshooting guide to assistive listening devices.</li> <li>Collaborate to provide professional development sessions at their statewide conference.</li> <li>Collaborate with professional organizations to increase AT training opportunities in the state.</li> </ul>		
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**Autism**

The Texas Initiative for Autism Training Network will implement the following improvement activities:

Conference/Meeting Participation	Timeline	Status
Planning and participation in the Texas State Conference on Autism.	December 2009 February 2010	Continuing
Attend one national conference on autism—Ohio Center for Low Incidence Disabilities and Autism Training (OCALI).	November 2009	Continuing

Technical Assistance	Timeline	Status
<p>Texas Statewide Leadership for Autism Network Meetings.</p> <p>Face-to-Face Meetings.</p> <p>TETNs:</p> <ul style="list-style-type: none"> <li>• New contact training, review of 2009-10 plan, and autism conference update.</li> <li>• Core training update, Model Sites project update, discussion of evidence based practices.</li> <li>• Review of year, projects updates, resource sharing.</li> </ul> <p>Texas Autism Resource Guide for Effective Teaching (TARGET): Annual Review to update research cited in the TARGET. Review is to be compiled by university personnel.</p> <p>Texas Statewide Leadership for Autism (Website):</p> <ul style="list-style-type: none"> <li>• Update, expand and maintain established pages.</li> <li>• Publish materials as generated by other projects within this grant.</li> </ul> <p>National Professional Development Center (NPDC) Grant – Model Sites for Evidence Based Practices in Autism:</p> <p>While this grant does not bring funding into the State, it provides professional development and technical assistance aimed at evidence-based practices that will support the Autism Initiative for the State. Texas has been selected as one of three states to participate in a professional development opportunity by the National Professional Development Center (NPDC) on Autism Spectrum Disorders (ASD).</p> <ul style="list-style-type: none"> <li>• Coordinate the Interagency Autism Planning Group (IAPG). <ul style="list-style-type: none"> <li>• Process and review proposals to be selected for Year 1 model sites—resulting in selected Model Sites.</li> </ul> </li> <li>• Two day initial training in Austin for selected Model Sites.</li> <li>• Host multi-day training for model sites training teams in collaboration with University of Wisconsin-Madison.</li> </ul>	<p>February 2009</p> <p>September 2009</p> <p>October 2009</p> <p>May 2010</p> <p>July 2010</p> <p>September 2009–August 2010</p> <p>October 2009</p> <p>November 2009</p> <p>July 2010</p>	<p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>New</p> <p>New</p> <p>New</p>

Training	Timeline	Status
<p>Develop one new course in Core Training in Autism Series – “Autism through the Eyes of a General Education Teacher.” Collaborate with the statewide Access to the General Curriculum network on this module. This will be produced as a Trainer of Trainers Module.</p> <ul style="list-style-type: none"> <li>• Translation of remaining modules.</li> <li>• Futures Planning.</li> <li>• Autism through Eyes of a General Education Teacher.</li> </ul>	<p>January 2010</p> <p>March 2010</p>	<p>New</p> <p>New</p>

Continue with development of online modules in English and Spanish.	March 2010	New
<ul style="list-style-type: none"> <li>Asperger Syndrome 101-Spanish</li> <li>Classroom Organization-Spanish</li> <li>Behavior Issues-Spanish</li> <li>Socialization Issues-Spanish</li> <li>Communication Issues-Spanish</li> <li>Futures Planning-: Collaboration with the Transition Decentralized Function and the Multicultural Decentralized Function on this module</li> <li>Futures Planning-Spanish</li> <li>Autism through Eyes of General Education Teacher</li> <li>Autism through Eyes of General Education Teacher-Spanish</li> </ul>	November 2009 January 2010 February 2010 March 2010 November 2009 March 2010	New New New New New New New New
Collaborate with other statewide leadership functions linking to relevant information on other websites and encouraging links to this project's website from other ESCs.	May 2010	New
Collaborate with other agencies on ACT Early Project.	January 2010	New
Collaborate with Texas Council on Autism.	May 2010	New
	August 2010	Continuing
	August 2010	Continuing
	August 2010	Continuing

### Behavior and Discipline Management

The Texas Behavior Support Initiative Network will implement the following improvement activities:

Conference/Meeting Participation	Timeline	Status
Facilitate the planning and implementation of a Multi-site RTI Behavior/ PBS Training Conference.	June-August 2010	New
Attend the National/ International Positive Behavior Interventions and Support Conference.	March 2010	New

Technical Assistance	Timeline	Status
Attend and participate in face to face meeting: <ul style="list-style-type: none"> <li>Facilitate and discuss the revision of current PBS training materials to the development of online training modules and materials.</li> <li>Identify and discuss additional tools, information, and resources for the txbsi.org website.</li> </ul>	September 30-October 1, 2009	Continuing
Facilitate TETN sessions for sub-committees and ongoing network activities. <ul style="list-style-type: none"> <li>Planning for the Statewide PBS Conferences (multiple locations) in the summer 2010.</li> <li>Review of deliverables.</li> <li>Review/discussion of PBS State Plan.</li> </ul>	December 2009 and April 2010	Continuing

Facilitate the collection, review and analysis of statewide/regional data.	September 2009—May 2010	Continuing
Review State/ESC behavior and discipline data related to SPP Indicators 4A and 4B to determine technical assistance needs.	January 2010	Continuing
Submit required project data to evaluate the effectiveness and fidelity of RTI Behavior/PBS Implementation.	June 2010	Continuing
Post on the txbsi.org website:		
<ul style="list-style-type: none"> <li>• Provide online tools to assist regions and districts in reviewing and analyzing project data/data related to SPP Indicators 4A and 4B.</li> </ul>	July 2009	New
<ul style="list-style-type: none"> <li>• New School Profile, Baseline “BoQ”, End-of-year Report, Mid-year report, PBS surveys.</li> </ul>	July 2009-December 2009	New
<ul style="list-style-type: none"> <li>• “Parents’ Guide to Response to Intervention in Schools.”</li> </ul>	September 2009	New
<ul style="list-style-type: none"> <li>• TEA Network Leads, Projects, and Functions links which include but are not limited to: Transition, Autism, Evaluation, Disproportionate Representation, and Three Low Incidence Disabilities, RTI, TxCEDs.</li> </ul>	September 2009	New
<ul style="list-style-type: none"> <li>• Presentations, handouts, and artifacts on TBSI website Showcase campuses and poster sessions from 2009 conference.</li> </ul>	September 2009	New
<ul style="list-style-type: none"> <li>• Establish criteria, process, and materials for identifying “PBS/RTI “Demonstration” campuses to disseminate.</li> </ul>	August 2010	New
<ul style="list-style-type: none"> <li>• RTI Behavior/PBS “Coaching” resources, tools, tips.</li> </ul>	December 2010	New

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<b>Product Development</b>		
Facilitate revision of current PBS training materials to the development of online training modules and materials:		
<ul style="list-style-type: none"> <li>• Universal / School-wide Module.</li> </ul>	December 2009	New
<ul style="list-style-type: none"> <li>• Selected / Classroom Module.</li> </ul>	May 2010	New
<ul style="list-style-type: none"> <li>• Targeted / Individual Module.</li> </ul>	August 2010	New
Develop “District Readiness Checklist”, training content (Blueprint model), and resources for multi-site conference.	December 2009	New
Develop state-wide self evaluation tool for SPP Indicators #4A and #4B.	January 2010	New
Develop RTI Behavior/PBS video.	March 2010	New

<p>Statewide capacity building through network activities:</p> <ul style="list-style-type: none"> <li>Facilitate professional development based on SBDM network needs assessment “Merging RTI Behavior and the PBS Process.”</li> <li>Survey network members to evaluate professional development effectiveness.</li> </ul>	October 2009	New
<p>Facilitate the planning and implementation of a Multi-site RTI Behavior/ PBS Training Conference:</p> <ul style="list-style-type: none"> <li>Identify and reserve training sites.</li> <li>Identify/block rooms/lodging for participants and trainers.</li> <li>Secure regional, state, national presenters (keynote and showcase districts).</li> <li>Develop “District Readiness Checklist”, training content (Blueprint model), and resources.</li> <li>Develop initial evaluation plan: A training evaluation will be collected electronically to determine “district level” implementation.</li> </ul>	June – August 2010 Austin/San Marcos, Dallas, Houston, Lubbock	New
<p>Participate in data related network activities via face to face meetings and online communications:</p> <ul style="list-style-type: none"> <li>Review State/ESC behavior and discipline data related to SP Indicators 4A and 4B to determine technical assistance needs (Use of SPEARS).</li> <li>Submit required project data to evaluate the effectiveness and fidelity of RTI Behavior/PBS Implementation.</li> </ul>	Baseline report: Begin July 2009 Mid-year report: January 2010 End-of-year report: June 2010	New

**Disproportionate Representation**

The Texas Initiative on Disproportionate Representation Network will implement the following improvement activities:

Technical Assistance	Timeline	Status
Maintain disproportionality website current with rules, links, and updates on resource tools.	August 2010	Continuing
Provide continuous updates on resource guides and ongoing research of best practices.	January 2010	Continuing
<ul style="list-style-type: none"> <li>Continue to review self assessment tools in resource guide for updating and revisions as necessary.</li> </ul>	January 2010	Continuing
<ul style="list-style-type: none"> <li>Continue to search websites, including Legal Framework, to identify and link to programs across the nation and state that have addressed or are addressing the critical issues on disproportionate representation effectively.</li> </ul>	January 2010	Continuing
<ul style="list-style-type: none"> <li>Continue to conduct ongoing review of literature of scientifically based research practices, strategies, and trainings related to addressing the needs of struggling students of culturally and linguistically diverse backgrounds.</li> </ul>	January 2010	Continuing

<ul style="list-style-type: none"> <li>Continue to review current research activities of national and state universities and agencies that have addressed or are addressing disproportionate representation on the web, journals, and books.</li> <li>Update national and state organizations list addressing disproportionate representation and equity in education for ethnic and racial populations.</li> </ul> <p>Design an online survey to monitor the utilization and effectiveness of the resources available on the disproportionality website.</p> <p>Design online presentation on disproportionate representation in special education to be available via the disproportionality website. The goal of the presentation is to inform districts about disproportionate representation and to provide recommendations to address disproportionality by utilizing best practices.</p>	January 2010	Continuing
	January 2010	New
	May 2010	New
	November 2009	New

Evaluation

The Evaluation Network will implement the following improvement activities:

Conference/Meeting Participation	Timeline	Status
Attend CEC National Conference and Expo, Nashville, TN.	April 21-24, 2010	Continuing

Technical Assistance	Timeline	Status
Face-to-face Network meeting: Trainer of Trainers on training modules for SPP Indicators 11 and 12.	March 2010	Continuing
TETN: Discuss Evaluation and the Transition Process, review the 2009-10 CIP (reports from sub-committees), and discuss survey results regarding SPP 11 and 12.	September 2009	Continuing
Develop guidance materials on the issues involved in the exclusionary clauses as defined in the eligibility criteria for Specific Learning Disabilities.	June 2010	New
Provide support and technical assistance to ECI teams and IEP teams in helping them through the transition of Part C to Part B.	August 2010	Continuing
Continuation of the Statewide Leadership for Evaluation webpage ( <a href="http://www.evalnetwork.net">www.evalnetwork.net</a> ):	August 2010	Continuing
<ul style="list-style-type: none"> <li>This site will continue to provide current and research-based information concerning evaluation for children with disabilities.</li> </ul>		

<ul style="list-style-type: none"> <li>Develop guidance information for the Statewide Leadership for Evaluation website on the following topics as they relate to evaluation: <ul style="list-style-type: none"> <li>Autism</li> <li>Emotional Disturbance</li> <li>Mental Retardation</li> <li>Re Evaluation Education Determination (REED)</li> <li>Reevaluation</li> <li>Manifestation Determination</li> <li>Links to resources, other statewide leadership networks, and Q &amp; As</li> </ul> </li> </ul>	August 2010	Continuing
Develop a statewide needs assessment (online survey) for special education directors to assess their needs in meeting compliance on SPP 11 and 12.	September 2010	New

Training	Timeline	Status
Extend/Expand opportunities for professional development on interpretation of norm referenced tests and scoring interpretations along with understanding the patterns of strengths and weaknesses for making evaluation results instructionally relevant, and writing appropriate full and individual evaluation reports (FIEs). Module: <i>Building the Bridge Between FIEs (Full and Individual Evaluations) and Instruction.</i>	August 2010	Continuing
Update the Ready, Set, Go: Training for New Evaluation Personnel module to meet current legal updates and to provide additional resources.	June 2010	Continuing
Provide statewide capacity building through development of training materials and information for SPP 11: <ul style="list-style-type: none"> <li>Develop and post resource materials to website that can be downloaded for staff in-service training on SPP 11.</li> <li>Maintain web links to electronic resources for SPP 11.</li> </ul>	May 2010	New
Provided statewide capacity building through dissemination of training materials and information for SPP 11 through training sessions: <ul style="list-style-type: none"> <li>Provide training to evaluation network members and additional ESC staff through TETN to assist districts with SPP 11.</li> <li>Provide training to statewide evaluation staff through dissemination of training on SPP 11 at SWEP.</li> </ul>	May 2010	New
Provide statewide capacity building through development of training materials and information for SPP 12: <ul style="list-style-type: none"> <li>Develop and post resource materials to website that can be downloaded for staff in-service training on SPP 12.</li> <li>Maintain web links to electronic resources for SPP 12.</li> </ul>	May 2010	New

<p>Provide statewide capacity building through dissemination of training materials and information for SPP 12 through training sessions:</p> <ul style="list-style-type: none"> <li>• Provide training to evaluation network members and additional ESC staff through TETN to assist districts with SPP 12.</li> <li>• Provide training to statewide evaluation staff through dissemination of training on SPP 12 at SWEP and TEDA (Texas Educational Diagnosticians Assoc.).</li> </ul> <p>Collaboration with ESC Regions 1's Disproportionate Representation in Special Education and the MCDL (Multi-cultural Diverse Learners) contacts to gather data and information to use in the development of the above guidance materials.</p> <p>Collaboration with ESC Region 4's lead for the SBDM (Statewide Behavior/Discipline Management) network to gather data and information to use in the development of the guidance/information regarding MDRs (Manifestation Determination Reviews) to be posted on the evaluation network website.</p> <p>Collaboration with ESC 13's lead for the Autism network in the development of the guidance/information regarding evaluation of students with autism on the evaluation network website.</p>	<p>May 2010</p> <p>August 2010</p> <p>August 2010</p> <p>August 2010</p>	<p>New</p> <p>New</p> <p>New</p> <p>New</p>
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### High School / Transition and Post School Results

The Secondary Transition Network will implement the following improvement activities:

#### Secondary Transition:

Conference/Meeting Participation	Timeline	Status
Present Indicator 13 data at Texas Transition Conference	February 15-17, 2010	Continuing
Attend National AHEAD (Association on Higher Education) and Disability) Conference (Lead).	July 2010	New
Support Texas Transition Conference: This conference directly addresses compliance issues for Indicator 13 and performance issues for Indicator 14. In a survey to determine ways in which states address Indicator 13 and transition issues, the National Secondary Transition Technical Assistance Center (NSTTAC), asks directly if the state has a statewide transition conference. This conference has proved to serve needs in Texas and has grown steadily over the past several years.	February 15-17, 2010	Continuing
Attend Secondary Transition Follow-up State Planning Institute in Savannah, Georgia (Lead) co-sponsored by the National Dropout Prevention Center for Students with Disabilities (NDPC-SD), the National Post-School Outcomes Center (NPSO), and the National Secondary Transition Technical Assistance Center (NSTTAC). Additional assistance will be provided by the IDEA Partnership at NASDSE's Community of Practice on Transition.	October 28-31, 2009	New
Attend NSTTAC Secondary Transition State Planning Institute in Charlotte, NC (Coordinator).	May 2010	New

Technical Assistance	Timeline	Status
<p>Secondary Transition Network meetings:</p> <ul style="list-style-type: none"> <li>• Face-to-face meeting: Review Network plan—required activities, APR and Postsecondary Goals Training, and Assessment/SOP/Parent Trainings.</li> <li>• TETN– data analysis.</li> <li>• TETN– connection to SPP Indicators 14, 1, 2, 3, 4, 5, 8.</li> </ul> <p>Indicator 13 Data Analysis.</p> <p>Address Indicator 13 training including folder reviews.</p> <p>Coordinate data analysis with TEA.</p> <p>Assist all network members in analyzing data to help them determine and design professional development to meet the identified regional needs.</p> <p>Help make connections among SPP Indicators 13, 14, 1, 2, 3, 4, 5, and 8. All of the following will be shared with network members through training and technical assistance:</p> <ul style="list-style-type: none"> <li>• Analyze relationship between data for Indicator 13 and 14.</li> <li>• Use PEIMS/AEIS to identify graduation and dropout rates at the regional level (Indicators 1 and 2).</li> <li>• Continue to provide current research-based information on dropout prevention strategies (Indicator 2).</li> <li>• Use statewide and regional data collected from item #6 of the Indicator 13 checklist to make connections between annual goals and AYP (Indicator 3).</li> <li>• State lead from the behavior network will share information on suspensions/expulsions and their impact on graduation and dropout (Indicators 4, 1, and 2).</li> <li>• Use data collected from item #5 of the Indicator 14 Grade 12 exit survey related to “program under which the student will exit high school” to give an indication of the rigor of the high school program (Indicator 5).</li> <li>• Use information from the Texas Survey of Parents of Students Receiving Special Education Services to determine level of parental participation in student’s education process (research says that valid parent participation in the student’s education increases the likelihood of the student staying in school and graduating (Indicator 8).</li> </ul>	<p>September 9-11, 2009</p> <p>November 18, 2009</p> <p>March 30, 2010</p> <p>September 2009</p> <p>Fall 2009</p> <p>November 18, 2009</p> <p>March 30, 2010</p>	<p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>New</p> <p>New</p> <p>New</p> <p>New</p>

