

Texas Continuous Improvement Process

State Performance Plan | 2005 - 2010

**Texas Education Agency
Division of IDEA Coordination**

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

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

February 2007 Revision

This document is a revision of the original SPP and contains baseline information for four indicators and updated information regarding the status of six indicators.

Overview of the Texas State Performance Plan

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

The original SPP had a submittal date of December 4, 2005. In light of the unforeseen consequences of Hurricanes Katrina and Rita in the fall of 2005, and in order to ensure an orderly transition to the requirements of the Individuals with Disabilities Education Improvement Act of 2004 (Pub. L. No. 108-446) (the Act), the Secretary of Education exercised her transition authority under section 303 of the Act to extend the submission date for SPPs under section 616(b)(1)(A) of the Act for 60 days for the States with respect to which the President has declared that a hurricane disaster exists because of Hurricanes Katrina or Rita. The Texas SPP was submitted on January 30, 2006, and may be found on the TEA website at <http://www.tea.state.tx.us/special.ed/spp/>. The SPP contained baseline information and targets for 11 indicators. State-level data related to these indicators and targets are reported in the Annual Performance Report (APR) submitted to the OSEP on February 1, 2007. Additionally, in the spring of 2007 the State will report to the public on the performance of each local education agency (LEA) in regard to the targets for six of these indicators on the Agency's website.

In the fall of 2005, the State began conversations with the OSEP in regard to data needed for new indicators in the SPP. The TEA believed the use of 2005-06 data to baseline new indicators in the SPP would not be realistic or reflective of the state based on the influx and continued movement of displaced students related to the Hurricanes. Texas did not have data systems in place for the new indicators. Additionally, beginning a new data collection process in a year that was already very challenging for LEAs would not be feasible. The State requested to use the 2005-06 school year to begin the process of developing its data collection/reporting system, informing LEAs of the significant change in data collection/reporting requirements, and to develop training on the new data collection/reporting system at the education service center (ESC) and LEA level.

Early in January 2006 the OSEP approved the State's request regarding the extended timeline for utilizing new data collection systems for indicators 7, 8, 11, 12, and 13. OSEP provided further guidance to the State by advising the use of any existing data related to these indicators for reporting purposes in the 2007 APR. After reviewing available data, the State determined the following existing data sources:

Indicator	Existing Data Source	Comments
7: Early Childhood Outcomes	No related data for reporting purposes. Data for this indicator not due until 2007 APR.	The State must develop a data collection system, and infrastructure to ensure the reporting of valid and reliable data.

Indicator	Existing Data Source	Comments
8: Parent Participation	Limited Survey Distribution of Texas Parent Survey Fall 2006	The distribution of the survey was performed to generate data to address the data reporting requirement in the SPP. Targets were set based on the limited data collected. The State will baseline and set new targets for this indicator using data from the spring 2007 parent survey prior to the submission of the 2006 APR (February 2008).
11: Child Find	Compliance information from the State's Performance Based Monitoring System 2005-2006	Although this data is related to the indicator it is not an exact match and so can not be used to set a baseline for the state. This will be accomplished in the 2008 APR.
12: Early Childhood Transition	Compliance information from the State's Performance Based Monitoring System 2005-2006	Although this data is related to the indicator it is not an exact match and so can not be used to set a baseline for the state. This will be accomplished in the 2008 APR.
13: Secondary Transition	Compliance information from the State's Performance Based Monitoring System 2005-2006	Although this data is related to the indicator it is not an exact match and so can not be used to set a baseline for the state. This will be accomplished in the 2008 APR.

Texas is currently developing a data collection mechanism for indicators 11, 12, and 13. The State plans to develop and employ a statewide data collection system to incorporate the specific requirements of the SPP. Due to the time needed for the development of this system, the 2006-2007 collection will be conducted in the 14 largest LEAs with average daily membership (ADM) over 50,000 students using a representative sample. In 2007-2008 all districts in the state will report a representative sample for this indicator. The system will be designed to facilitate improvement at the state, regional, and district level.

Data collection for indicator 7 is not possible for 2006-2007 school year. Due to the nature of this indicator (data must be collected at the beginning and end of the school year), the State will collect and baseline data in 2007-2008. Targets will set in the 2009 APR.

