



State Performance Plan | 2005 - 2012

Texas Continuous Improvement Process

**Texas Education Agency
Division of IDEA Coordination**

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

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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.

Part B State Performance Plan (SPP) for 2005-2010

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion

- 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))

Measurement:

- 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.

Minimum "n" Size Requirement

The State's definition of significant discrepancy is any district exceeding the state established critical value of 15.8 (African American), 9.4 (Hispanic), and 6.9 (White) in 2009-10. Given the small numbers and percentages of Native American and Asian students in eligible districts, reliable data could not be computed for these groups using standard procedures.

194 districts were excluded from the analysis based on the state established minimum "n" size requirement.

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

Overview of Issue/Description of System or Process:

Texas collects data on students with disabilities through the statewide general education Public Education Information Management System (PEIMS) and reports suspension and expulsion data to the U.S. Department of Education Office of Special Education Programs on the Annual Federal Data Report (AFDR) each fall.

Identification and Notification of Districts in FFY 2009

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

In spring 2010, the identified districts were 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 submitted 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. All six districts submitted assurance statements reflecting compliance with policies, procedures, and practices.

Baseline Data for FFY 2009:

Indicator 4B: Suspensions/Expulsions, Students with Disabilities

	FFY 2009 2008-09	FFY 2010 2009-10	FFY 2011 2010-11	FFY 2012 2011-12
a. # of districts with significant discrepancy	6	To be reported February 2012	To be reported February 2013	To be reported February 2014
b. Total districts	1247			
c. # of districts that reported noncompliance related to the review of policies, procedures, and practices	0			
Calculation: $a / b * 100$	0.5%			

Source: Public Education Information Management System (PEIMS) Datasets

Discussion of Baseline Data:

In the initial analysis of the 2008-09 data, the State identified six districts that had a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions greater than 10 days in a school year.

FFY	Measurable and Rigorous Target
2010 (2010-11)	0%
2011 (2011-12)	0%
2012 (2012-13)	0%

Improvement Activities/Timelines/Status:

See Indicator 1: Graduation, under “Behavior and Discipline Management” for list of proposed Improvement Activities for FFY 2010 associated with this indicator.

Improvement activities associated with this indicator will be ongoing through the 2012–2013 school year.

Part B State Performance Plan (SPP) for 2005-2010

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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.

Overview of Issue/Description of System or Process:

During FFY 2009, all districts serving students with disabilities receiving special education services ages 16-21 submitted student level data on compliance aspects of the secondary transition process. Districts that did not serve students with disabilities ages 16-21 were required to submit a zero count. Districts with less than 30 students with disabilities ages 16-21 were required to submit data on all students. Districts with more than 30 students with disabilities ages 16-21 were required to follow a sampling procedure to ensure the submission of data reflective of the district's student with disabilities ages 16-21 population. A description of the sampling procedures can be found on the TEA website at: <http://ritter.tea.state.tx.us/special.ed/spp/ind11-13.html>.

Data collection and use of an online SPP 13 application was an integral part of the statewide training process for this indicator. The training presented data collection tools including a *Checklist* for measuring SPP Indicator 13 and the *Check List Guidance* (Student Folder/IEP Review Chart). These tools facilitated the review of students' folders.

The *Checklist* for measurement of SPP Indicator 13 is aligned with the National Secondary Transition Technical Assistance Center (NSTTAC) guidance on data collection. The use of these tools ensures that comparable data is collected throughout the state. The reviewer responds either "yes" or "no" to each of the thirteen compliance items included in the *Checklist*, which addresses key elements of secondary transition reflected in the Individuals with Disabilities Education Act (IDEA).

In order to report an IEP in compliance for Indicator 13, all thirteen compliance *Checklist* items must have a "yes" response. Therefore, if there was one "no" response, the IEP did not meet the SPP Indicator 13 measurement requirements. Data collection resources can be found on the TEA website at <http://ritter.tea.state.tx.us/special.ed/spp/ind11-13.html>.

Baseline Data for FFY 2009:

	FFY 2006 2006-07	FFY 2007 2007-08	FFY 2008 2008-07	FFY 2009 2009-10	FFY 2011 2010-11	FFY 2012 2011-12	FFY 2013 2012-13
a. # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services	677	18,917	19,682	19,218	To be reported February 2012	To be reported February 2013	To be reported February 2014
b. # of youth with disabilities aged 16 and above in the dataset	3,308	28,084	21,392	19,791			
c. % of youth with disabilities 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 (c. = (a. / b.) * 100)	20%*	67%	92%	97%			

Source: SPP 13 Data Collection Application

*reflects data collection limited to 14 largest districts in the state

Discussion of Baseline Data:

Although states were not required to report Indicator 13 data for the FFY 2008 APR due February 2010, the State collected data in accordance with the new requirements for the FFY 2009 reporting year; therefore, progress was able to be determined. The number of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services increased from 92% in FFY 2008 to 97% in FFY 2009. Factors that contributed to the increase are targeting training on data collection procedures to the appropriate staff; improving guidance and resources on the data collection, and follow-up on findings of noncompliance from Agency monitoring staff.