<p>Supply both state and regional data to ESC statewide functions and projects including appropriate Indicator 13 data related to disability and other demographics. This will include:</p> <ul style="list-style-type: none"> <li>• Access to General Curriculum</li> <li>• Three Low-Incidence Disabilities</li> <li>• Multicultural Education</li> <li>• Parent Coordination</li> <li>• Services for the Deaf</li> <li>• Visually Impaired</li> <li>• Behavior and Discipline Management</li> <li>• Autism</li> </ul>	February 2010	New
<p>ESCs will assist districts/charters not in compliance for Indicator 13 in the following ways:</p> <ul style="list-style-type: none"> <li>• Provide the following trainings at each ESC: <ul style="list-style-type: none"> <li>• Texas Transition: Attaining Goals</li> <li>• Module for Postsecondary Goals</li> <li>• Module for Transition Assessment</li> </ul> </li> <li>• Provide information regarding a transition team approach within a district to attend the above trainings which may include: <ul style="list-style-type: none"> <li>• transition specialist</li> <li>• diagnostician</li> <li>• special education coordinator or director</li> <li>• counselor</li> <li>• administrator</li> </ul> </li> <li>• Provide information regarding district level discussions to establish a process for correcting student folders and therefore addressing transition issues appropriately for all students. In addition, districts are encouraged to look at all student folders to assure that all folders are in compliance.</li> <li>• Provide information regarding districts going back to ARD to discuss issues that are correctable.</li> </ul>	August 31, 2010	New
<p>Continue to collaborate with the National Secondary Transition Technical Assistance Center (NSTTAC):</p> <ul style="list-style-type: none"> <li>• Continue to collaborate through conference calls, emails, and/or webinars.</li> </ul>	August 2010	Continuing
<ul style="list-style-type: none"> <li>• Attend Secondary Transition Follow-up State Planning Institute co-sponsored by the National Dropout Prevention Center for Students with Disabilities (NDPC-SD), the National Post-School Outcomes Center (NPSO), and the National Secondary Transition Technical Assistance Center (NSTTAC). Additional assistance will be provided by the IDEA Partnership at NASDSE's Community of Practice on Transition.</li> </ul>	October 28-31, 2009	New

<ul style="list-style-type: none"> <li>Attend NSTTAC Secondary Transition State Planning Institute in Charlotte NC.</li> <li>Attend TEA facilitated meetings for State Leads.</li> </ul> <p>Secondary Transition / Higher Education Activities:</p> <p>Continue to collaborate with the TEA Division of College and Career Readiness Initiatives, P-16 Council to strengthen relationships among public education, higher education, and civic and business communities.</p> <p>Continue to research programs and resources – place links on statewide transition website.</p> <p>Work toward promoting a postsecondary culture in high schools centered on pre-college planning. Educate Secondary Transition network members on existing programs and processes, such as self-determination and Achieve Texas.</p> <p>Train network members on newly developed module on helping students with disabilities prepare to attend college.</p> <p>Submit proposal to Texas AHEAD conference on current transition issues and post secondary connections.</p>	May 2010	Continuing
	October 2009	New
	August 2010	New
	December 15, 2010	New
	September 10, 2009	New
	September 10, 2009	New
	February 2010	New

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<p>Secondary Transition Network</p> <p>Update trainings to address needs of districts as indicated by Indicator 13 data collection. Updates are made in relation to ongoing data obtained from Indicators 13 and 14, updates to legislative activities, and regional needs assessments.</p> <p>Provide the Network copies of created trainings delivered annually:</p> <ul style="list-style-type: none"> <li>Texas Transition: Attaining Goals</li> <li>Transition Planning for Students</li> <li>Parents and the Transition Process</li> <li>Leaving a Clear Trail (AAR-Academic Achievement Record)</li> </ul> <p>Provide training on modules to ESCs and districts:</p> <ul style="list-style-type: none"> <li>Transition Assessments: What's It All About?</li> <li>Postsecondary Goals</li> <li>Summary of Performance</li> </ul> <p>Present new training module on helping students with disabilities prepare to go to college.</p> <p>Provide the Network trainings yearly to present updated and new information.</p> <p>Train new network members:</p> <ul style="list-style-type: none"> <li>Intro to State Leadership</li> <li>Role on Network</li> <li>Training responsibilities</li> </ul>	<p>June 2010</p> <p>August 31, 2010</p> <p>August 31, 2010</p> <p>September 11, 2010</p> <p>September 11, 2010</p> <p>September 9, 2010</p>	<p>New</p> <p>Continuing</p> <p>Continuing</p> <p>New</p> <p>Continuing</p> <p>Continuing</p>

<p>Facilitate collaboration of districts and agencies:</p> <ul style="list-style-type: none"> <li>• Continue to facilitate joint agency and ESC trainings/meetings. Each ESC transition specialist collaborates and often co-presents with agency representatives at agency facilities and/or the ESC.</li> <li>• Each ESC will continue to provide information on state/regional agency contacts to districts.</li> <li>• Each ESC transition specialist maintains a contact log detailing whether they are gathering information for districts, parents, or students and whether the collaboration is for planning a co-sponsored event, co-training, or meeting to plan for a student.</li> </ul>	<p>August 31, 2010</p>	<p>Continuing</p>
<p>Continue to enhance statewide transition website and keep website current. Include Post-School Results information/data on Transition in Texas website.</p>	<p>August 31, 2010</p>	<p>Continuing</p>
<p>The Secondary Transition Network will collaborate with the following state leads/projects:</p> <ul style="list-style-type: none"> <li>• AGC – Leads will have 3 conference calls during the year. Purpose: Determine how to coordinate activities in the development of the IEP. Determine if each functions’ trainings need to be enhanced to incorporate curriculum and/or transition issues.</li> <li>• Evaluation – Transition lead/specialists will present components of transition and how they should be addressed in the IEP on TETN.</li> <li>• Legal Framework – Continue to develop Toolkit for transition.</li> <li>• Three LID – Transition Lead will attend transition training for 3 Lid network.</li> <li>• Multicultural and Diverse Learners – Leads of the two state functions will collaborate to update Transition Network on cultural issues in relation to transition. This is follow-up to presentation to network in February 2009.</li> <li>• Behavior – Behavior lead/specialist will share with transition network the processes/systems in place for positive behavior management that are being built into PK-12 education process for the purpose of seeking connections to transition, dropout prevention, graduation. Transition lead/specialist will share with behavior network transition components in the area of self-determination and how it relates to behavior management.</li> <li>• Services for the Deaf and Hard of Hearing – Continue collaboration concerning to AI issues in relation to transition.</li> </ul>	<p>September 2009- August 2010</p>	<p>New</p>

<ul style="list-style-type: none"> <li>• Services for the Blind and Visually Impaired- Continue collaboration concerning to VI issues in relation to transition.</li> <li>• Parent Coordination – Share any new information in the area of transition.</li> </ul>		
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**Post-School Results:**

<b>Conference/Meeting Participation</b>	<b>Timeline</b>	<b>Status</b>
Attend Secondary Transition Follow-up State Planning Institute in Savannah, Georgia.	October 28-31, 2009	New
Present Indicator 14 data at Texas Transition Conference.	February 15 – 17, 2010	New
Attend NSTTAC Secondary Transition State Planning Institute in Charlotte, NC (Coordinator) The leadership (lead and coordinator) represents the state of Texas.	May 2010	Continuing

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
Indicator 14 Data Collection, Analysis, and Reporting. Based on data collected Spring 2009, review and edit grade 12 exit and extended postsecondary surveys.	January 31, 2010	New
Using grade 12 data collected Spring 2009, contract with company for extended survey collection via telephone.	July 2010	New
Distribute postsecondary data to TEA, ESCs, and districts.	October 30, 2010	New
Analysis of postsecondary 09-10 data.	July 20, 2010	New
Analyze postsecondary data and supply appropriate reports as follows: <ul style="list-style-type: none"> <li>• Overall state analysis – ethnicity; disability; gender</li> <li>• Analysis per region – ethnicity; disability; gender</li> <li>• Analysis per district (if return rate is large enough to protect student confidentiality) – ethnicity, disability, gender</li> </ul>	August 31, 2010	New
Supply both statewide and regional Indicator 14 data to: <ul style="list-style-type: none"> <li>• Transition network to provide districts and charters with technical assistance and analysis of data in relation to transition planning.</li> </ul>	November 18, 2010	New



MDL State Lead will prepare state specific data regarding disproportionate representation for use by the MDL network by November 9, 2009.	November 2009	New
Update Statewide MDL web page with links to resources.	September 2010	Continuing
Distribute current research and resources in the area of cultural and linguistic diversity and special education issues.	September 2010	Continuing

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<p>REAL Modules:</p> <ul style="list-style-type: none"> <li>MDL statewide lead will train network membership on the newly revised REAL modules (6 modules) by November 12, 2009.</li> <li>MDL network members will use the REAL modules and submit a report to the state lead regarding modules utilized at the ESC level by September 1, 2010.</li> </ul> <p>Collaboration:</p> <ul style="list-style-type: none"> <li>At the state level the MDL lead will collaboratively work and plan with other state leads for networks/projects focusing on SPP 9 or SPP 10, such as the Transition, Behavior, Evaluation, Parent, and AGC networks, Disproportionality Initiative, and Autism Project.</li> <li>At the regional level the MDL representative will work collaboratively with other network representatives focusing on SPP 9 or SPP 10, such as the aforementioned networks.</li> </ul>	<p>November 10-12, 2010</p> <p>August 2010</p> <p>August 2010</p> <p>August 2010</p>	<p>New</p> <p>New</p> <p>New</p> <p>New</p>

### Three Low Incidence Disabilities

The Three Low Incidence Disabilities (LID) Network will implement the following improvement activities:

<b>Conference/Meeting Participation</b>	<b>Timeline</b>	<b>Status</b>
<p>Attend The Association for Severe Handicapped (TASH) Conference in Pittsburgh, PA.</p> <ul style="list-style-type: none"> <li>Share information with network members about presenters, topics of interest, and products from the conference.</li> </ul>	November 18-21, 2009	New

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
<p>Face-to-Face—Network meeting: Planning and evaluation of trainings and activities:</p> <ul style="list-style-type: none"> <li>Face-to-Face--Professional Development Training: Provide "Secondary Transition Issues of Students with Deafblindness and Low Functioning Deaf" training.</li> <li>TETN--Professional Development Training: Provide "Secondary Transition Issues of Students with Special Health Care Needs" training.</li> </ul> <p>3LID lead will update/maintain the web posted list of appropriate curriculum and assessment tools (Curriculum and Assessment Matrix).</p>	<p>February 3, 2010</p> <p>April 23, 2010</p> <p>August 2010</p>	<p>New</p> <p>Continuing</p> <p>Continuing</p>

3LID lead will develop a list of appropriate evaluation tools for use with students with low incidence disabilities and post to the web site.	August 2010	Continuing
3LID lead will research articles and resources regarding behavior issues for students with sensory impairments. Post articles to 3LID Resources web page.	August 2010	Continuing
Maintain web pages and contents as well as links to other network's sites.	August 2010	Continuing
Add a "network training materials" page to 3LID web site for training materials that have been developed by network members for sharing with each other.	September 2009	New

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
LITERACY FOR STUDENTS WITH SIGNIFICANT DISABILITIES: Training Modules Implementation: These new modules will be trained within each region according to regional needs.	September 2010	New
LITERACY FOR STUDENTS WITH DEAFBLINDNESS: Webinar Training Series: Purpose: additional training resources and strategies for use with the Literacy Module Trainings. Advanced strategies specific for this population intended as professional development for Literacy module trainers.	October 7 and 28, 2009 November 11, 2009 December 2, 2009	New
Development of TEACHING MATH TO STUDENTS WITH SIGNIFICANT DISABILITIES Training Modules: Purpose: These training materials will address students ages 3-21 and will be based on research-based strategies.	August 2010	New
Professional Development Trainings on Deafblindness: Communication Training: focusing on deaf or deafblind students who are at a functional academic level. The presentation will include the ADAMLS (Assessing Deafblind Access to Manual Language Systems) and other communication assessment tools. It will also focus on deaf students with visual impairments to include Braille use to provide access to the general education curriculum.	January 15, 2010	New
Communication Training: focusing on deaf or deafblind students at emerging symbolic language levels including some of these issues: communication assessment for students with emerging language (determining communication forms, functions and topics), routines/experiential learning and calendars.	January 22, 2010	New
Census Issues of AI, VI, DB: Each census gathers different data but often uses some of the same information. Discussion will be held as to how all can benefit from these data sources. Proper reporting can insure that students received the appropriate services. ESC Specialists provide TA to districts on these inventories. This will be a joint TETN scheduled by the VI network.	November 17, 2009	New

<p>Develop a resource document regarding the Provision of Services to 0-3 year olds: Purpose: A resource document will be developed to provide guidance to teachers of students with auditory or visual impairments who work with ECI to best meet the needs of students who are auditory or visually impaired or who are deafblind.</p> <p>Develop resource document on "Writing Standard-Based IEPs for Students with Significant Disabilities": Purpose: These resources will be used by ESC 3LID network members as training materials or TA to improve access to the general curriculum and increase student performance for low incidence students. 3LID network members will receive training on these resources</p> <p>Collaboration with other networks: Access to General Curriculum (AGC):</p> <ul style="list-style-type: none"> <li>• Send a link to the 3LID literacy modules. Encourage the regional AGC network member to participate in the training of the Literacy modules.</li> <li>• Invite an AGC network member to sit on the development committee of the Math Modules. Invite AGC Network Members to TOT training in Sep 2010.</li> </ul> <p>Attend Standards based IEP Training w/ AGC.</p> <p>Collaborate with Services for Blind and Visually Impaired (VI) Network by inviting their members to participate in this webinar series—Literacy for students with Deafblindness.</p> <p>Collaboration on document for 0-3 year olds with:</p> <ul style="list-style-type: none"> <li>• Texas School for the Blind (TSBVI)</li> <li>• Region 10 Services for the Deaf/Hard of Hearing lead</li> <li>• Services for the Blind and Visually Impaired (VI) Network</li> <li>• Educational Resource Center on Deafness</li> <li>• Texas Education Agency</li> </ul>	<p>April 2010</p> <p>March 2010</p> <p>September 2009- August 2010</p>	<p>New</p> <p>New</p> <p>New</p>
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**Other Statewide Activities**

Response to Intervention (RtI)

The TEA will implement the following improvement activities related to RtI:

Conference/Meeting Participation	Timeline	Status
Provide an annual, statewide RtI Conference in collaboration with TEA RtI director and the Division of IDEA Coordination.	June 2010	Continuing

Technical Assistance	Timeline	Status
<p>Develop Rtl information, professional materials, resources, and other deliverables for Texas educators in collaboration with TEA Rtl director-Division of Curriculum and facilitated by the Division of IDEA Coordination:</p> <ul style="list-style-type: none"> <li>• Update English and Spanish Parent Booklets.</li> <li>• Update Decision-Making Guide for Struggling Learners.</li> <li>• Update Texas Blueprints for Campus-level Rtl Implementation.</li> <li>• Develop Texas Blueprints for District-level Rtl Implementation.</li> <li>• Expand campus needs assessment tool (CNAT) to include math and behavioral needs.</li> <li>• Develop Data Management Tool for Campus Leadership.</li> </ul> <p>Develop resources for diagnostic and assessment personnel in collaboration with the TEA Rtl director, ESC 12 (Statewide Leadership) contacts, and the Evaluation Network members as facilitated by the Division of IDEA Coordination.</p> <ul style="list-style-type: none"> <li>• Resources for diagnostic and assessment personnel when evaluating students for special services.</li> </ul> <p>Disseminate Rtl information via the updated project web site (<a href="http://BuildingRtl.utexas.org">http://BuildingRtl.utexas.org</a>).</p>	<p>August 2010</p> <p>August 2010</p> <p>August 2010</p> <p>November 2009</p> <p>May 2010</p> <p>May 2010</p> <p>March 2010</p> <p>August 2010</p>	<p>Continuing</p> <p>Continuing</p> <p>Continuing</p> <p>New</p> <p>New</p> <p>New</p> <p>New</p> <p>Continuing</p>

#### FFY 2009 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend South Central SAS user group Educational Forum in San Antonio on November 8-10, 2009. The Forum focused on Data management and analysis.

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

## Part B State Annual Performance Report (APR) for 2008

**Monitoring Priority: FAPE in the LRE**

**Indicator 2:** Percent of youth with IEPs dropping out of high school.

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

**Measurement:** States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

FFY	Measurable and Rigorous Target
2008	The dropout rate for students with disabilities shall not exceed 12%.

**Actual Target Data for FFY 2008:**

<b>Table 1: Dropout Rates for Students with Disabilities</b>			
Class	Cohort	Dropped Out	%
2008 (2007-08)	34,357	4,965	14.5%
2007 (2006-07)	34,845	4,858	13.9%
2006 (2005-06)	34,176	3,622	10.6%
2005 (2004-05)	33,408	2,273	6.8%
2004 (2003-04)	31,491	1,978	6.3%

**Source:** Academic Excellence Indicator System (AEIS) Datasets

<b>Table 2: Dropout Rates for All Students</b>			
<b>Class</b>	<b>Cohort</b>	<b>Dropped Out</b>	<b>%</b>
2008 (2007-08)	300,488	31,437	10.5%
2007 (2006-07)	290,662	33,005	11.4%
2006 (2005-06)	283,698	24,975	8.8%
2005 (2004-05)	271,218	11,650	4.3%
2004 (2003-04)	270,911	10,507	3.9%

**Source:** Academic Excellence Indicator System (AEIS) Datasets

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**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.

It is important to consider the data associated with the indicators above to address the dropout indicator. Specific improvement activities related to these areas include all the activities listed in Indicator I (Graduation).

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

## II. Explanation of Progress or Slippage

The Class of 2008 dropout rate for students with disabilities was 14.5%. The dropout rate increased 0.5% from the previous year. The State did not meet the state target of 12%.

In response to dropout data, the State is currently increasing their efforts to improve the graduation rate for students with disabilities. The efforts include but are not limited to; (a) utilization of the State's 20 Education Service Centers (ESC) to disseminate additional guidance, provide assistance to districts analyzing their data, and provide technical assistance to districts to support their individual efforts, and (b) the Texas Education Agency (TEA) has established an intra-agency Dropout Prevention Taskforce that will, among other efforts, identify resources and provide guidance.