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

Texas Continuous Improvement Process

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

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

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

Broad Stakeholder Input

The state of Texas has designated improvement planning groups as exemplary sources for providing guidance and feedback on our continuous improvement cycle and the preparation of APRs. Based on the representative make-up of these groups and their previous efforts in this area, Texas is in the fortunate position of leveraging these groups as a foundation for receiving broad stakeholder input.

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

Targets

In the development of this revision of the SPP, the targets were based on compliance measures of 100% or 0%, based on the wording of the indicator. Others were set based on performance measures established by the Texas Legislature, and still others, by requirements under No Child Left Behind (NCLB). To address the remaining targets in the current SPP, the State gathered input from the Texas Steering Committee (TSC). The TSC met in January 2007 to review baseline data and set targets. A chart located on page vii of this overview section reflects the source for setting targets. As previously mentioned, the improvement planning groups and the TSC will set the targets for the new indicators based on the analysis of baseline data.

Sampling Methodology

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

- Include the 14 largest LEAs with total average daily membership (ADM) over 50,000 students each year of the time span of the SPP.
- Report on all districts within the time span of the SPP.
- Ensure accurate representation of LEAs within the state in order to report state level data by using the following demographic strata in subsequent reporting (within the timeframe of the SPP): gender, race/ethnicity, age, disability category. In addition, selection of LEAs will continue to be representative of the state based on district size and geographical region.
- Ensure accurate representation within an LEA in order to report LEA level data by using the following demographic strata: gender, race/ethnicity, age, disability category.
- Require all LEAs to report data through an online data reporting system. LEAs with an N size less than 30 students will report on all students.
- Report data at the state and LEA level on an annual basis throughout the span of the SPP. However, LEAs with an ADA determined to be small enough to result in the disclosure of personally identifiable information about individual children or where the data is insufficient will not be reported publicly.

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

Public Dissemination of Information

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

Other means of disseminating information include:

Education Service Centers (ESCs)

Information is continuously disseminated through multiple avenues between the TEA and regional education service centers (ESC). These 20 regional ESCs were established throughout the state to provide leadership, training, and technical assistance in the area of special education for students with disabilities in accordance with the TEA's focus on improved results for all students. Each regional ESC serves as first point of contact for school districts, parents, and other community stakeholders. ESCs also provide for the joint training of parents and special education, related services, and general education personnel.

ESC information (including list of contacts, phone numbers, email and website addresses) can be found on the TEA website at <http://www.tea.state.tx.us/special.ed/escinfo/contact.html>

ESC Statewide Leadership Functions and Projects

The TEA has established ten statewide leadership functions and four projects housed in various ESCs throughout the state to provide statewide leadership in specified areas of special education. Leadership, training, technical assistance, and dissemination of information throughout the state are the primary responsibilities for each of these lead ESC statewide leadership functions and projects. To satisfy these responsibilities, each lead ESC is required to establish a 20-region network to ensure ongoing communication among ESCs regarding state-level needs assessment processes, planning, and implementing and evaluating statewide activities. Additionally, ESCs coordinating these statewide leadership functions and projects are responsible for the implementation of many of the state's continuous improvement activities.

Information about ESC Statewide Leadership Functions and Projects (including a list of contacts, phone numbers, email and website addresses) can be found on the TEA website at <http://www.tea.state.tx.us/special.ed/escinfo/contact.html>.

Special Education Listserv

The TEA maintains the Special Education Updates Listserv, which provides subscribers with e-mail notification of updates to the special education area of the TEA website.

Texas Council of Administrators of Special Education (TCASE)

The Texas Council of Administrators of Special Education, Inc. (TCASE) is a statewide source of information dissemination. This professional society, comprised of nearly 1,200 members, administers and supports special education programs throughout the state of Texas. The mission of the organization is to promote proactive leadership in special education in Texas. TCASE sponsors summer and mid-winter annual conferences, during which the TEA disseminates information related to the Texas Continuous Improvement Process.