FFY	Measurable and Rigorous Target
2010 (2010-11)	100%
2011 (2011-12)	100%
2012 (2012-13)	100%

Correction of Remaining FFY 2007 Findings of Noncompliance:

1. Number of remaining FFY 2007 findings noted in OSEP's June 2010 FFY 2008 APR response table for this indicator	430
2. Number of remaining FFY 2007 findings the State has verified as corrected	393
3. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	37

Actions Taken if Noncompliance Not Corrected:

For information about what the State is doing about the continued lack of compliance, including, as appropriate, enforcement actions taken against an LEA that continues to show noncompliance, see the table titled "**Agency Action Related to Uncorrected Noncompliance Across All Monitoring Activities**" found in Indicator 15 in the FFY 2009 APR.

Verification of Correction (either timely or subsequent):

The State has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.320(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:

The Texas Education Agency Division of IDEA Coordination notified districts of their noncompliance with FFY 2007 SPP Indicators 11, 12, and 13 in April 2009. Districts were required to submit either an "Explanation/Resolution" form or a "SPP Corrective Action Plan." The "Explanation/Resolution" form was required of those districts that had data reporting issues (e.g. reporting nonexistent noncompliance as a result of the implementation of a first year data collection). The "SPP Corrective Action Plan" was required of those districts that had serious systemic issues to address. The TEA Division of Program Monitoring and Interventions (PMI) staff reviewed the forms and updated data and documentation to determine if districts were implementing the appropriate regulations associated with the indicators and corrected the noncompliance. Districts that exceeded the one year timeline were in follow-up status until they submitted documentation that sufficiently provided evidence of correction.

Correction of Remaining FFY 2006 Findings of Noncompliance:

1. Number of remaining FFY 2006 findings noted in OSEP's June 2010 FFY 2008 APR response table for this indicator	14
2. Number of remaining FFY 2006 findings the State has verified as corrected	14
3. Number of remaining FFY 2006 findings the State has NOT verified as corrected [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

The State has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.320(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2006:

The Texas Education Agency Division of IDEA Coordination notified districts of their noncompliance with FFY 2006 SPP Indicator 13 in May 2008. Districts were required to submit a Corrective Action Plan (CAP). The TEA Division of Program Monitoring and Interventions (PMI) staff reviewed the CAP and updated data and documentation to determine if districts were implementing the appropriate regulations associated with the indicators and corrected the noncompliance.

Improvement Activities/Timelines/Status:

See Indicator 1: Graduation, under "High School/Transition" for list of proposed Improvement Activities for FFY 2010 associated with this indicator.

FFY 2009 and 2010 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 complete listing of the activities the State participated in and the resulting action from its participation can be found in the "Overview" section of the State Performance Plan.

Improvement activities associated with this indicator will be ongoing through the 2012–2013 school year.

Part B State Performance Plan (SPP) for 2005-2010

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

Overview of Issue/Description of System or Process:

Sampling Methodology

One-sixth of all Texas districts will be sampled each year with every district included at some point during the six-year cycle. Each district with an average daily membership (ADM) of 50,000 students or more must be included each year. The TEA selects a representative sample of districts to reflect the state's distribution of students. A random sampling method represents both the state and district level. Every exiting or grade 12 population of students will be sampled.

Sampling Design: Size and Selection

In the state of Texas, the total student enrollment exceeds 4.6 million students. The total number of graduates for the class of 2007 equaled 241,193 of which 26,677 or 11.1% were graduates who received special education services. From the group of 26,677 graduates, the TEA identified a sample of (12,674) 2,318 students to participate in the Grade-12 Exit Survey.

Response Rate

The (12,674) 2,318 student sample yielded 2,271 "callable" participants in the telephone survey. Surveyors made contact with 920 participants for a response rate of 41% (920 divided by 2,271). 206 districts were represented in the dataset, including all districts with an average daily membership (ADM) of 50,000 students.