The taskforce is comprised of representatives from all departments and divisions within the TEA and is focused on improving the college and career readiness of Texas students by: 1) providing programs for at-risk youth; 2) integrating best practices in all programs; 3) strengthening the foundation for public education; 4) promoting parent, family, and community resources; and 5) ensuring accountability for dropouts. The State is also availing itself of resources provided by the National High School Center, the National Dropout Prevention Center for Students with Disabilities, the What Works Clearinghouse, the Texas Comprehensive Center, and other state and national organizations that focus on dropout prevention and school improvement to leverage resources to improve program, district, school, and student outcomes.

A complete description of the State's graduation and dropout rates can be found in the report *Secondary School Completion and Dropouts in Texas Public Schools* which can be found on the TEA website at: <http://ritter.tea.state.tx.us/research/>.

## Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

### I. Targets

**FFY 2009 Target Revision:** 12.5% (decrease by 2% per year)

The revised target corresponds to about half the difference between the current state dropout rate for all students (10.5%) and for students receiving special education services (14.5%).

### 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.

It is important to consider the data associated with the indicators above to address the dropout indicator. Specific improvement activities related to these areas include all the activities listed in Indicator I (Graduation).

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend South Central SAS user group Educational Forum in San Antonio on November 8-10, 2009. The Forum focused on Data management and analysis.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 3:** Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

<b>Measurement:</b>	
3A.	AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.
3B.	Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
3C.	Proficiency rate percent = ((# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

FFY	Measurable and Rigorous Target
2008	Indicator 3A    100%  Indicator 3B    Participation on Math Assessments = 95% Participation on Reading Assessments = 95%  Indicator 3C    Performance on Math Assessments = 58% (AYP Target in NCLB) Performance on Reading Assessments = 67% (AYP Target in NCLB)

**Actual Target Data for FFY 2008:**

**Table 3A** | Adequate Yearly Progress,  
District Performance on AYP Objective

Year	State's AYP objectives for progress for disability subgroup ("n" size = 50):
2008	1. 95% of students with disabilities participated in assessment in Reading/ELA 2. 95% of students with disabilities participated in assessment in Mathematics 3. 67% of students with disabilities meet the proficiency standard in Reading/ELA 4. 58% of students with disabilities meet the proficiency standard in Mathematics

2007	<ol style="list-style-type: none"> <li>95% of students with disabilities participated in assessment in Reading/ELA</li> <li>95% of students with disabilities participated in assessment in Mathematics</li> <li>60% of students with disabilities meet the proficiency standard in Reading/ELA</li> <li>50% of students with disabilities meet the proficiency standard in Mathematics</li> </ol>
2006	<ol style="list-style-type: none"> <li>95% of students with disabilities participated in assessment in Reading/ELA</li> <li>95% of students with disabilities participated in assessment in Mathematics</li> <li>60% of students with disabilities meet the proficiency standard in Reading/ELA</li> <li>50% of students with disabilities meet the proficiency standard in Mathematics</li> </ol>
2005	<ol style="list-style-type: none"> <li>95% of students with disabilities participated in assessment in Reading/ELA</li> <li>95% of students with disabilities participated in assessment in Mathematics</li> <li>53% of students with disabilities meet the proficiency standard in Reading/ELA</li> <li>42% of students with disabilities meet the proficiency standard in Mathematics</li> </ol>

Status	FFY 2005	FFY 2006	FFY 2007	FFY 2008
	2005-06	2006-07	2007-08	2008-09
Districts that did not meet AYP Objective	78	42	318	151
Districts that met AYP Objective	550	556	232	345
Total Number of Districts*	628	598	550	496
% of Districts that Met AYP Objective	87.6%	93%	42%	70%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

\*Total number of districts reported represents the number of districts in the State that have a disability subgroup that meets the State's minimum "n" size (n= 50)

Reports on AYP Results at the Campus, District, and State levels can be found on the Texas Education Agency website at:  
<http://ritter.tea.state.tx.us/ayp/index.html>

## Texas Assessment Program Overview

For more than 25 years, Texas has had a statewide student assessment program. Over time, changes to state and federal statute as well as to the state-mandated curriculum, currently the Texas Essential Knowledge and Skills (TEKS), have required the Texas Education Agency to expand the state assessment program, making it more inclusive of and accessible to all student groups. Whether students are served through general education, special education, or bilingual/English as a Second Language programs, the state tests provide a snapshot of the degree to which students are learning the TEKS. As a result of this snapshot, students can receive the additional help they need to strengthen their knowledge and skills in core academic areas; and districts and campuses can evaluate the effectiveness of their instructional programs. In this way, the state assessment program plays an important role in helping all students—no matter what their instructional setting—reach their academic potential.

### Texas Assessment of Knowledge and Skills (TAKS)

TAKS measures a student's mastery of the state-mandated curriculum, the TEKS. TAKS is administered for:

- Grades 3–9 reading
- Grades 3–10 and exit level mathematics
- Grades 4 and 7 writing
- Grade 10 and exit level English language arts (ELA)
- Grades 5, 8, 10, and exit level science
- Grades 8, 10, and exit level social studies

TAKS includes an accommodated form called TAKS (Accommodated) for students served by special education who meet the eligibility requirements for certain specific accommodations. The TAKS (Accommodated) form includes format accommodations (larger font, fewer items per page, etc.) and contains no embedded field-test items.

TAKS and TAKS (Accommodated) are available in Spanish and are administered for:

- Grades 3–6 reading
- Grades 3–6 mathematics
- Grade 4 writing
- Grade 5 science

For additional information and resources about TAKS, visit the TAKS Resources web page at: <http://ritter.tea.state.tx.us/student.assessment/taks/index.html>

### TAKS–Modified (TAKS–M)

TAKS–Modified (TAKS–M) is an alternate assessment based on modified academic achievement standards and is designed for students receiving special education services who meet participation requirements for TAKS–M and for whom TAKS is not appropriate. TAKS–M covers the same grade-level content as TAKS, but the assessment itself has been simplified through modifications in format (larger font, fewer items per page, etc.) and test design (fewer answer choices, simpler vocabulary and sentence structure, etc.).

The 2008 TAKS–M operational tests will include:

- Grades 3–8 reading
- Grade 10 English language arts (ELA)
- Grades 3–8 and 10 mathematics
- Grades 5, 8, and 10 science

The 2008 TAKS–M field tests will include

- Grade 9 reading
- Grades 9 and 11 mathematics
- Grades 4 and 7 writing
- Grade 11 English language arts (ELA)
- Grade 11 science
- Grades 8, 10, and exit level social studies

For additional information and resources about TAKS-M, visit the TAKS-M Resources web page at: <http://ritter.tea.state.tx.us/student.assessment/resources/taksm/index.html> or the Special Education Assessments web page at: [http://ritter.tea.state.tx.us/student.assessment/special\\_education/index.html](http://ritter.tea.state.tx.us/student.assessment/special_education/index.html).

### **TAKS–Alternate (TAKS–Alt)**

TAKS–Alternate (TAKS–Alt) is an alternate assessment based on alternate academic achievement standards and is designed for students with significant cognitive disabilities who meet the participation requirements. Unlike other statewide assessments in Texas, TAKS–Alt is not a traditional paper or multiple-choice test. Instead, the assessment involves teachers observing students as they complete teacher-designed activities that link to the grade-level TEKS curriculum. Teachers then score student performance using the TAKS–Alt rubric and submit results and evidence through an online instrument. TAKS–Alt is administered for:

- Grades 3–9 reading
- Grades 3–11 mathematics
- Grades 4 and 7 writing
- Grades 10 and 11 English language arts (ELA)
- Grades 5, 8, 10, and 11 science
- Grades 8, 10, and 11 social studies

For additional information and resources about TAKS-Alt, visit the TAKS-Alt Resources web page at: <http://ritter.tea.state.tx.us/student.assessment/resources/taksalt/index.html> or the Special Education Assessments web page at: [http://ritter.tea.state.tx.us/student.assessment/special\\_education/index.html](http://ritter.tea.state.tx.us/student.assessment/special_education/index.html).

Additional information about the Texas Assessment Program can be found on the TEA website at: <http://ritter.tea.state.tx.us/student.assessment/index.html>.

**Actual Target Data for FFY 2008:**

Table 3B.1 Statewide Participation Rate, Math	FFY 2004 2004-05		FFY 2005 2005-06		FFY 2006 2006-07		FFY 2007 2007-08		FFY 2008 2008-09	
	#	%	#	%	#	%	#	%	#	%
a. # of children with IEPs in grades 3-8, 10	297,680	---	288,765	---	280,511	---	265,170	--	252,714	---
b. # of children with IEPs in regular assessment with no accommodations	101,607	34.13%	40,686	14.09%	65,751	23.44%	44,008	17%	95,279	38%
c. # of children with IEPs in regular assessment with accommodations	Data Not Available	Data Not Available	52,864	18.31%	27,091	9.66%	119,294	45%	35,403	14%
d. # of children with IEPs in alternate assessment against grade level standards	47,379	15.92%	59,834	20.72%	90,486	32.26%	0	0%	0	0%
e. # of children with IEPs in alternate assessment against modified achievement standards	NA	NA	NA	NA	NA	NA	82,464	31%	100,551	40%
f. # of children with IEPs in alternate assessment against alternate achievement standards	145,933	49.02%	132,708	45.96%	82,790	29.51%	16,453	6%	19,076	8%
g. # of children with IEPs who took an out of level test	NA	NA	NA	NA	10,571	3.77%	0	0%	0	0%
Participants, Grades 3-8, 10	294,919	99.07%	286,092	99.07%	276,689	98.64%	262,219	99%	250,309	99%
Non-participants	2,761	0.93%	2,673	0.93%	3,822	1.36%	2,951	1%	2,405	1%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

**Actual Target Data for FFY 2008:**

Table 3B.2 Statewide Participation Rate, Reading	FFY 2004 2004-05		FFY 2005 2005-06		FFY 2006 2006-07		FFY 2007 2007-08		FFY 2008 2008-09	
	#	%	#	%	#	%	#	%	#	%
a. # of children with IEPs in grades 3-8, 10	299,038	---	290,932	---	282,704	---	266,712	---	254,159	---
b. # of children with IEPs in regular assessment with no accommodations	95,118	31.81%	89,211	30.66%	77,675	27.48%	51,873	20%	40,943	16%
c. # of children with IEPs in regular assessment with accommodations	Data Not Available	Data Not Available	2,407	0.83%	14,668	5.19%	112,891	43%	94,304	38%
d. # of children with IEPs in alternate assessment against grade level standards	45,345	15.16%	55,194	18.97%	84,749	29.98%	0	0%	0	0%
e. # of children with IEPs in alternate assessment against modified achievement standards	NA	NA	NA	NA	NA	NA	82,173	31%	96,851	38%
f. # of children with IEPs in alternate assessment against alternate achievement standards	155,467	51.99%	141,305	48.57%	89,799	31.76%	16,420	6%	19,052	8%
g. # of children with IEPs who took an out of level test	NA	NA	NA	NA	10,666	3.77%	0	0%	0	0%
Participants, Grades 3-8, 10	295,930	98.96%	288,117	99.03%	277,557	98.18%	263,357	99%	251,210	99%
Non-participants	3,108	1.04%	2,815	0.97%	5,147	1.82%	3,355	1%	2,949	1%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

**Actual Target Data for FFY 2008:**

Table 3C.1 Statewide Performance Rate, Math	FFY 2004 2004-05		FFY 2005 2005-06		FFY 2006 2006-07		FFY 2007 2007-08		FFY 2008 2008-09	
	#	%	#	%	#	%	#	%	#	%
a. # of children with IEPs in grades assessed	271,803	---	264,889	---	276,689	---	262,219	---	250,309	--
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations	51,799	19.06%	53,933	20.36%	39,373	14.23%	31,526	24%	27,562	17%
c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations	Data Not Available	Data Not Available	Data Not Available	Data Not Available	15,569	5.63%	40,856	31%	42,145	26%
d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards	37,485	13.79%	52,615	19.86%	80,303	29.02%	0	0%	0	0%
e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards	NA	NA	NA	NA	NA	NA	43,385	33%	73,677	46%
f. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	93,680	34.47%	65,721	24.81%	55,631	20.11%	14,245	11%	16,235	10%
<b>Total Proficient</b>	182,964	67.31%	172,269	65.03%	190,876	68.99%	130,012	50%	159,619	64%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

**Actual Target Data for FFY 2008:**

Table 3C.2 Statewide Performance Rate, Reading	FFY 2004 2004-05		FFY 2005 2005-06		FFY 2006 2006-07		FFY 2007 2007-08		FFY 2008 2008-09	
	#	%	#	%	#	%	#	%	#	%
a. # of children with IEPs in grades assessed	271,546	---	263,027	---	277,557	---	263,357	---	251,210	---
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations	56,607	20.85%	58,860	22.38%	53,200	19.17%	41,471	26%	34,123	19%
c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations	Data Not Available	Data Not Available	Data Not Available	Data Not Available	9,664	3.48%	55,048	34%	52,900	29%
d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards	36,190	13.33%	47,313	17.99%	74,889	26.98%	0	0%	0	0%
e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards	NA	NA	NA	NA	NA	NA	51,402	32%	81,268	44%
f. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	97,561	35.93%	67,414	25.63%	58,762	21.17%	14,262	9%	15,599	9%
<b>Total Proficient</b>	190,358	70.10%	173,587	66.00%	196,515	70.80%	162,183	62%	162,183	73%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

### 2008-09 Participation Rate by Grade, Math

	a. # of children with IEPs in grades assessed		b. # of children with IEPs in regular assessment with no accommodations		c. # of children with IEPs in regular assessment with accommodations		d. # of children with IEPs in alternate assessment against grade level standards		e. # of children with IEPs in alternate assessment against modified achievement standards		f. # of children with IEPs in alternate assessment against alternate achievement standards	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
3	33,997	13.6%	8,319	23.5%	11,642	12.2%	NA	NA	10,889	10.8%	3,147	16.5%
4	35,076	14.0%	6,340	17.9%	13,220	13.9%	NA	NA	12,656	12.6%	2,860	15.0%
5	38,162	15.2%	5,036	14.2%	14,347	15.1%	NA	NA	15,999	15.9%	2,780	14.6%
6	35,960	14.4%	4,140	11.7%	14,639	15.4%	NA	NA	14,463	14.4%	2,718	14.2%
7	36,678	14.7%	3,945	11.1%	14,843	15.6%	NA	NA	15,267	15.2%	2,623	13.8%
8	38,959	15.6%	3,861	10.9%	14,985	15.7%	NA	NA	17,403	17.3%	2,710	14.2%
10	31,477	12.6%	3,762	10.6%	11,603	12.2%	NA	NA	13,874	13.8%	2,238	11.7%
Total	250,309	100.0%	35,403	100.0%	95,279	100.0%	NA	NA	100,551	100.0%	19,076	100.0%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

### 2008-09 Participation Rate by Grade, Reading

	a. # of children with IEPs in grades assessed		b. # of children with IEPs in regular assessment with no accommodations		c. # of children with IEPs in regular assessment with accommodations		d. # of children with IEPs in alternate assessment against grade level standards		e. # of children with IEPs in alternate assessment against modified achievement standards		f. # of children with IEPs in alternate assessment against alternate achievement standards	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
3	34,341	13.7%	8,664	21.2%	10,144	10.8%	NA	NA	12,391	12.8%	3,142	16.5%
4	34,958	13.9%	6,553	16.0%	12,347	13.1%	NA	NA	13,203	13.6%	2,855	15.0%
5	38,302	15.3%	5,586	13.6%	13,602	14.4%	NA	NA	16,337	16.9%	2,777	14.6%
6	35,887	14.3%	4,534	11.1%	14,527	15.4%	NA	NA	14,110	14.6%	2,716	14.3%
7	36,577	14.6%	4,788	11.7%	15,301	16.2%	NA	NA	13,869	14.3%	2,619	13.7%
8	39,012	15.5%	5,357	13.1%	15,683	16.6%	NA	NA	15,267	15.8%	2,705	14.2%
10	32,073	12.8%	5,461	13.3%	12,700	13.5%	NA	NA	11,674	12.1%	2,238	11.7%
Total	251,150	100.0%	40,943	100.0%	94,304	100.0%	NA	NA	96,851	100.0%	19,052	100.0%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

### 2008-09 Proficiency Rate by Grade, Math

	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		c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment 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		e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards		f. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	
3	25,006	15.7%	6,901	25.0%	6,457	15.3%	NA	NA	8,977	12.2%	2,671	16.5%
4	24,904	15.6%	5,472	19.9%	7,093	16.8%	NA	NA	9,872	13.4%	2,467	15.2%
5	29,904	18.7%	4,578	16.6%	9,445	22.4%	NA	NA	13,466	18.3%	2,415	14.9%
6	21,225	13.3%	3,149	11.4%	5,485	13.0%	NA	NA	10,278	14.0%	2,313	14.2%
7	20,593	12.9%	2,831	10.3%	4,990	11.8%	NA	NA	10,509	14.3%	2,263	13.9%
8	25,790	16.2%	3,011	10.9%	7,108	16.9%	NA	NA	13,443	18.2%	2,228	13.7%
10	12,197	7.6%	1,620	5.9%	1,567	3.7%	NA	NA	7,132	9.7%	1,878	11.6%
Total	159,619	100.0%	27,562	100.0%	42,145	100.0%	NA	NA	73,677	100.0%	16,235	100.0%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

### 2008-09 Proficiency Rate by Grade, Reading

	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		c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment 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		e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards		f. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	
3	29,089	15.8%	7,740	22.7%	7,290	13.8%	NA	NA	11,433	14.1%	2,626	16.8%
4	24,279	13.2%	5,416	15.9%	6,062	11.5%	NA	NA	10,449	12.9%	2,352	15.1%
5	29,988	16.3%	4,851	14.2%	8,362	15.8%	NA	NA	14,499	17.8%	2,276	14.6%
6	26,250	14.3%	3,989	11.7%	9,036	17.1%	NA	NA	11,055	13.6%	2,170	13.9%
7	22,450	12.2%	3,483	10.2%	5,590	10.6%	NA	NA	11,195	13.8%	2,182	14.0%
8	31,909	17.4%	4,952	14.5%	11,460	21.7%	NA	NA	13,329	16.4%	2,168	13.9%
10	19,925	10.8%	3,692	10.8%	5,100	9.6%	NA	NA	9,308	11.5%	1,825	11.7%
Total	183,890	100.0%	34,123	100.0%	52,900	100.0%	NA	NA	81,268	100.0%	15,599	100.0%

**Source:** Adequate Yearly Progress Dataset used for accountability reporting under Title 1 of the ESEA

**Instrument Crosswalk for Table 3B.1&2**

<b>Reporting Category</b>	<b>2004-05, 2005-06, 2006-07</b>	<b>2007-08, 2008-09</b>
a. # of children with IEPs in grades assessed	TAKS, SDAA II, LDAA	TAKS, TAKS-M, TAKS-Alt
b. # of children with IEPs in regular assessment with no accommodations	TAKS	TAKS
c. # of children with IEPs in regular assessment with accommodations	TAKS with accommodations	TAKS with Accommodations
d. # of children with IEPs in alternate assessment against grade level standards	SDAA II on grade level	NA
e. # of children with IEPs in alternate assessment against modified achievement standards	NA	TAKS-M
f. # of children with IEPs in alternate assessment against alternate achievement standards	<i>SDAA II off grade level and LDAA, 2004-05 and 2005-06; LDAA 2006-07</i>	TAKS-Alt
g. # of children with IEPs who took an out of level test	<i>SDAA II off grade level, 2006-07</i>	NA

**Instrument Crosswalk for Table 3C.1&2**

<b>Reporting Category</b>	<b>2004-05, 2005-06, 2006-07</b>	<b>2007-08, 2008-09</b>
a. # of children with IEPs in grades assessed	TAKS, SDAA II, LDAA	TAKS, TAKS-M, TAKS-Alt
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations	TAKS	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	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	NA
e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards	NA	TAKS-M
f. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	<i>SDAA II off grade level and LDAA, 2004-05 and 2005-06; LDAA 2006-07</i>	TAKS-Alt

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**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).

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

**II. Explanation of Progress or Slippage**

3A. The State did not meet the 100% target (70%). Part of the reason for the increase from 42% to 70% is the use of the Texas Projection Measure (TPM) for the first time in determining student proficiency. Students with disabilities receiving special education services who took the TAKS or TAKS (accommodated) test were counted as proficient in 2009 if they met TPM criteria even if they did not pass the test. Also, 2008 was the first year that TAKS-M was available. Districts are likely to have learned how to better manage the testing and ARD processes, resulting in higher performance. 739 districts were not evaluated on all four special education measures because they did not meet minimum size, or were exempt because of Hurricane Ike (performance/participation for reading/math).

3B. The State exceeded the 95% target for students participating on math assessments (99%) and on reading assessments 99%. The number of non-participants has decreased. Reasons for nonparticipation include those students who were absent; those students who participated in testing, but their tests were not scored because of illness during the test, cheating, etc.; those students who participated in the testing by taking a linguistically accommodated mathematics test, but were exempted because they were in their first year in U.S. schools; and those students who participated in an alternate assessment based on an alternative achievement standards, but were cognitively impaired to the degree they could not respond. The TEA will continue to monitor the number of non-participants annually. The TEA 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://ritter.tea.state.tx.us/ayp/index.html>.

3C. The State met the 58% target for student proficiency rates on math assessments (64%) and exceeded the 67% target for student proficiency rates on reading assessments (73%).

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

**I. Targets**

State will not revise the targets associated with NCLB Adequate Yearly Progress for FFY 2008:

- 3A = Meet AYP Objectives = 100%
- 3B = Participation Rates, Math and Reading = 95%
- 3C = Proficiency Rates, Math (67%) and Reading (73%)

**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).

**FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend South Central SAS user group Educational Forum in San Antonio on November 8-10, 2009. The Forum focused on Data management and analysis.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 4:** Rates of suspension and expulsion

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

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

<b>Measurement:</b>
---------------------

- |  |
|--|
| <ul style="list-style-type: none"> <li>A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.</li> <li>B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.</li> </ul> |
|--|

Include State's definition of "significant discrepancy."

A "significant discrepancy" is defined as exceeding the critical value of 5.3 for 2008-09 (see **Methodology** below).

FFY	Measurable and Rigorous Target
2008	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%.

**Methodology**

A detailed description of the updated methodology used for Indicator 4 can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/guidance/discipline/method.html>

### Identification and Notification of Districts

In December 2009, the TEA, using the methodology referenced previously, identified 26 districts that met State-defined criteria for having a significant discrepancy in the rates of suspension and expulsion of students with disabilities for Indicator 4A.

	<b>FFY 2008 2008-09</b>
<b>Number of Districts Identified</b>	26

In spring 2010, the 26 identified districts will be required to review policies, procedures, and practices related to the development and implementation of individualized education programs (IEPs), the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170. Upon the completion of this self assessment, districts are required to submit a written assurance statement affirming that its policies, procedures, and practices are in compliance with federal regulations and state rules related to the discipline of students with disabilities. A status of compliance for these 26 districts will be reported in the FFY 2009 APR due in February of 2011. The 13 districts identified in the FFY 2007 APR completed the required self assessments and were able to submit a written assurance statement.

### Actual Target Data for FFY 2008:

#### Suspensions/Expulsions, Students with Disabilities

	<b>FFY 2005 2005-06</b>	<b>FFY 2006 2006-07</b>	<b>FFY 2007 2007-08</b>	<b>FFY 2008 2008-09</b>
a. # of districts with significant discrepancy	8	2	13	26
b. Total districts	1242	1237	1230	1247
c. # of districts that reported noncompliance related to the review of policies, procedures, and practices	0	0	0	To be reported in 2011
Calculation: $a / b * 100$	0.6%	0.1%	0.9%	2%

Source: Public Education Information Management System (PEIMS) Datasets

### Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

#### 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).

#### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).
- TEA staff attended the Texas Youth Summit (July 2008).
- TEA staff participated on the National TA Call – Addressing Racial & Ethnic Disparities in Child Serving Systems (October 2008).
- TEA staff attended the Texas Children's Mental Health Forum regarding Early Childhood (February 2009).
- TEA staff attended the Bringing What Works to Texas Communities: Trauma-Focused Cognitive Behavioral Therapy for Youth (March 2009).
- TEA staff attended the "Unclaimed Children Revisited" - Moving Children's Mental Health Forward in Texas (April 2009).

## **II. Explanation of Progress or Slippage**

The methodology currently used for the FFY 2008 reporting period is new and its use resulted in more districts identified as having a significant discrepancy than in FFY 2007. The decision to change the methodology was made to ensure that the TEA was accurately reporting only those districts with a significant discrepancy.

In FFY 2008, twenty-six districts were identified as having a significant discrepancy. The data reported in FFY 2008 is considered baseline. The State did not meet the 0% target.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

No revision to the 0% target for FFY 2009.

## 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).

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the Texas Children's Mental Health Forum regarding Mental Health in the Public School System (September 2009).
- TEA staff will attend the Strengthening Youth & Family (November 2009).
- TEA staff will attend the Bridging the Gap Symposium (November 2009).
- TEA staff will participate on the Communities of Practice TA Call (November 2009).

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 5:** Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

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

<b>Measurement:</b>
---------------------

- |   |
|---|
| <ul style="list-style-type: none"> <li>A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</li> <li>B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</li> <li>C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</li> </ul> |
|---|

FFY	Measurable and Rigorous Target
2008	<p>Indicator 5A The percent of children with IEPs ages 6-21 inside the regular class 80% or more of the day will be equal to or greater than 66%.</p> <p>Indicator 5B The percent of children with IEPs ages 6-21 inside the regular class less than 40% of the day will be equal to or less than 11%.</p> <p>Indicator 5C The percent of children with IEPs ages 6-21 in separate schools, residential facilities, or homebound/hospital placements will be equal to or less than 1%.</p>

**Actual Target Data for FFY 2008:**

	FFY 2005		FFY 2006		FFY 2007		FFY 2008	
	2005-06		2006-07		2007-08		2008-09	
<b>Educational Environments</b>	#	%	#	%	#	%	#	%
A. Inside the regular class 80% or more of the day	261,545	56%	266,881	59%	279,425	64%	276,156	67%
B. Inside the regular class less than 40% of the day	58,920	13%	55,911	12%	51,778	12%	50,434	12%
C. In separate schools, residential facilities, or homebound/hospital placements	5,937	1%	5,528	1%	5,213	1%	4,909	1%
D. Inside the regular class no more than 79% of day but no less than 40% of day	140,767	30%	124,790	28%	97,094	22%	81,394	20%
Total Students, Ages 6-21	467,169	100%	453,110	100%	435,221	100%	412,893	100%

Data Source: Annual Federal Data Report (Public Education Information Management System (PEIMS) Fall Snapshot)

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

**Inside the regular class 80% or more of the day**

Children with disabilities receiving special education and related services inside the regular class 80 percent or more of the school day.

- |  |  |
|--|--|
| 00 <i>No Instructional Setting</i>                         | 82 <i>RCT, Resource room &lt; 21%</i>            |
| 40 <i>Mainstream</i>                                       | 91 <i>Off Home Campus, Mainstream</i>            |
| 41 <i>Resource room &lt; 21%</i>                           | 92 <i>Off Home Campus, Resource room &lt;21%</i> |
| 81 <i>Residential Care and Treatment (RCT), Mainstream</i> |  |

**Inside regular class no more than 79% of day and no less than 40% percent of the day**

Children with disabilities receiving special education and related services inside regular class no more than 79% of day and no less than 40% percent of the school day.

- |   |   |
|---|---|
| 42 <i>Resource room at least 21% and less than 50%</i>                          | 93 <i>Off Home Campus and Resource room at least 21% and less than 50%</i>                  |
| 43 <i>Self-contained, regular campus at least 50% and no more than 60%</i>      | 94 <i>Off Home Campus, Self-contained, regular campus at least 50% and no more than 60%</i> |
| 83 <i>RCT, Resource room at least 21% and less than 50%</i>                     |   |
| 84 <i>RCT, Self-contained, regular campus at least 50% and no more than 60%</i> |   |

**Inside regular class less than 40% of the day**

Children with disabilities receiving special education and related services inside regular class less than 40 percent of the school day.

- |   |   |
|---|---|
| 08 <i>Vocational Adjustment Class Program</i>               | 88 <i>RCT, Vocational Adjustment Class/Program</i>                      |
| 44 <i>Self-contained, regular campus more than 60%</i>      | 95 <i>Off Home Campus, Self-contained, regular campus more than 60%</i> |
| 85 <i>RCT, Self-contained, regular campus more than 60%</i> |   |

**Separate school**

Children with disabilities who received education programs in public or 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 public or private separate schools.

- |                                |  |
|--------------------------------|--|
| 60 <i>Nonpublic Day School</i> | 96 <i>Off Home Campus, Separate campus</i> |
| 86 <i>RCT, Separate campus</i> | 97 <i>Off Home Campus, Community class</i> |
| 87 <i>RCT, Community class</i> |  |

**Residential Facility**

Children with disabilities who received education programs and lived in public or 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 public or private residential facilities.

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

**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. This does not include children with disabilities whose parents have opted to home-school them and who receive special education at the public expense.

- 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://ritter.tea.state.tx.us/school.finance/handbook/index.html>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed**

Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the State Leader's Summit: Making a Commitment to Improve Results for Children and Youth who are Deaf or Hard of Hearing in Santa Fe, NM (April 30 - May 1, 2009).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

**II. Explanation of Progress or Slippage**

5A. The State exceeded the 56.66% target (67%).

5B. The State did not meet the 11.46% target (12%).

5C. The State met the less than 1.20% target (1%).

Although the overall number of students receiving special education services in the state continues to decline, more students with disabilities are being served in the least restrictive environment and gaining access to the general curriculum. Requirements in the Elementary and Secondary Education Act (ESEA) related to the participation rates in the special education subgroup (Adequate Yearly Progress) continue to result in close to 100% participation on statewide assessments. The development of resources linking curriculum and assessment, available on the Student Assessment Division web page at <http://ritter.tea.state.tx.us/student.assessment/> has had a positive impact on the instruction provided students with disabilities in least restrictive environments.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

**I. Targets**

No revisions to the targets for FFY 2009:

- 5A = 68%
- 5B = 10%
- 5C = 1%

**II. Improvement Activities /Timelines and Resources**

Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 6:** Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

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

<b>Measurement:</b>
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- |   |
|---|
| 6A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100. |
| 6B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.   |

FFY	Measurable and Rigorous Target
2008	Baseline data and targets will be reported in the FFY 2009 APR in February 2011.

**Overview of Issue/Description of System or Process:**

Data were not required to be reported for this indicator in the FFY 2008 APR.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed:**

Technical Assistance	Timeline	Status
<ul style="list-style-type: none"> <li>• Supported the Preschool LRE initiative which focuses on creating partnerships, broadening the continuum of placement options, and serving students in the LRE.</li> </ul>	September 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>• Assisted districts in assessing their current preschool practices, including continuum of placement options, for children with disabilities.</li> </ul>	September 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>• Provided technical assistance and training to increase the continuum of placement options available for preschool students with disabilities.</li> </ul>	September 2008 – June 2009	Completed

<ul style="list-style-type: none"> <li>• Provided technical assistance and training to improve the quality of services and collaboration with other service providers, i.e., childcare centers, Head Start, parents, etc.</li> </ul>	September 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>• Provided technical assistance and training on creating partnerships in order to increase the continuum of placement options.</li> </ul>	September 2008 – June 2009	Completed

### FFY 2008 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the State Leader's Summit: Making a Commitment to Improve Results for Children and Youth who are Deaf or Hard of Hearing in Santa Fe, NM (April 30 - May 1, 2009).
- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).

## II. Explanation of Progress or Slippage

Data were not required to be reported for this indicator in the FFY 2008 APR.

### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

#### I. Targets

Baseline data and targets will be reported in the FFY 2009 APR due in February of 2011.

#### II Improvement Activities / Timelines / Resources

During the 2009-10, Education Service Centers (ESCs) will implement the following improvement activities:

Technical Assistance	Timeline	Status
<ul style="list-style-type: none"> <li>• Support the Preschool LRE initiative which focuses on creating partnerships, broadening the continuum of placement options, and serving students in the LRE.</li> </ul>	July 2009 – June 2010	Continuing
<ul style="list-style-type: none"> <li>• Assist districts in assessing their current preschool practices, including continuum of placement options, for children with disabilities.</li> </ul>	July 2009 – June 2010	Continuing
<ul style="list-style-type: none"> <li>• Provide technical assistance and training to increase the continuum of placement options available for preschool students with disabilities.</li> </ul>	July 2009 – June 2010	Continuing

<ul style="list-style-type: none"> <li>• Provide technical assistance and training to improve the quality of services and collaboration with other service providers, i.e., childcare centers, Head Start, parents, etc.</li> </ul>	July 2009 – June 2010	Continuing
<ul style="list-style-type: none"> <li>• Provide technical assistance and training on creating partnerships in order to increase the continuum of placement options.</li> </ul>	July 2009 – June 2010	Continuing
<ul style="list-style-type: none"> <li>• Develop a Guide to Preschool LRE which will contain a detailed outline of the steps in the development of a LRE model using actual models from districts throughout the State.</li> </ul>	July 2009 – June 2010	New
<ul style="list-style-type: none"> <li>• TEA along with other State agencies responsible for the care and education of the 0-5 year old population have joined together to participate in Expanding Opportunities technical assistance grant.</li> </ul>	June 2009 – June 2010	New

### FFY 2009 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the Measuring Child and Family Outcomes Conference in July 2009.
- TEA staff will attend the National Early Childhood Inclusion Institute in July 2009.
- TEA staff will participate in the Expanding Opportunities Interagency Inclusion Initiative which was awarded in April 2009.
- TEA staff will participate in the Inclusion Works Conference in February 2010.
- TEA staff will attend the National Early Childhood Conference in December 2009.

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

## Part B State Annual Performance Report (APR) for 2008

### Monitoring Priority: FAPE in the LRE

**Indicator 8:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

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

#### Measurement:

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

FFY	Measurable and Rigorous Target
2008	75% of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

#### Overview of Issue/Description of System or Process:

##### Data Collection Activities

##### Survey

The survey instrument, distributed in fall 2006, spring 2007, and spring 2008, was revised for use in 2009. Details regarding the development of the survey are available in the current 2005-2010 State Performance Plan (SPP) available at <http://ritter.tea.state.tx.us/special.ed/spp/>.

##### Sampling Plan

One-sixth of all Texas districts will be sampled each year with every district included at some point during the six-year cycle. The sampling matrix considers geographic area, district size, and student demographics. Each district with an average daily membership (ADM) of 50,000 students or more must be included each year.

For the spring 2009 survey distribution, 1,454 campuses within 238 districts were included in the final sample of eligible schools. To reduce the burden on school staff members, every participating campus received a maximum of 15 surveys. The final database includes information regarding student grade level, gender, ethnicity, and eligibility (formerly *disability*) category. Students were then selected according to a sampling framework that considered these variables proportionately from the various campuses/districts. To increase the return rates for smaller incidence eligibility categories, over- and under-sampling were used. For example, while students with a learning disability constitute 50 percent of the state's students with disabilities population, they were included at about 30 percent in the sampling framework. Of the 238 districts included in the original mailing, surveys were received from 228 districts.

Next year the Texas Education Agency plans to follow-up with the districts that do not turn in surveys by the deadline. Districts will be directed to designate a contact person to ensure surveys were distributed and follow-up activities were done.

### **Survey Distribution**

In the spring of 2009, surveys were sent to 18,463 parents. Surveys were sent to districts bundled by campus with individual student packages to be distributed to parents. Students whose home language survey indicated Spanish had surveys in both English and Spanish included. Packets to parents included a self-addressed, postage-paid return envelope. Parents were asked to not provide student identifiable information.