Sampling Bias

The sampling design was constructed to limit sampling bias. As a result of implementing the data collection process, bias was introduced into the system. Examples of sampling bias introduced include:

- Sample reflecting population: Reasonable approximation of the randomness of the sample and how closely the sample will represent the population as a whole.
- Under-representative number of dropouts: the district difficulty in locating high school dropouts influences reporting of dropouts in the study.
- Non-response: The sampling bias is introduced because of a large movement of families after students exit high school. Improvement activities focus on identifying survey design and implementation measures to reduce the degree of bias introduced into the system.

Valid, Reliable and Confidential Data

Researchers used a multi-stage quality control process throughout the duration of the study including the following:

- On-site and off-site monitoring of interviewers' efforts by project-specific quality control (QC) leaders.
- On-going, constant dual data reviews conducted by data collection leaders and by data cleaning team throughout the entire data collection period.
- Electronic tracking of interviewers' performance – dialing statistics, completed interviews, refusals, non-contacts, average interview lengths.
- Electronic tracking of survey progress – sample dispositions, quotas, frequencies.
- Electronic sample management – up-to-date status of each sample along with customized and flexible dialing algorithms.
- Live, full monitoring of interviews led by quality control managers and supervisors. (Quality control managers heard and viewed sessions when conversations occurred between interviewer and respondent through remote visual monitoring.)
- Dual project data reviews were also a key part of the overall QC process.

All interviewers assigned to this survey were trained, experienced interviewers. Prior to beginning work on the survey, interviewers went through a detailed project briefing. This briefing entailed the following:

- Summary of project purpose and its importance.
- Answers to anticipated “frequently asked questions” (FAQ's).
- Question by question review of intent of question, acceptable responses, and special instructions.
- Practice in conducting the interview.
- Intensive monitoring of the first interview until the interviewer is performing flawlessly.

For confidentiality reasons, technology-based security provided protection of all of the data. Project programs involved dual password settings to prevent access by any non-project team members ESC Region XI for verification and filing, accepted Non-Disclosure agreements from employees involved with the survey portion of the project

The Grade-12 Exit Survey

- Administered before a cohort graduates or leaves high school, the survey is designed to collect information on students' educational experiences and preparation for life after high school. Contact information is also gathered to assist in locating students after they leave the school environment.

The Post-School Survey

- Administered to the exiting cohort of students within one year of leaving high school. This survey is used to obtain information about where former high school students study, work, live, and spend their free time. The Post-School Survey link: <http://www.esc11.net/TES/survey/>.

Baseline Data for FFY 2009:

States are required to report post school outcome data in the following mutually exclusive categories:

Post School Outcomes	Count	Percent
1. Higher Education	243	26.4%
2. Competitively Employed	299	32.5%
3. Some Other Postsecondary Education or Training Program	61	6.6%
4. Some Other Employment	60	6.5%
Not Engaged in 1-4 Above	257	27.9%
Total	920	100.0%

Data for Target Setting

	FFY 2009 2009-10	FFY 2010 2010-11	FFY 2011 2011-12	FFY 2012 2012-13
14A. Enrolled in higher education within one year of leaving high school (1)	26%	To be reported February 2012	To be reported February 2013	To be reported February 2014
14B. Enrolled in higher education or competitively employed within one year of leaving high school. (1 + 2)	59%			
14C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment with one year of leaving high school.(1 + 2 + 3 + 4)	72%			

Source: FFY 2009 Post School Outcome Survey

Federal Definitions

Enrolled in higher education as used in measures 14A, 14B, and 14 C means youth have been enrolled on a full- or part-time basis in a community college (two year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

Competitive employment as used in measures 14B and 14C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Enrolled in other postsecondary education or training as used in measure 14C, means youth have been enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two year program).

Some other employment as used in measure 14C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

Discussion of Baseline Data:

Most post-school survey participants were both enrolled in postsecondary training, technical school, community college or university and employed (72%). The second most common situation, representing 59% were enrolled in higher education or competitively employed and 26% reported they were enrolled but not employed. 28% reported that they were neither enrolled nor employed.

The Texas Steering Committee was convened in January 2011, to review the baseline data and advise the State on targets for Indicator 14A-C. The following measurable and rigorous targets were adopted:

FFY	Measurable and Rigorous Target		
2010 (2010-2011)	14A: 27%	14B: 60%	14C: 73%
2011 (2011-2012)	14A: 28%	14B: 61%	14C: 74%
2012 (2012-2013)	14A: 29%	14B: 62%	14C: 75%

Improvement Activities/Timelines/Status:

See Indicator 1: Graduation, under “High School/Transition” for list of proposed Improvement Activities for FFY 2010 associated with this indicator.

Improvement activities associated with this indicator will be ongoing through the 2012–2013 school year.