Although a total of 18,463 surveys were mailed, several factors affected whether parents received or returned surveys. These include the following:

- Student mobility across districts (over 20 percent annual according to TEA reports)
- Leaving school (graduation, dropout, moving out of state or country)
- Intra-district movement (changing campuses)
- Never distributed by school
- Not taken home
- Parent apathy or suspicion regarding survey use
- Doubt survey will impact their child
- Loss, mailing errors, other

### **Response Rate**

A total of 4,781 parent surveys were returned in time to be included in the analyses. There were 4,076 English and 705 Spanish surveys that were usable (that is, non-blank). The total number is within the desired bounds of +/- 3% at the 95% confidence level. Otherwise stated, we can be (at least) 95 percent sure that the findings to individual questions are within +/- 3 percentage points of the actual population distributions. The overall return rate for parent surveys was 25.9 percent. Of these, 1,750 provided feedback in English, and 350 responded in Spanish.

### **Representative Sample**

Table 2 presents demographic information of students whose parents returned surveys. In general, the percentages returned mirror the sample distributions. As noted earlier, deliberate over- and under-sampling were utilized to try and match return percentages to overstate distributions based on previous surveys. Of the 238 districts included in the original mailing, 228 were included in the analyses. Surveys from the remaining districts may have been received after the processing date (approximately one month after the survey return due date). In some cases, students may have left the district after the PEIMS data collection in fall 2008.

Table 2 also provides an indication of the relative success of the over/under-sampling approach. The number of surveys returned is relatively close to the overall state special education population. After reviewing the demographic data the State has determined its reporting a representative sample.

**Table 2: Student Demographics**

Categories		Surveys Analyzed n=4,781	Initial Sample n=18,463	State Special Education
<b>Ethnicity</b>	African American	19.8%	22.8%	17.7%
	Hispanic	40.4%	40.5%	40.0%
	White	37.5%	34.5%	40.8%
	Other	2.3%	2.2%	1.5%
<b>Gender</b>	Male	66.8%	67.4%	66.8%
	Female	33.2%	32.6%	33.2%
<b>Disability</b>	Learning Disability	25.6%	29.5%	50.0%
	Speech	26.1%	24.4%	20.2%
	Other health impaired	13.8%	14.7%	10.0%
	Other	34.4%	31.3%	19.8%
<b>Grade Span</b>	Elementary (including PK/Kindergarten)	48.4%	44.6%	39.7%
	Middle (5-8)	26.7%	28.1%	28.0%
	High (9-12)	24.9%	27.3%	32.4%
<b>Economic Disadvantage</b>	Yes	62.9%	65.4%	59.2%
	No	37.1%	34.6%	40.8%

Source: *English and Spanish Spring 2009 Parent Involvement Surveys, Initial Sample ESC 11 Special Education Supplemental Report*

\* Note that percentages in this, and other tables, may not total 100 due to rounding.

**Actual Target Data for FFY 2008:**

The results from questions 2b, 3b, 4a, and 6b from the 2009 Parent Involvement Survey were aggregated and averaged to measure the facilitation of parental involvement. The results are reflected in the following data tables included in this report:

- Question 2b (Table 33)
- Question 3b (Table 10)
- Question 4a (Table 20)
- Question 6b (Table 38)

The following data tables are excerpted from *Survey of Parents of Students Receiving Special Education Services in Texas; Spring Administration, September 2009* at [http://www.esc9.net/pages/uploaded\\_files/ESC\\_2009\\_Report\\_Final.pdf](http://www.esc9.net/pages/uploaded_files/ESC_2009_Report_Final.pdf).

Central to issues surrounding parental involvement is the relationship between the school staff and parents (Table 10). In this case, nearly three-quarters of parents believe that they are an equal partner in planning their child's program – which is a higher proportion than in the previous surveys.

**Table 10: I am considered an equal partner with teachers and other professionals in planning my child's program**

FFY 2008 Response	FFY 2008 Percent
Agree	74.3%
Neutral	19.2%
Disagree	6.4%

Source: Spring 2009 Parent Involvement Surveys

**Table 10: Trend Data**

	FFY 2007	FFY 2008
A. Number of Respondents who indicated they agree	1,874	3,483
B. Total Number of Survey Responses	2,658	4,688
(A / B) * 100	70.5%	74.3%

Table 20 shows that over three-quarters of parents agree that the school communicates regularly regarding IEP progress and other important issues. As with most other areas, the responses from the Spanish surveys are more positive. Overall, one-fifth of parents reported that the communication from the school occurred *sometimes*, while 3 percent reported *never*. As with the surveys conducted in fall 2006, spring 2007, and spring 2008, almost one-quarter of the parents surveyed noted that the school communicated *sometimes* or *never*. This suggests that communication is an area identified for improvement.

**Table 20: The school communicates regularly with me regarding my child's IEP progress and other important issues**

FFY 2008 Response	FFY 2008 Percent
Always	75.9%
Sometimes	20.8%
Never	3.3%

Source: Spring 2009 Parent Involvement Surveys

**Table 20: Trend Data**

	FFY 2007	FFY 2008
A. Number of Respondents who indicated always	1,938	3,598
B. Total Number of Survey Responses	2,658	4,741
(A / B) * 100	72.9%	75.9%

Table 33 shows that almost 66 percent of parents said that teachers Always understand their child's needs.

**Table 33: Teachers understand my child's needs**

FFY 2008 Response	FFY 2008 Percent
Always	65.6%
Sometimes	32.5%
Never	1.9%

*Source: Spring 2009 Parent Involvement Surveys*

**Table 33: Trend Data**

	FFY 2007	FFY 2008
A. Number of Respondents who indicated always	1,698	3,092
B. Total Number of Survey Responses	2,658	4,713
(A / B) * 100	63.9%	65.6%

As seen in Table 38, over 80 percent of parents' say that their concerns and recommendations are considered Always. While a very small percent say Never, there remains almost 15 percent of parents who chose the Sometimes category. Even if the parents' concerns do not lead directly to actions, the parents' concerns and recommendations should be considered.

**Table 38: My concerns and recommendations are considered by the ARD committee in the development of the IEP**

FFY 2008 Response	FFY 2008 Percent
Always	82.9%
Sometimes	14.9%
Never	2.2%

*Source: Spring 2009 Parent Involvement Surveys*

**Table 38: Trend Data**

	FFY 2007	FFY 2008
A. Number of Respondents who indicated always	2,187	3,010
B. Total Number of Survey Responses	2,658	4,716
(A / B) * 100	82.3%	82.9%

### Survey Results: Items with Response in Positive Category

	FFY 2005	FFY 2006	FFY 2007	FFY 2008
Survey Item	Fall 2006	Spring 2007	Spring 2008	Spring 2009
I am considered an equal partner	70.0%	69.6%	70.5%	74.3%
School communicates regularly regarding IEP	69.8%	68.8%	72.9%	75.9%
Teachers understand my child's needs	60.8%	58.5%	63.9%	65.6%
Concerns and recommendation are considered	79.7%	79.2%	82.3%	82.9%
<b>Average</b>	<b>70%</b>	<b>69%</b>	<b>73%</b>	<b>75%</b>

#### Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

##### I. Improvement Activities Completed:

During 2008-09, the following improvement activities were completed.

Data Collection Improvement	Timeline	Status
<p><b>Parent Survey Timeline</b></p> <ul style="list-style-type: none"> <li>• Letters were sent to Districts Announcing the Survey.</li> <li>• Surveys were distributed.</li> <li>• Surveys were returned.</li> <li>• Report was issued.</li> </ul>	<p>February 2009</p> <p>March 2009</p> <p>May 2009</p> <p>September 2009</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p> <p>Completed</p>

Training	Timeline	Status
<p>State Parent Organizations' Academy</p> <p>The PCN hosted the State Parent Organizations Academy on November 20 - 21, 2008. The purpose of the Academy was to build partnerships with parent training entities in the state to ensure access to current and accurate information. Thirty two representatives from various agencies serving families of students with disabilities attended. The topics included:</p> <ul style="list-style-type: none"> <li>• Facilitated IEP</li> <li>• Access to the General Curriculum focusing on Inclusive Practices</li> <li>• State Assessments</li> <li>• Transition/Graduation</li> <li>• Autism</li> <li>• Response to Intervention</li> </ul>	<p>Fall 2008</p>	<p>Completed</p>

### FFY 2008 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the IDEA-B Data Manager's Conference (June 2009).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).
- TEA staff attended the Strengthening Youth & Family Conference (November 2008).
- TEA staff attended the Partners in Prevention Training (November 2008).
- TEA staff attended the Texas Parent to Parent Conference (June 2009).

## II. Explanation of Progress or Slippage

A survey development committee was created to revise the SPP fall 2008 survey. The survey questions focused on the following issues: parent satisfaction, communication between parents and school, parent's understating of information, services and information provided, school climate, teacher role, and parent participation in training. A number of the same questions were retained to maintain comparative data across years.

In general, with few exceptions, the responses were overall positive. The response patterns for this year's survey were very similar to previous findings. This consistency argues for both the reliability and validity of findings. The State met the 75% target.

## Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

### I. Targets

No revision to the 75% target for FFY 2009.

### II. Improvement Activities / Timelines / Resources

The following continuous efforts and improvement activities are planned in 2009-10:

Data Collection Improvement	Timeline	Status
<ul style="list-style-type: none"> <li>• ESC Parent Network members explore strategies for ensuring higher parent participation in the survey process</li> </ul>	Fall 2009	New
<ul style="list-style-type: none"> <li>• The State will increase the number of surveys disseminated.</li> </ul>	Spring 2010	New
<ul style="list-style-type: none"> <li>• ESC Parent Network members will contact and follow up with districts included in the sample to improve the response rate.</li> </ul>	Fall 2009 - Spring 2010	Continuing

Training	Timeline	Status
Parent Organization Academy The PCN will host the next Parent Organization Academy on December 9-10, 2009. The topics for the Academy may include the following: <ul style="list-style-type: none"> <li>• Standard Based IEPs</li> <li>• Positive Behavior Supports</li> <li>• The Dispute Resolution Process</li> <li>• Services for Families of Students with Visual Impairment</li> <li>• Services for Families of Students with Auditory Impairment</li> <li>• Post Secondary Outcomes</li> </ul>	Fall 2009	Ongoing

**FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the Strengthening Youth and Family (November 2009).
- TEA staff will attend the Texas Parent to Parent Conference (June 2010).

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Disproportionality</b>
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**Indicator 9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

<b>Measurement:</b>
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Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.
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FFY	Measurable and Rigorous Target
2008	0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

### Methodology

In the fall of 2009, the Texas Education Agency (TEA) refined its methodology from the FFY 2007 methodology in order to be more precise in the identification districts with disproportionate representation of racial and ethnic groups in special education and related services.

The State defines “Disproportionate Representation” by analyzing student groups within a district. All districts are included in the analysis; however, in order to ensure that the findings are valid and reliable as possible, each student ethnic/racial group (all students, not just special education) must number at least 30 students and represent at least 10 percent of the overall population. There must also be at least 30 students served by special education within each ethnic/racial group (White, Hispanic, African American, Asian, and Native American).

Critical values are established and districts that exceed the critical values for over or under representation. When a district exceeds a critical value it is identified as having disproportionate representation. Districts are required to conduct a self assessment of policies, procedures, and practices concerning the identification of students with disabilities and submit an assurance to the State that the district is in compliance rules and regulations and that its disproportionate representation is not the result of inappropriate identification.

A detailed description of the methodology used for Indicators 9 and 10 can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/guidance/disprop/2009method.pdf>.

### Identification and Notification of Districts

In fall 2009, the TEA, using the methodology referenced previously, identified 14 districts that met State defined criteria for disproportionate representation, both over and under, for Indicator 9. The following table reflects the data specific to Indicator 9:

#### Number of Districts Identified for Indicator 9

Over	14
Under	0
Total	14

Identified districts were required to review policies, procedures, and practices related to the identification of students with disabilities. Upon the completion of this self assessment, districts were required to submit a written assurance statement affirming that its policies, procedures, and practices were in compliance with federal regulations and state rules related to the identification of students with disabilities.

All districts submitted a written assurance statement indicating the disproportionate representation was not the result of inappropriate identification.

Information about disproportionate representation can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/guidance/disprop/disprop.html>.

#### Actual Target Data for FFY 2008:

	FFY 2007 2007-08	FFY 2008 2008-09
a. # of districts with disproportionate representation that is the result of inappropriate identification	0	0
b. Total # of districts in the region		
c. % of districts with disproportionate representation that is the result of inappropriate identification	0%	0%
Calculation: c. = ( a. / b.) * 100		

### Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

#### I. Improvement Activities Completed

The improvement activities related to disproportionate representation 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 disproportionate representation indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

#### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the IDEA-B Data Manager's Conference (June 2009).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

## **II. Explanation of Progress or Slippage**

No districts reported that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification. The State met the 0% compliance target.

Increased statewide awareness on the compliance aspect of State Performance Plan Indicators 9 and 10 through the Texas Initiative for Disproportionate Representation in Special Education website (<http://specialed.esc1.net/tidrse/site/>) as well as a focus on evaluation for eligibility in special education has contributed to the state's compliance with this indicator.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

No revision. This is an indicator with a 0% noncompliance target.

### **II. Improvement Activities /Timelines and Resources**

The improvement activities related to disproportionate representation 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 disproportionate representation indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff attended South Central SAS user group Educational Forum in San Antonio on November 8-10, 2009. The Forum will focus on Data management and analysis.

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

## Part B State Annual Performance Report (APR) for 2008

### Monitoring Priority: Disproportionality

**Indicator 10:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

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

#### Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

FFY	Measurable and Rigorous Target
2008	0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

### Methodology

In the fall of 2009, the Texas Education Agency (TEA) refined its methodology from the 2007-08 methodology in order to be more precise in the identification districts with disproportionate representation of racial and ethnic groups in special education and related services.

The State defines “Disproportionate Representation” by analyzing student groups within a district. All districts are included in the analysis; however, in order to ensure that the findings are valid and reliable as possible, each student ethnic/racial group (all students, not just special education) must number at least 30 students and represent at least 10 percent of the overall population. There must also be at least 30 students served by special education within each ethnic/racial group (White, Hispanic, African American, Asian, and Native American) and there must be at least 10 ethnic/racial group students within an eligibility category (Autism, Emotional Disturbance, Learning Disability, Mental Retardation, Other Health Impaired, Speech Impairment) to be included in the analysis.

Critical values are established and districts that exceed the critical values for over or under representation. When a district exceeds a critical value it is identified as having disproportionate representation. Districts are required to conduct a self assessment of policies, procedures, and practices concerning the identification of students with disabilities and submit an assurance to the State that the district is in compliance rules and regulations and that its disproportionate representation is not the result of inappropriate identification.

A detailed description of the methodology used for Indicators 9 and 10 can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/guidance/disprop/2009method.pdf>.

## Identification and Notification of Districts

In fall 2009, the TEA, using the methodology referenced previously, identified five districts that met State defined criteria for disproportionate representation, both over and under, for Indicator 10. The following table reflects the data specific to Indicator 10:

### Number of Districts Identified for Indicator 10

Over	5
Under	0
Total	5

Identified districts were required to review policies, procedures, and practices related to the identification of students with disabilities. Upon the completion of this self assessment, districts were required to submit a written assurance statement affirming that its policies, procedures, and practices were in compliance with federal regulations and state rules related to the identification of students with disabilities.

All districts submitted a written assurance statement indicating the disproportionate representation was not the result of inappropriate identification.

Information about disproportionate representation can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/guidance/disprop/disprop.html>.

### Actual Target Data for FFY 2008:

	FFY 2007 2007-08	FFY 2008 2008-09
a. # of districts with disproportionate representation that is the result of inappropriate identification	0	0
b. Total # of districts in the state	1230	1247
c. % of districts with disproportionate representation that is the result of inappropriate identification	0%	0%
Calculation: $c. = (a. / b.) * 100$		

## Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

### I. Improvement Activities Completed

The improvement activities related to disproportionate representation 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 disproportionate representation indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the IDEA-B Data Manager's Conference (June 2009).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

## **II. Explanation of Progress or Slippage**

No districts reported that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification. The State met the 0% compliance target.

Increased statewide awareness on the compliance aspect of State Performance Plan Indicators 9 and 10 through the Texas Initiative for Disproportionate Representation in Special Education website (<http://specialed.esc1.net/tidrse/site/>) as well as a focus on evaluation for eligibility in special education has contributed to the state's compliance with this indicator.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

No revision. This is an indicator with a 0% noncompliance target.

### **II. Improvement Activities /Timelines and Resources**

The improvement activities related to disproportionate representation 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 disproportionate representation indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff attended South Central SAS user group Educational Forum in San Antonio on November 8-10, 2009. The Forum will focus on Data management and analysis.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 11:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

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

<b>Measurement:</b>
---------------------

- |   |
|---|
| <ul style="list-style-type: none"> <li>a. # of children for whom parental consent to evaluate was received.</li> <li>b. # of children whose evaluations were completed within 60 days (or State-established timeline).</li> </ul> |
|---|

<p>Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.</p>
---

<p>Percent = [(b) divided by (a)] times 100.</p>
--

FFY	Measurable and Rigorous Target
2008	100% of children with parental consent to evaluate, are evaluated and eligibility determined within the State established timeline of 90 days.

**Overview of Issue/Description of System or Process:**

**Data Collection Activities**

The Texas Education Agency (TEA) has developed a secure, online application for the collection of data related to Indicator 11. During the FFY 2008, all districts that evaluated students with disabilities submitted aggregate data on timely initial evaluation. Districts that did not evaluate any students with disabilities submitted a Zero count. The application was designed to validate data and to ensure integrity (for example, certain counts could not exceed the totals entered). Technical assistance and associated documents increased the accuracy of the data for Indicator 11. Additional information about the data collection process for Indicator 11 (instructions, collection instrument, etc.) can be found on the TEA website at: <http://ritter.tea.state.tx.us/special.ed/spp/ind11-13.html>.

**Status of Findings of Noncompliance**

	FFY 2007 2007-08	FFY 2008 2008-09
Number of findings of noncompliance	364	269
Notification date of noncompliance	April 2009	November 2009
Deadline for correction*	April 2010	November 2010
Number of findings corrected within 1 year	NA	NA
Percent of findings corrected within 1 year	NA	NA
Status of findings of noncompliance reported in APR	FFY 2009 APR due Feb 1, 2011	FFY 2009 APR due Feb 1, 2011

\*as soon as possible but no later than one year after notification

**Actual Target Data for FFY 2008:**

	<b>FFY 2007 2007-08</b>	<b>FFY 2008 2008-09</b>
<b>Statewide Percentage of Timely Initial Evaluation</b>		
a. # of children for whom parental consent to evaluate was received	61,064	61,745
b. # determined not eligible whose evaluations and eligibility determinations were completed within 90 days (State established timeline)	12,233	12,219
c. # determined eligible whose evaluations and eligibility determinations were completed within 90 days (State established timeline)	42,232	45,939
Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline) Calculation = (( b. + c. ) / a ) * 100	89%	94%

States are required to report (1) the range of days beyond the state established timeline when the evaluation was completed and (2) any reasons for the delays.

	<b>FFY 2007 2007-08</b>		<b>FFY 2008 2008-09</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>(1) Range of Days</b>				
91-120 days over	3,769	57%	2,488	69%
121 days or more over timeline	2,830	43%	1,099	31%
Total Over Timeline	6,599	100%	3,587	100%

	<b>FFY 2007 2007-08</b>		<b>FFY 2008 2008-09</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>(2) Reported reasons for the delay* include:</b>				
Extended illness of students	47	5%	39	6%
Initial testing results indicated need for additional testing that was not identified during through evaluation planning	153	16%	105	16%
Student moved or withdrawn after referral, but before eligibility determination	80	8%	34	5%
Scheduling issues	385	40%	279	41%
Other	300	31%	218	32%

\*965 instances for 2007-2008 and 674 for 2008-2009

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed**

During the 2008-09 year, the TEA completed the following activities to improve the data reporting system and timely, initial evaluations in the state:

<b>Noncompliance Follow Up</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>Data were reviewed and analyzed by the TEA staff to determine state issues and a course of action.</li> </ul>	December 2008	Completed
<ul style="list-style-type: none"> <li>The TEA notified districts regarding their compliance status and required action plan.</li> </ul>	Spring 2009	Completed

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>The Education Service Center (ESC) Region 12 provided leadership and training regarding compliance issues associated with this indicator via the 20 ESC network and their website.</li> </ul>	July 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>The TEA provided frequent updates concerning this indicator via TETN broadcast to the 20 ESC Special Education Contacts.</li> </ul>	July 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>The TEA hired a contract consultant to assist in developing strategies for cross indicator analysis. The consultant will also assist the State TEA with developing guidance for the ESCs to analyze their regional data in order to provide technical assistance to their districts.</li> </ul>	September 2008 – June 2009	Completed
<ul style="list-style-type: none"> <li>The TEA developed reports based on the data collected that can be accessed by state, regional and district personnel to assist with the correction of non compliance and to guide policy decisions.</li> </ul>	January 2009	Completed
<ul style="list-style-type: none"> <li>The TEA updated guidance and provided enhancement documents on the data collection system to assist in reporting accurate data.</li> </ul>	May 2009	Completed

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>ESCs continued to train and provide technical assistance to district personnel on the data collection system and provide guidance on timely, initial evaluations.</li> </ul>	July 2008 – June 2009	Completed

### FFY 2008 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

## II. Explanation of Progress or Slippage

During FFY 2008, districts received parental consent for 61,745 initial evaluations. 94% of those students were evaluated and eligibility determined within 90 days (State established timeline). Though the State did not meet the 100% compliance target, the data reflects a 5% increase from the baseline data collected during FFY 2007.

The 5% increase can be attributed to multiple actions taken by the State:

- Performance on Indicator 11 was included in the district level determinations for the first time in spring 2009 which heightened awareness on timely, initial evaluations.
- Guidance and resources were developed to improve the data entry (e.g. more explicit instructions, flowcharts to guide decision making process on how to enter students in the online system, etc.)
- Targeted technical assistance was provided by the Education Service Centers (ESC) to noncompliant districts.

## Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

### I. Targets

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

### II. Improvement Activities / Timelines / Resources

During the 2009-10 year, the TEA will implement the following activities to improve the data reporting system and timely, initial evaluations in the state:

Noncompliance Follow Up	Timeline	Status
<ul style="list-style-type: none"> <li>• Data will be reviewed and analyzed by the TEA staff to determine state issues and a course of action.</li> <li>• The Education Service Center (ESC) will provide intense targeted assistance to districts.</li> </ul>	July 2009 – June 2010	Ongoing

Technical Assistance	Timeline	Status
<ul style="list-style-type: none"> <li>The Education Service Center (ESC) Region 12 will provide leadership and training regarding compliance issues associated with this indicator via the 20 ESC network and their website.</li> </ul>	July 2009 – June 2010	Ongoing
<ul style="list-style-type: none"> <li>The State TEA will provide frequent updates concerning this indicator via TETN broadcast to the 20 ESC Special Education Contacts.</li> </ul>	July 2009 – June 2010	Ongoing
<ul style="list-style-type: none"> <li>The system analyst will also assist the State TEA with developing guidance for the ESCs to analyze their regional data in order to provide technical assistance to their districts.</li> </ul>	July 2009 – June 2010	Ongoing
<ul style="list-style-type: none"> <li>The State TEA will develop reports based on the data collected that can be accessed by state, regional and district personnel to assist with the correction of non compliance and to guide policy decisions.</li> </ul>	January 2010	Ongoing
<ul style="list-style-type: none"> <li>The State will continue to update guidance and provide enhancement documents on the data collection system to assist in reporting accurate data.</li> </ul>	July 2009 – June 2010	Ongoing
Training	Timeline	Status
<ul style="list-style-type: none"> <li>ESCs will continue to train and provide technical assistance to district personnel on the data collection system and provide guidance on timely, initial evaluations.</li> </ul>	July 2009 – June 2010	Ongoing

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: FAPE in the LRE</b>
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**Indicator 12:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

<b>Measurement:</b>
---------------------

- |   |
|---|
| <ul style="list-style-type: none"> <li>a. # of children who have been served in Part C and referred to Part B (LEA notified pursuant to 637(a)(9)(A)) for Part B eligibility determination.</li> <li>b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.</li> <li>c. # of those found eligible who have an IEP developed and implemented by their third birthdays.</li> <li>d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.</li> </ul> |
|---|

<p>Account for children included in a but not included in b, c, d or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.</p>
--

<p>Percent = [(c) divided by (a - b - d)] times 100.</p>
--

FFY	Measurable and Rigorous Target
2008	100% of children referred by Part C prior to age 3, who are found eligible for Part B, have an IEP developed and implemented by their third birthdays.

**Overview of Issue/Description of System or Process:**

**Data Collection Activities**

The Texas Education Agency (TEA) has developed a secure, online application for the collection of data related to Indicator 12. During the FFY 2008, all districts that evaluated students with disabilities submitted aggregate data on the transition of children referred by Part C to Part B. Districts that did not evaluate any students with disabilities referred submitted a Zero count. The application was designed to validate data to ensure integrity (for example, certain counts could not exceed the totals entered). Additional information about the data collection process for Indicator 12 (instructions, collection instrument, etc.) can be found on the TEA website at: <http://ritter.tea.state.tx.us/special.ed/spp/ind11-13.html>.

**Status of Findings of Noncompliance**

	FFY 2007 2007-08	FFY 2008 2008-09
Number of findings of noncompliance	246	128
Notification date of noncompliance	April 2009	November 2009
Deadline for correction*	April 2010	November 2010
Number of findings corrected within 1 year	NA	NA
Percent of findings corrected within 1 year	NA	NA
Status of findings of noncompliance reported in APR	FFY 2009 APR due Feb 1, 2011	FFY 2009 APR due Feb 1, 2011

\*as soon as possible but no later than one year after notification

**Actual Target Data for FFY 2008:**

	<b>FFY 2007 2007-08</b>	<b>FFY 2008 2008-09</b>
<b>Statewide Percentage of Effective Part C to Part B Transition</b>		
a. # of children who have been served in Part C and referred to Part B for eligibility determination	8,667	9,173
b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays	1,237	1,406
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	5,706	6,896
d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	0	0
Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. Calculation = ( c. / ( a. - b. ) ) * 100	77%	89%

States are required to report (1) the range of days beyond the state established timeline when the evaluation was completed and (2) any reasons for the delays.

	<b>FFY 2007 2007-08</b>		<b>FFY 2008 2008-09</b>	
<b>(1) Range of Days</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
1-29 days over	808	47%	483	55%
30 days or more over timeline	916	53%	388	45%
Total Over Timeline	1,724	100%	871	100%

	<b>FFY 2007 2007-08</b>		<b>FFY 2008 2008-09</b>	
<b>(2) Reported reasons for the delay* include:</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Child unavailable for scheduled assessments	79	14%	41	12%
Parent scheduling issues	181	32%	115	34%
Transition planning meeting convened by Part C did not occur prior to child's 3 <sup>rd</sup> birthday within timeline	74	13%	39	11%
Unforeseen district scheduling/staffing issues	111	19%	65	19%
Other	126	22%	83	24%

\*571 instances for 2007-2008 and 343 for 2008-2009

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed**

During the 2008-09 year, the TEA completed the following activities to improve the data reporting system:

<b>Noncompliance Follow Up</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>Data will be reviewed and analyzed by the TEA staff to determine state issues and a course of action.</li> </ul>	December 2008	Completed
<ul style="list-style-type: none"> <li>The TEA will notify districts regarding their compliance status and required action plan.</li> </ul>	Spring 2009	New

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>The Preschool Specialist located at each of the 20 Education Service Centers will provide assistance to districts in the requirements of reporting early childhood transition and offer strategies for the timeliness and accuracy of data submissions.</li> </ul>	July 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will provide frequent updates concerning this indicator via TETN broadcast to the 20 ESC Special Education Contacts.</li> </ul>	July 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will hire a contract consultant to assist in developing strategies for cross indicator analysis. The consultant will also assist the TEA with developing guidance for the ESCs to analyze their regional data in order to provide technical assistance to their districts.</li> </ul>	September 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will develop reports based on the data collected that can be accessed by state, regional and district personnel to assist with the correction of noncompliance and to guide policy decisions.</li> </ul>	January 2009	Completed

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>ESCs will continue to train and provide technical assistance to district personnel on the data collection system.</li> </ul>	July 2008 – June 2009	Ongoing

### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff will participate in the technical assistance calls with SERRC, Early Childhood Outcome (ECO) Center, NECTAC, and OSEP concerning Indicator 12 data collection.
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

## **II. Explanation of Progress or Slippage**

During FFY 2008, districts reported that 9,173 students were served in Part C and referred to Part B for eligibility determination. 89% of those students who were found eligible for special education services had an IEP implemented by their third birthday. Though the State did not meet the 100% compliance target, the data reflects a 12% increase from the baseline data collected during FFY 2007.

The 12% increase can be attributed to multiple actions taken by the State:

- Performance on Indicator 12 was included in the district level determinations for the first time in spring 2009 which heightened awareness on effective early childhood transition.
- Guidance and resources were developed to improve the data entry (e.g. more explicit instructions, flowcharts to guide decision making process on how to enter students in the online system, etc.)
- Targeted technical assistance was provided by the Education Service Centers (ESC) to noncompliant districts.
- Continued communication and collaboration with Texas Department of Assistive and Rehabilitative Services Division of Early Childhood Intervention on early transition issues.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

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

## II. Improvement Activities / Timelines / Resources

During the 2009-10 year, the TEA implemented the following activities to improve the data reporting system:

<b>Noncompliance Follow Up</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>Data will be reviewed and analyzed by the TEA staff to determine state issues and a course of action.</li> </ul>	December 2008	Completed
<ul style="list-style-type: none"> <li>The TEA will notify districts regarding their compliance status and required action plan.</li> </ul>	Spring 2009	New

<b>Technical Assistance</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>The Preschool Specialist located at each of the 20 Education Service Centers will provide assistance to districts in the requirements of reporting early childhood transition and offer strategies for the timeliness and accuracy of data submissions.</li> </ul>	July 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will provide frequent updates concerning this indicator via TETN broadcast to the 20 ESC Special Education Contacts.</li> </ul>	July 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will continue to work with a contract consultant to assist in developing strategies for cross indicator analysis. The consultant will also assist the TEA with developing guidance for the ESCs to analyze their regional data in order to provide technical assistance to their districts.</li> </ul>	September 2008 – June 2009	Ongoing
<ul style="list-style-type: none"> <li>The TEA will develop reports based on the data collected that can be accessed by state, regional and district personnel to assist with the correction of noncompliance and to guide policy decisions.</li> </ul>	January 2009	Completed

<b>Training</b>	<b>Timeline</b>	<b>Status</b>
<ul style="list-style-type: none"> <li>ESCs will continue to train and provide technical assistance to district personnel on the data collection system.</li> </ul>	July 2008 – June 2009	Ongoing

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Effective General Supervision Part B / Effective Transition</b>
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**Indicator 13:** Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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

**Measurement:**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

FFY	Measurable and Rigorous Target
2008	100% of youth aged 16 and above have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals.

**Overview of Issue/Description of System or Process:**

Data were not required to be reported for this indicator in the FFY 2008 APR.

**Status of Findings of Noncompliance**

	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
Number of findings of noncompliance	14	434	132
Notification date of noncompliance	March 2008	April 2009	November 2009
Deadline for correction*	March 2009	April 2010	November 2009
Number of findings corrected within 1 year	14	NA	NA
Percent of findings corrected within 1 year	100%	NA	NA
Status of findings of noncompliance reported in APR	FFY 2008 APR due Feb 1, 2010	FFY 2009 APR due Feb 1, 2011	FFY 2009 APR due Feb 1, 2011

\*as soon as possible but no later than one year after notification

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008.

I. Improvement Activities Completed:

See Indicator 1: Graduation, under "High School/Transition" for list of completed Improvement Activities for FFY 2008 associated with this indicator.

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

II. Explanation of Progress and Slippage

Data were not required to be reported for this indicator in the FFY 2008 APR.

Revisions with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

I. Targets

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

II. Improvement Activities / Timelines / Resources

See Indicator 1: Graduation, under "High School/Transition" for list of proposed Improvement Activities for FFY 2009 associated with this indicator.

**FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend a Postsecondary Education Programs Network (PEPNet) meeting of state representatives in Atlanta GA to discuss transition activities for students who are Deaf or Hard of Hearing (November 2009).

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

Part B State Annual Performance Report (APR) for 2008

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

**Measurement:**

- A. Percent enrolled in higher education =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .
- B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .
- C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .

FFY	Measurable and Rigorous Target
2008	Baseline data and targets will be reported in the FFY 2009 APR in February 2011.

Overview of Issue/Description of System or Process:

Data were not required to be reported for this indicator in the FFY 2008 APR.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed:**

The improvement activities related to increasing the percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school are interrelated to several other indicators in the Annual Performance Report (APR) including:

- Indicator 1: Graduation
- Indicator 2: Dropout Rate
- Indicator 13: Secondary Transition

When addressing the Post-school Outcomes indicator, the data from these indicators contributes to the outcomes associated with Indicator 14.

See Indicator 1: Graduation, under "High School/Transition" for list of completed Improvement Activities for FFY 2008 associated with this indicator.

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff attended the Office of Special Education Project Director's Conference (OSEP-PDC) in Washington DC (July 2009).

**II. Explanation of Progress or Slippage**

Data were not required to be reported for this indicator in the FFY 2008 APR.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

**I. Targets**

Baseline data and targets will be reported in the FFY 2009 APR due in February of 2011.

## II. Improvement Activities / Timelines / Resources

See Indicator 1: Graduation, under “High School/Transition” for list of proposed Improvement Activities for FFY 2009 associated with this indicator.

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State’s determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend a Postsecondary Education Programs Network (PEPNet) meeting of state representatives in Atlanta GA to discuss transition activities for students who are Deaf or Hard of Hearing (November 2009).

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b>
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**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.

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

FFY	Measurable and Rigorous Target
2008	The State will demonstrate 100% compliance with requirement for correction of noncompliance within one year of identification.

Overview of Issue/Description of System or Process:

**Monitoring Activities, 2008-09**

The 2008-09 special education monitoring process included four types of monitoring activities: Performance-Based Monitoring (PBM) of public school districts including charter schools; approval and re-approval of nonpublic schools; cyclical monitoring of other entities that provide services to students with disabilities; and residential facility monitoring.

**PBM**

All districts were evaluated through an analysis of district data against standards of the Performance-Based Monitoring Analysis System (PBMAS). Information on the 2008-2009 PBMAS is available at <http://ritter.tea.state.tx.us/pbm/2008PBMASManualFinal.pdf>. The districts that were evaluated received ratings that placed them into one of five stages of intervention. Information on the 2008-2009 stages of intervention is available at <http://www.tea.state.tx.us/pmii/spedmon/2009>. Depending on the stage of intervention, districts 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. The following table shows how the 444 districts that received ratings were distributed among the five stages of intervention:

Stage of Intervention	# of districts
1A	298
1B	59
2	43
3	26
4	18
Total	444

Districts in stage 1A interventions retained their self-evaluation data and continuous improvement plan (CIP). Each district in stages 1B, 2, and 3 interventions was required to submit its self-evaluation data and CIP to the TEA. Based on the findings from all required intervention activities, the district developed a CIP to incorporate the district's plans, to improve results for students with disabilities and to correct any instances of identified noncompliance. TEA staff reviewed all documents submitted by districts, including the CIP. Follow-up activities were conducted with districts throughout the year to verify the progress and implementation of the CIP.

Districts in stage 4 interventions receive an on-site visit to examine the origins of the district's continuing low performance and/or program effectiveness concerns. During the visit, Agency staff reviewed the district's development and implementation of the current continuous improvement plan (CIP) and data analysis processes to identify possible systemic issues and programmatic concerns.

### **Initial and Re-approval for Nonpublic Schools**

The TEA monitors both day and residential nonpublic schools with which districts may contract for special education instructional and related services. Information on the process of approving and monitoring nonpublic schools is available on the TEA website: <http://ritter.tea.state.tx.us/pmi/spedmon/nonpublic.html>.

During the 2008-2009 year, the TEA reviewed three nonpublic schools for re-approval and three for an initial approval. A total of 14 districts contracted with these eight nonpublic schools during the school year. Each nonpublic school completed a self-analysis concerning state and federal regulations prior to the on-site review. Additionally, the contracting district completed and submitted a focused compliance report for each student who is being educated in the nonpublic school. The on-site review focuses on programs and services relative to appropriate staffing, specific program locations, specific areas of disabilities, and age ranges. Noncompliance may be identified as issues for the nonpublic school, and, if applicable, any contracting district.

### **Other Monitoring Activities**

The TEA also monitors four entities that are under the oversight of other state agencies, but provide educational services to students with disabilities: Texas School for the Deaf, Texas School for the Blind and Visually Impaired, Texas Youth Commission, and the Windham Prison System. These entities are monitored on a four-year cycle. A monitoring review of the Texas Youth Commission and the Windham Prison System was conducted during 2008-2009.

### **Residential Facility Monitoring**

Under a consent decree in the case of *Angel G. et al. v. Texas Education Agency et.al.*, the TEA monitors districts that serve students with disabilities who reside in residential facilities (RF) within the geographic boundaries and/or jurisdiction of the district. Information on the RF monitoring system is available at the following website: <http://www.tea.state.tx.us/pmi/rfmon/>. Under this monitoring system, 30 districts with RFs are selected annually for on-site visits. Selection determinations are based upon a review of data reported by districts and based on random selection. Certain on-site visits also occur for the purpose of random data verification as well as the implementation of the district's corrective action plan (CAP). For the 2008-2009 school year the following on-site reviews occurred:

<b>Type of Review</b>	<b># of district</b>
Performance review based on data reported by district	15
Performance review randomly selected	7
Data verification randomly selected	0*
CAP implementation	5

\*For the 2008-2009 year, in an agreement with the plaintiffs of the consent decree, data verification visits were suspended due to a number of large districts for performance reviews.

On-site monitoring visits for selected districts are conducted using specific investigatory questions and compliance standards. This information may be found on the TEA website at: [http://ritter.tea.state.tx.us/pmi/rfmon/resources/RF\\_Monitoring\\_Manual\\_v1\\_09.pdf](http://ritter.tea.state.tx.us/pmi/rfmon/resources/RF_Monitoring_Manual_v1_09.pdf)

### Agency Action Related to Uncorrected Noncompliance Across All Monitoring Activities

<b>Types of Intervention</b> <i>Based on 19 Texas Administrative Code (TAC) §89.1076</i>	<b>Districts with Continuing Noncompliance for the period of October 1, 2007 through October 1, 2008</b>	<b>Monitoring Process for Identification</b>	<b>Further Action of TEA</b>
Special Purpose Conservator *	8 districts / 67 findings	RF and PBM	Agency staff will work closely with special purpose conservators to verify correction of noncompliance and improvement of effectiveness
Focus technical assistance team**	1 district / 1 finding	PBM	Agency staff will work closely with focus technical assistance team to verify correction of noncompliance and improvement of program effectiveness
On-site review conducted***	7 districts / 23 findings	PMB	Agency staff will conduct monthly follow-up communication to verify correction of noncompliance. On – site assistance, such as a focused technical assistance team or monitor, will be assigned if correction is not verified.

\* **Special Purpose Conservator** is assigned when the nature or duration of the deficiencies require that the TEA **directly oversee the operations of the district** in the area(s) of deficiency, the district has not been responsive to or compliant with TEA intervention requirements, and/or such intervention is needed to prevent substantial or imminent harm to the welfare of the district's students or to the public interest. A conservator has the authority to direct an action to be taken by or approve or disapprove any action of a principal of a campus, the superintendent of the district, or the district's board of trustees as necessary to achieve his/her charges.

\*\* **Focused Technical Assistance Team** is assigned when a district requires technical assistance to understand the deficiencies and develop strategies for making corrections, and the district is responsive to receiving such assistance.

\*\*\* **On-site review** is a TEA team visit to an district to conduct data and document reviews, conduct focus group discussions and interviews, and case studies.

The chart on the preceding page indicates that there are 16 districts with uncorrected issues of noncompliance. Seven of these districts have been assigned on-site oversight by a conservator as dictated by the *Angel G.* consent decree. One district has been assigned on-site oversight due to continuing noncompliance. The remaining seven districts received an on-site review to examine the possible barriers to noncompliance remaining in an uncorrected status.

<b>Timely Correction of Noncompliance</b>	<b>FFY 2005</b>	<b>FFY 2006</b>	<b>FFY 2007</b>	<b>FFY 2008</b>
Findings are identified in the year previous to the FFY reporting year; for example, FFY 2008 reporting year reflects findings identified in 2007-08 that were corrected by 2008-09	<b>2005-06</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
a. # of findings of noncompliance	234	774	539	935
b. # of corrections completed as soon as possible but in no case later than one year from identification	222	705	472	816
Percent of noncompliance corrected within one year of identification Calculation: ( a. / b. ) * 100	95%	92%	88%	87%

**Source** | Texas Education Agency, State Supervision Data

**Note:** 2005-06 data limited to findings of noncompliance identified by the State's Performance-Based monitoring system. Beginning in 2006-07, data includes findings of noncompliance identified by the State's Performance-Based monitoring system, complaints resolution and due process hearing processes.

**Reporting Requirement:** Disaggregated findings by SPP indicator and status of timely correction

**Federal Definitions:**

**MONITORING:** Activities or actions conducted to determine the functioning of a program or services compared to what is required by a regulation or requirement for the purpose of accountability.

**IDENTIFICATION OF NONCOMPLIANCE:** The one-year correction timeline should be counted from when the State notifies the LEA in writing of the noncompliant policies, procedures, or practices. Notification of findings needs to occur as soon as possible after the State concludes that the LEA has noncompliance.

**CORRECTION OF NONCOMPLIANCE:** The State requires the LEA to revise any noncompliant policies, procedures and/or practices and the State verifies through follow-up review of data, other documentation and/or interviews that the noncompliant policies, procedures and/or practices have been revised and the noncompliance has been corrected. The State should notify the LEA in writing that the noncompliance is corrected. For purposes of the SPP/APR reporting, timely correction occurs when noncompliance is corrected as soon as possible but no later than one year from the identification of noncompliance.

**ENFORCEMENT ACTIONS:** Actions taken by the State education agency or Lead Agency against an LEA that has not corrected noncompliance within one year from its identification and that are designed to promptly bring the LEA into compliance.

**Actual Target Data for FFY 2008: Disaggregated Findings of Noncompliance\***

<b>SPP Indicators</b>	<b>Function</b>	<b>Total # of Findings</b>	<b># Corrected Within Year</b>	<b># Continuing Noncompliance</b>	
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school. 14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Monitoring	0	0	0	
	Complaints	0	0	0	
	Due Process	0	0	0	
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring	11	8	3	
	Complaints	0	0	0	
	Due Process	0	0	0	
4. Percent of districts identified 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.	Monitoring	16	12	4	
	Complaints	2	2	0	
	Due Process	2	2	0	
5. Percent of children with IEPs ages 6 through 21 - educational placements. 6. Percent of preschool children ages 3 through 5 – early childhood placement.	Monitoring	0	0	0	
	Complaints	0	0	0	
	Due Process	0	0	0	
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring	56	50	6	
	Complaints	13	13	0	
	Due Process	2	2	0	
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring	0	0	0	
	Complaints	0	0	0	
	Due Process	0	0	0	
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring	70	63	7	
	Complaints	15	15	0	
	Due Process	3	3	0	
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring	2	1	1	
	Complaints	0	0	0	
	Due Process	0	0	0	
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring	6	5	1	
	Complaints	1	1	0	
	Due Process	1	1	0	
<b>Other Areas of Noncompliance</b>	Monitoring	596	499	97	
	Complaints	125	125	0	
	Due Process	14	14	0	
		<b>Totals</b>	935	816	119
		<b>% Corrected within One Year</b>	<b>87%</b>		

\*Findings identified in 2007-08, Corrected in 2008-09

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**I. Improvement Activities Completed**

During the 2008-09 year, TEA engaged in various activities to improve the monitoring system:

- Monitoring staff was restructured into project teams for monitoring activities that focused on the different areas of the monitoring systems.
- Additional staff was added to ensure that the monitoring division fulfilled its responsibilities.
- Staff development training, particularly with new staff, was provided on the laws and regulations for TEA monitoring staff through unit meetings to ensure consistency in enforcing compliance with districts.
- Monthly meetings with other TEA divisions who work in areas that affect special education was conducted to improve communication among the divisions at the TEA and ensure consistency in interpretation of laws and regulations.
- Additional guidance to districts, ESCs, and stakeholders were developed in collaboration with program areas for areas of continuing noncompliance.
- Training on the PBMAS and PBM intervention stages for districts and ESCs were conducted through TETN presentations, conferences, etc.
- Additional staff who have full-time responsibility to follow up with districts on corrective action plans and the correction of noncompliance was added to the RF monitoring unit.
- Trainings on the RF monitoring system for districts and ESCs were conducted through monthly TETN presentations, conferences, etc.
- Data validation and verification reviews were conducted with ten randomly selected districts to verify the 2007-2008 PBM system and process.
- Monthly reviews with monitoring staff by unit supervisors were conducted to discuss the ongoing status of noncompliant districts and ensure the implementation, consistency, and timeliness of follow-up activities.
- A meeting of the PBM Focus group was conducted to identify strengths of the current Performance-Based Monitoring (PBM) system, offer suggestions for ways to improve the system, and clarify roles and responsibilities of districts, education service centers (ESCs), and the TEA related to the system. The focus group includes a wide array of district and ESC representatives from across the state.
- A process of negotiation with districts regarding the length of time needed to correct specific areas of noncompliance was developed and utilized.

### FFY 2008 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the Southeast Regional Resource Center (SERRC) Regional Early Childhood Forum with presentations and invited guests, OSEP, National Early Childhood Technical Assistance Center (NECTAC), and Data and Accountability Center (DAC) representatives (October 2008).
- TEA staff participated in a phone conference hosted by the Mid-South Regional Resource Center related to state systems improvement for documenting technical assistance and actions taken as a result of that technical assistance (October 2008).

## II. Explanation of Progress or Slippage

In the 2007 Annual Performance Report (APR), the state reported 539 instances of identification of noncompliance with a 88% rate of correction of noncompliance within one year of identification. In this APR the state has reported 935 findings of noncompliance with an 87% rate of correction of noncompliance within one year of identification. This includes data related to findings of noncompliance across the State Supervision functions including the complaints resolution process, due process hearings, and the monitoring system.

The overall number of findings of noncompliance is increased, from 539 last year to 935 this year and the number of instances of uncorrected noncompliance is increased, from 67 last year to 119 this year. The 119 findings of uncorrected noncompliance are all in the monitoring function. This includes the *Angel G.* consent decree monitoring system described earlier in this indicator. In review of the uncorrected noncompliance, there are 16 districts involved. Those districts and the findings are in escalated sanctions which are reflected in the **Agency Action Related to Uncorrected Noncompliance in Monitoring** table in this indicator. The Agency is committed to working with these districts to ensure the correction of these findings and to increase efforts associated with the timely correction of all findings of noncompliance.

## Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

### I. Targets

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

## II. Improvement Activities / Timelines / Resources

During the 2009-2010 year, TEA will engage in various activities to improve the monitoring system:

- Increase staff development training with agency staff on laws and regulations to ensure consistency in enforcing compliance with districts.
- Increase the number of meetings per month with other agency division who work in areas that affect special education to improve communication among the division at the TEA to ensure consistency in interpretation of laws and regulations and to provide feedback concerning findings in districts.
- Continue to provide guidance to districts, ESCs, and stakeholders concerning areas of continuing noncompliance.
- Continue to train on the PBMAS, PBM intervention stages, and RF monitoring system through TETN presentations, conferences, etc.
- Continue to conduct data validation and verification reviews to verify the PBM system.
- Conduct a meeting of the PBM Focus group to review performance indicators and standards and interventions activities.
- Attend the National Accountability Conference in August 2010.
- Conduct a focus group of special education directors to gather input on the RF monitoring system.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b>
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**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, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

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

**Measurement:** Percent =  $[(1.1(b) + 1.1(c)) \text{ divided by } 1.1] \text{ times } 100$ .

FFY	Measurable and Rigorous Target
2008	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 2008:**

Complaint Investigation Timeline	FFY 2005 2005-06	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
(1) Signed, written complaints total	451	450	425	355
(1.1) Complaints with reports issued	204	171	171	145
(a) Reports with findings	156	114	103	73
(b) Reports within timeline	175	166	158	140
(c) Reports within extended timelines	28	5	13	5
Percent of signed written complaints with reports issued that were resolved within 60-day timeline. Calculation: $[(1.1(b) + 1.1(c)) / 1.1 * 100$	99%	100%	100%	100%

**Source** | Texas Education Agency, State Supervision Data

**Federal Definitions:**

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

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

*(1.1)(a) Report with findings* – The written decision, provided by the SEA to the complainant and public agency in response to a written, signed complaint, which finds the public agency to be out of compliance with one or more requirements of Part B of IDEA 2004.

*(1.1)(b) Report within timeline* – The written decision from the SEA was provided to the complainant and the public agency not later than 60 days after receiving the *written, signed complaint*.

(1.1)(c) *Report within extended timeline* – The written decision from the SEA was provided to the complainant and the public agency 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 exist with respect to a particular complaint; or if the parent and the public agency involved agree to extend the time to engage in mediation, or to engage in other alternative means of dispute resolution, if available in the State; or if the individual or organization and the public agency involved agree to extend the time limit to engage in mediation or other alternative means of dispute resolution available under State procedures.

## **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

### **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: Resolution Session
- Indicator 19: Mediation Agreements

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

During the 2008-09 year, the TEA completed the following activities to improve the dispute resolution system:

- TEA staff from the Division of IDEA Coordination maintained ongoing review and revision of the special education complaint resolution procedures as needed in order to ensure a neutral, consistent, and responsive process.
- TEA staff from the Division of IDEA Coordination managed complaint timelines to ensure signed, written complaints were resolved within the sixty-calendar-day timeline or within a timeline extended for exceptional circumstances with respect to a particular complaint.
- TEA staff from the Division of IDEA Coordination continued refining the complaint processes related to the development of investigative reports, correspondence with complaint parties, and prompt follow-up on corrective actions associated with complaints and adverse due process hearings.
- TEA staff from the Division of IDEA Coordination and from the Office of Legal Services Division hosted a stakeholder meeting comprised of district representatives, parents, attorneys, and advocates from across the state who participated in the special education complaints, mediation, and/or due process functions over the course of the previous year in order to obtain input regarding improvement activities relative to the dispute resolution options in the state. The meeting also provided an opportunity for participants to exchange perspectives on the effectiveness of the dispute resolution functions provided by the state education agency.
- TEA staff from the Division of IDEA Coordination, based on feedback obtained from the stakeholder focus group, reviewed and revised correspondence and procedures utilized by the special education complaints team in order to make correspondence more accessible to districts, complainants, and advocates.
- TEA staff from the Division of IDEA Coordination implemented the feedback survey form that is being utilized in garnering input from parties participating in the special education complaints resolution process where a special education investigative report has been issued. Input from the forms is reviewed and is used for continuous improvement.

- TEA staff from the Division of IDEA Coordination and from the Office of Legal Services Division participated together in training relative to current special education legal decisions as provided by a nationally-recognized special education attorney and as facilitated by the Southeast Regional Resource Center (SERRC) in order to obtain technical assistance in coordinating consistent improvements related to the dispute resolution systems in Texas.
- TEA staff from the Division of IDEA Coordination and from the Office of Legal Services Division participated together in audio-conference calls, hosted by SERRC and by the Mountain Plains Regional Resource Center (MPRRC), with expert consultants regarding the policies, procedures, and practices in Texas and across the United States related to dispute resolution systems to obtain feedback on specific issues in order to establish consistency in the application of federal and state regulations regarding special education services.
- TEA staff analyzed data collected for Indicator 15 on identified noncompliance and corrective actions across the state in order to identify specific areas of need for focused training and policy guidance. This analysis has also enabled division staff to review the effectiveness of assigned corrective actions.
- TEA continued support of a pilot project through the regional education service centers (ESCs) with regard to a statewide effort to provide facilitated admission, review, and dismissal committee (ARDC) meetings to local education agencies in order to assist in local dispute resolution.

In order to disseminate information regarding the State's special education complaints resolution policies and procedures, TEA staff participated in the following:

- TEA staff from the Division of IDEA Coordination conducted information sharing with the ESCs by providing data from the 2008-09 school year related to special education complaints, due process hearings, and mediations. The data were provided to the ESCs and were utilized to provide more focused technical assistance to districts by allowing said assistance to specifically target re-occurring issues within each respective district.
- TEA staff from the Division of IDEA Coordination conducted information sharing sessions with numerous parent organizations and local education agency representatives across the state with regard to the dispute resolution continuum provided by TEA.
- TEA staff from the Division of IDEA Coordination and from the Office of Legal Services Division provided information to school districts, parents, and organizations with regard to special education resolution procedures, including revisions to the procedures as a result of the IDEA 2004 final regulations on TEA website at <http://ritter.tea.state.tx.us/special.ed/medcom/>.

### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff participated in phone conferences hosted by the Mountain Plains Regional Resource Center related to IDEA regulations, case law, and complaint investigation procedures (August 2008 and October 2008).
- TEA staff participated in a phone conference hosted by Southeast Regional Resource Center (SERRC) related to the SPP/APR (November 2008).
- TEA staff participated in a phone conference hosted by LRP Publications with regard to the relationship between Rtl and Child Find (January 2009).
- TEA staff participated in phone conferences hosted by the SERRC related to IDEA regulations, case law, and complaint investigation procedures (February 2009).
- TEA staff participated in a phone conference hosted by LRP Publications with regard to the December 2008 revisions to IDEA (March 2009).
- TEA staff participated in a jointly-hosted, one-day workshop with SERRC related to IDEA regulations and case law (April 2009).
- TEA complaints investigation team received training related to writing investigative reports using plain language (April 2009).
- TEA staff participated in management and communications training in order to better effect communication within the complaints team toward the goal of ensuring highly functioning complaints investigatory procedures (May 2009).
- TEA staff participated in phone conferences hosted by the Southeast Regional Resource Center (SERRC) related to IDEA regulations, case law, and complaint investigation procedures (May 2009 and June 2009).

## **II. Explanation of Progress or Slippage**

Of the 145 investigative reports issued, 145 were issued within either the sixty-calendar-day timeline or within their respective extended timelines. The State met the 100% compliance target.

The total number of complaints filed has decreased for four years in a row. In addition, the number and percentage of complaints reports issued and investigations with adverse findings continue to decrease. This progress can be attributed primarily to more effective local efforts in resolving complaints prior to the investigation. In addition, the progress has been influenced by a more clearly articulated complaints resolution process, and improved documentation being maintained by districts regarding services provided to students with disabilities.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

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

## II. Improvement Activities / Timelines / Resources

During the 2009-10 year, the TEA will implement the following activities to improve the dispute resolution system:

- TEA staff from the Division of IDEA Coordination will continue to evaluate performance data with regard to the special education complaints team on a continuous basis to ensure compliance with special education regulations.
- TEA staff from the Division of IDEA Coordination will continue to analyze data collected for Indicator 15 to track identified noncompliance and corrective actions across the state in order to identify specific areas of need for focused training and policy guidance. This analysis will also enable division staff to review the effectiveness of assigned corrective actions.
- TEA staff from the Division of IDEA Coordination and from the Office of Legal Services Division will continue to participate in trainings provided by Regional Resource Centers with regard to special education case law, regulations, and special education complaint investigation procedures.
- TEA staff from the Division of IDEA Coordination will continue to develop and implement more efficient policies, procedures, and practices to ensure prompt correction of identified noncompliance as soon as possible, but in all cases within one calendar year from the date of notification.
- IDEA Coordination staff will coordinate quarterly meetings with the Office of Legal Services to discuss and plan improvement activities, meetings, and trainings to maintain consistent, accurate information regarding the continuum of dispute resolution services at the state level.

In order to disseminate information regarding the State's special education complaints policies and procedures, TEA staff members will implement the following:

- The ongoing information sharing with the ESCs through the Texas Education Telecommunications Network (TETN) with regard to the complaints process;
- The ongoing information sharing with parent groups and districts across the state of Texas with regard to the special education complaint resolution process;
- The ongoing information sharing with ESC parent liaisons with regard to the special education complaint resolution process; and
- The ongoing information sharing with school districts, parents, and organizations with regard to special education complaints procedures through TEA's webpage.

### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will continue to participate in trainings and phone conferences with SERRC with regard to IDEA regulations, case law, and complaint investigation procedures.
- TEA staff will receive updates with regard to new legislation passed in Texas that relate to special education.
- TEA staff will receive updates on case law related to special education by attending conferences hosted by the Texas Council of Administrators of Special Education (TCASE).
- TEA staff will continue to participate in trainings and phone conferences as they are available from other sources with regard to IDEA regulations, case law, and complaint investigation procedures.
- TEA staff will continue to participate in management and communications training in order to further effect highly functioning complaints investigatory procedures.
- TEA staff will continue to participate in quarterly meetings, presentations and trainings with the Rehabilitation Council of Texas (Indicator 13 and 14).

Improvement activities for this indicator will be ongoing through the 2010-2011 school year

## Part B State Annual Performance Report (APR) for 2008

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

**Indicator 17:** Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

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

**Measurement:** Percent =  $[(3.2(a) + 3.2(b)) \text{ divided by } 3.2] \text{ times } 100.$

FFY	Measurable and Rigorous Target
2008	100% of fully adjudicated due process hearing requests are fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

#### Actual Target Data for FFY 2008:

Due Process Hearing Timeline	FFY 2005 2005-06	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
(3) Due process complaints total	277	329	300	296
(3.2) Hearings (fully adjudicated)	32	45	32	33
(a) Decisions within timeline (include expedited)	4	5	3	4
(b) Decisions within extended timeline	28	40	29	29
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. Calculation: $(3.2(a) + 3.2(b)) / (3.2) * 100$	100%	100%	100%	100%

Source | Texas Education Agency, State Supervision Data

#### Federal Definitions

(3) *Due Process complaints* – a filing by a parent or public agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of FAPE to the child.

(3.2) *Hearings (fully adjudicated)* – A hearing officer conducted a hearing, reached a final decision regarding matters of law and fact and issued a written decision to the parent and public agency.

(3.2)(a) *Decision within timeline* – The written decision from a *hearing (fully adjudicated)* was provided to the parties in the hearing not later than 45 days after the expiration of the *resolution period* or in the case of *expedited due process complaints*, provided no later than 10 school days after the hearing, which must occur within 20 school days of the date the *expedited due process complaint* is filed.

(3.2)(b) *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 expiration of the *resolution period*, but within a specific time extension granted by the hearing or reviewing officer at the request of either party.

## **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

### **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: Resolution Session
- Indicator 19: Mediation Agreements

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

During the 2008-09 year, TEA completed the following activities to improve the dispute resolution system:

- TEA sponsored additional training for hearing officers regarding the entry of hearing information into the CDRMS database.
- The hearing officers began distributing the newly-developed survey regarding the due process hearing program at the conclusion of each hearing.
- TEA evaluated the data gathered from the surveys on the due process hearing program to use for continuous improvement.
- TEA sponsored training sessions for hearing officers on relevant special education and administrative law topics in an ongoing effort to ensure that hearings are conducted fairly and effectively.
- TEA created and posted on its website a document that lists each contract hearing officer and his/her qualifications to promote transparency of the due process hearing program.

#### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff participated in a jointly-hosted, one-day workshop with SERRC related to IDEA regulations and case law (April 2009).

## II. Explanation of Progress or Slippage

Of the 33 due process hearings adjudicated during the 2008-09 FFY, 33 were completed within the forty-five-calendar-day timeline. The State met the 100% compliance target.

Hearing requests have decreased for the third year in a row, and the number of fully adjudicated hearings has stayed almost constant. This progress is combined with lower mediation and resolution session rates and apparent slippage. This ambiguity may be explained by the increase in the number of requests for dismissal of due process hearings from parents, as determined by internal analysis of data, even when neither the resolution session nor the mediation ended in agreement. Many dismissals result from formal and informal meetings between the parties that are not part of the formal processes of the due process hearing. Therefore the fact that the percentage of dismissals at parent request is increasing indicates that parents and districts are doing a better job of resolving the issues together.

### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:

#### I. Targets

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

#### II. Improvement Activities / Timelines / Resources

During the 2009-10 year, the TEA will implement the following activities to improve the dispute resolution system:

- TEA will continue to maintain the CDRMS database to monitor the mandated timelines.
- TEA will sponsor additional training sessions for hearing officers on relevant special education and administrative law topics in an ongoing effort to ensure that hearings are conducted fairly and effectively.
- TEA will review and revise its *Frequently Asked Questions* document relating to the special education due process hearing program. The new document will be a comprehensive dispute resolution handbook.
- TEA will continue to evaluate the feedback it receives from the surveys on the due process hearing program to use for continuous improvement.

#### FFY 2009 Technical Assistance Update

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the March, 2010 Texas Council for Developmental Disabilities conference in Austin (Indicator 13).
- TEA staff will continue to participate in trainings and phone conferences with SERRC with regard to IDEA regulations, case law, and complaint investigation procedures.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b>
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**Indicator 18:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

<b>Measurement:</b> Percent = (3.1(a) divided by 3.1) times 100.
--

FFY	Measurable and Rigorous Target
2008	30% of resolution will result in settlement agreements.

**Actual Target Data for FFY 2008:**

Resolution Meetings	FFY 2005 2005-06	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
(3) Due process complaints total	277	329	300	296
(3.1) Resolution meetings	173	240	111	112
(a) Written settlement agreements	65	49	32	32
Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. Calculation: $(3.1(a) / (3.1) * 100$	38%	20%	29%	29%

**Source** | Texas Education Agency, State Supervision Data

**Federal Definitions**

*(3) Due Process complaints* – a filing by a parent or public agency to initiate an impartial due process hearing on matters relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of FAPE to the child.

*(3.1) Resolution Meeting* – A meeting, convened by the LEA, between the parent(s) and school personnel to discuss the parent's *due process complaint* and the facts that form the basis of the *due process complaint* so that the LEA has the opportunity to resolve the dispute that is the basis for the *due process complaint*.

*(3.1)(a) Written settlement agreement* – A legally binding written document, signed by the parent and a representative of the public agency, specifying the resolution of the dispute that formed the basis for a *due process complaint* arrived at in a *resolution meeting*.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

**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 19: Mediation Agreements

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

During the 2008-09 year, TEA completed the following activities to improve the dispute resolution system:

- TEA added a link to its website for a guidance document developed by the Center for Appropriate Dispute Resolution in Special Education (CADRE) titled *Resolution Meetings A Guide for Parents*.
- TEA continued to provide training to hearing officers, TEA staff, and stakeholders on how to encourage early resolution of special education disputes.
- TEA continued conducting data analysis with regard to understanding the dynamic intersections between the available dispute resolution options.

**FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff participated in a jointly-hosted, one-day workshop with SERRC related to IDEA regulations and case law. (April 2009).

**II. Explanation of Progress or Slippage**

Even though resolution sessions remained constant, the percentage of written settlement agreements has not increased to meet the target of 30%.

The slippage in percentage of resolution agreements may be due in part a variety of interacting factors. In the resolution session the parties meet to determine what it would take to resolve the issues. Partial agreement may be reached, but not a total resolution of the issues. While this does not statistically count as a resolution agreement, it is a necessary, if not sufficient, step in the process of resolving the conflict between the parties, as seen, once again, in the increased percentage of dismissals of due process hearings at parent request. This explains why, even though the target of 30% settlement agreements was not met, the resolution session is being used effectively by parties in conflict.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

**I. Targets**

Revise Target to 30% based on 1% increase on FFY 2008 performance.

**II. Improvement Activities / Timelines / Resources**

During the 2009-10 year, the TEA will implement the following activities to improve the dispute resolution system:

- TEA will review and revise its *Frequently Asked Questions* document relating to the special education due process hearing program and include additional information regarding resolution sessions.
- TEA will continue to maintain the CDRMS database to identify use of the resolution session for resolving due process issues.
- TEA will continue to provide training to hearing officers, TEA staff, and stakeholders on how to encourage early resolution of special education disputes.

**FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the February 15 - 16, 2010 Transition Conference (Indicator 13 and 14).
- TEA staff will continue to participate in trainings and phone conferences with SERRC with regard to IDEA regulations, case law, and complaint investigation procedures.

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

## Part B State Annual Performance Report (APR) for 2008

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

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

<b>Measurement:</b>
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Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.
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FFY	Measurable and Rigorous Target
2008	80% of mediations will result in mediation agreements.

**Actual Target Data for FFY 2008:**

Mediation Agreements	FFY 2005 2005-06	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
(2) Mediation requests total	250	238	302	314
(2.1) Mediations held	157	145	194	191
(a) Mediations held related to due process complaints	83	75	117	121
(i) Mediation agreements	67	60	92	96
(b) Mediations held not related to due process complaints	74	70	77	70
(i) Mediation agreements	58	47	60	51
Percent of mediations held that resulted in mediation agreements Calculation: 2.1(a)(i) + 2.1(b)(i) divided by 2.1 * 100	80%	74%	78%	77%

**Source** | Texas Education Agency, State Supervision Data

**Federal Definitions**

*(2) Mediation request* – A request by a party to a dispute involving any matter under Part B of IDEA to meet with a qualified and impartial mediator to resolve the dispute(s).

*(2.1)(a) Mediation held related to due process complaint* – A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was initiated by the filing of a *due process complaint*

*(2.1)(a)(i) and (2.1)(b)(ii) Mediation agreement* – A written legally binding agreement, signed by a parent and a representative of the public agency that specifies the resolution of any issues in the dispute that were reached through the mediation process.

*(2.1)(b) Mediation held not related to due process complaint* – A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was not initiated by the filing of a *due process complaint*.

## **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

### **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: Resolution Session

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

During the 2008-09 year, TEA completed the following activities to improve the dispute resolution system:

- TEA coordinated a specialized training session for mediation program staff and mediators.
- TEA provided an informational document regarding the mediation process and a mediation request form to each parent who requested a due process hearing.
- TEA provided a list of attorneys representing students/parents to each unrepresented parent who requested mediation. This information was also provided to parties upon request.
- TEA explained and discussed mediation as an alternative resolution process to parties with a pending special education complaint.
- TEA explained and discussed mediation as an alternative resolution process to parties with a pending due process hearing.
- TEA provided biographical information about contracted mediators upon request.

#### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff participated in a jointly-hosted, one-day workshop with SERRC related to IDEA regulations and case law (April 2009).

### **II. Explanation of Progress or Slippage**

Progress was made in the number of mediations requested and in the overall number of agreements reached. The slippage in percentage of mediation agreements was primarily influenced by the number of mediations held unrelated to due process hearings and their resulting outcomes. This slippage resulted in the 80% target's not being met. This slippage did not adversely affect the number of dismissals requested by parents who filed due process hearing complaints.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

**I. Targets**

Revise Target to 79% based on 2% increase on FFY 2008 performance.

**II. Improvement Activities / Timelines / Resources**

During the 2000-10 year, the TEA will implement the following activities to improve the dispute resolution system:

- TEA will add a link to its website for a page on the Center for Appropriate Dispute Resolution in Special Education's (CADRE's) website that contains various guidance documents and articles relating to mediation.
- TEA will review and revise its *Frequently Asked Questions* document relating to the mediation program.
- TEA will develop and implement a survey that will be provided to participants of the mediation process.
- TEA will sponsor an additional, specialized training for mediation program staff and mediators.
- TEA will post on its website a list of the contracted mediators and their qualifications.

**FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will participate in the NPSO Post School Outcomes Center Conference Call "FAQ Revised Part B Indicator 14 Post-School Outcomes" July 14, 2009.
- TEA staff will continue to participate in trainings and phone conferences with SERRC with regard to IDEA regulations, case law, and complaint investigation procedures.

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

## Part B State Annual Performance Report (APR) for 2008

<b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b>
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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))

**Measurement:**

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

FFY	Measurable and Rigorous Target
2008	The State will demonstrate 100% compliance in reporting timely and accurate data.

**Actual Target Data for FFY 2008:**

**State Reported Data**

	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-09
<p>State reported data, including 618 data and annual performance reports, are:</p> <ol style="list-style-type: none"> <li>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</li> <li>B. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).</li> </ol>	83%	95%	95%

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	N/A	N/A	0
14	N/A	N/A	0
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		<b>Subtotal</b>	<b>34</b>
<b>APR Score Calculation</b>	<b>Timely Submission Points</b> - If the FFY 2008 APR was submitted on-time, place the number 5 in the cell on the right.		5
	<b>Grand Total</b> - (Sum of subtotal and Timely Submission Points) =		39.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/09	0	1	1	1	3
Table 2 - Personnel Due Date: 11/1/09	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/09	0	1	1	1	3
Table 4 - Exiting Due Date: 11/1/09	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/09	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 2/1/10	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/09	1	1	1	N/A	3
				<b>Subtotal</b>	19
<b>618 Score Calculation</b>			<b>Grand Total</b> (Subtotal X 1.857) =		35.28

Indicator #20 Calculation	
A. APR Grand Total	39.00
B. 618 Grand Total	35.28
C. APR Grand Total (A) + 618 Grand Total (B) =	74.28
Total N/A in APR	0
Total N/A in 618	0
<b>Base</b>	<b>78.00</b>
D. Subtotal (C divided by Base*) =	0.952
E. Indicator Score (Subtotal D x 100) =	95.23

## **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:**

### **I. Improvement Activities Completed**

During the 2008-09 year, the TEA completed the following activities to improve the data reporting system:

- TEA staff attended Data Accountability Conference annual Part B/C Data Conference in June 2009.
- TEA staff participated in OSEP Sponsored Conference Calls on SPP/APR submissions.
- TEA staff participated in the planning for the online collection of valid data for Indicators 7, 11, 12, 13, and 14.
- TEA staff participated in conference calls and webinars on EDFacts submissions.

#### **FFY 2008 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance was received for this indicator:

- TEA staff attended the IDEA-B Data Manager's Conference (June 2009).

### **II. Explanation of Progress or Slippage**

The additional guidance provided by OSEP and Data and Accountability Center (DAC) on the reporting of Indicator 20 has resulted in a more accurate reflection of the State's performance on reporting timely and accurate data. The State strives to meet the 100% compliance target. However, timelines and related issues associated with the State's Public Education Information Management System (PEIMS) remain a challenge for reporting Tables 1: Child Count, 3: Educational Environment and 4: Exit of the annual federal data report (AFDR) in a timely manner.

## **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

### **I. Targets**

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

### **II. Improvement Activities / Timelines / Resources**

During the 2009-2010 year, the TEA will implement the following activities to improve the data reporting system:

- TEA staff will attend the annual DAC Part B/C Data Conference in June 2010.
- TEA staff will attend the EIMAC Conference, October 2009 and May 2010.
- TEA staff will attend the EDFacts Conference, October 2009.
- TEA will contract with systems analyst to provide guidance on data collection and reporting processes.

- TEA staff will continue to participate in OSEP sponsored conference calls on SPP/APR submissions.
- TEA staff will continue to participate in USDE sponsored conference calls on EDFacts submissions
- TEA staff will continue to participate in the planning for the online collection of valid data for Indicators 7, 11, 12, 13, and 14.

#### **FFY 2009 Technical Assistance Update**

As part of the consequence of the State's determination level of Needs Assistance or lower for two consecutive years, the State is required to report in its Annual Performance Report technical assistance it sought during the reporting period.

In addition to participating in the regularly scheduled monthly technical assistance calls with OSEP, the following technical assistance is planned for this indicator:

- TEA staff will attend the EIMAC Conference (October 2009).
- TEA staff will attend the IDEA-B Data Manager's Conference (June 2010).

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