State Performance Plan | Target Overview

SPP Indicators	Indicator	Type of Indicator	Type of Indicator	Type of Target	Targets set by
1	Graduation	Performance	Old	Stakeholder input	Texas Steering Committee
2	Dropout	Performance	Old	State mandated	Dropout rate defined by Texas Legislature Performance Measure
3A	Adequate Yearly Progress	Performance	Old	Federally mandated	No Child Left Behind (NCLB) Guidance
3B	Adequate Yearly Progress	Performance	Old	Federally mandated	No Child Left Behind (NCLB) Guidance
3C	Adequate Yearly Progress	Performance	Old	Federally mandated	No Child Left Behind (NCLB) Guidance
4A	Suspension and Expulsion	Performance	Old	Stakeholder input	Texas Steering Committee
4B	Suspension and Expulsion	Performance	New	Stakeholder input	Improvement Planning Groups/Texas Steering Committee by 2007
5A	Educational Environments, Aged 6-21	Performance	Old	Stakeholder input	Texas Steering Committee
5B	Educational Environments, Aged 6-21	Performance	Old	Stakeholder input	Texas Steering Committee
5C	Educational Environments, Aged 6-21	Performance	Old	Stakeholder input	Texas Steering Committee
6	Educational Environments, Aged 3-5	Performance	Old	Stakeholder input	Texas Steering Committee
7	Early Childhood Outcomes	Performance	New	Stakeholder input	Improvement Planning Groups/Texas Steering Committee by 2008
8	Parent Participation	Performance	New	Stakeholder input	Improvement Planning Groups/Texas Steering Committee by 2007
9	Disproportionality	Compliance	New	0%	U.S. Department of Education Office of Special Education Programs (OSEP) set the target for compliance
10	Disproportionality	Compliance	New	0%	U.S. Department of Education Office of Special Education Programs (OSEP) set the target for compliance
11	Child Find	Compliance	New	100%	Federal Regulations define the timeline
12	Early Childhood Transition	Compliance	Old	100%	Federal Regulations define the timeline
13	Secondary Transition	Compliance	New	100%	Federal Regulations define the required items in the IEP
14	Post-School Outcomes	Performance	New	Stakeholder input	Improvement Planning Groups/Texas Steering Committee by 2008

State Performance Plan | Target Overview

SPP Indicators	Indicator	Type of Indicator	Type of Indicator	Type of Target	Targets set by
15A	Effective General Supervision	Compliance	Old	100%	U.S. Department of Education Office of Special Education Programs (OSEP) set the timeline for correcting noncompliance
15B	Effective General Supervision	Compliance	Old	100%	U.S. Department of Education Office of Special Education Programs (OSEP) set the timeline for correcting noncompliance
15C	Effective General Supervision	Compliance	Old	100%	U.S. Department of Education Office of Special Education Programs (OSEP) set the timeline for correcting noncompliance
16	Complaint Investigation Timeline	Compliance	Old	100%	Federal Regulations define the timeline
17	Due Process Hearing Timeline	Compliance	Old	100%	Federal Regulations define the timeline
18	Resolution Sessions	Performance	New	Stakeholder input	Improvement Planning Groups/Texas Steering Committee by 2007
19	Mediation Agreements	Performance	Old	Stakeholder input	Texas Steering Committee
20	State Data Reporting	Performance	Old	100%	U.S. Department of Education Office of Special Education Programs (OSEP) set the deadlines for reporting

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

Monitoring Priority: FAPE in the LRE

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

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

Measurement:

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

Overview of Issue/Description of System or Process:

In Texas, students with disabilities graduate with the same diploma as their nondisabled peers; therefore, the State views graduation rates of students with disabilities and without disabilities in the same manner. Graduation requirements for students with disabilities can be found in state Commissioner's rules, specifically 19 Texas Administrative Code §89.1070. *Graduation Requirements* at <http://www.tea.state.tx.us/rules/tac/chapter089/ch089aa.html#89.1070>.

Additional information about graduation can be found on the Texas Education Agency (TEA) Division of Curriculum's web page at <http://www.tea.state.tx.us/curriculum/>.

Explanation of Calculation of Graduation Rates:

The State follows a class of students, or cohort, over a period of years, and determines the status of each student after the anticipated graduation date of the cohort. This allows the State to produce a dataset that provides rates for graduates, students still enrolled and continuing their education, recipients of General Educational Development (GED) certificates, and dropouts.

The graduation rate is calculated as follows:

$$\frac{\text{number of students from the cohort who received a high school diploma by the end of 2003-04}}{\text{divided by total number of students in the 2000-01 cohort (graduation + GED + continuing + dropout)}}$$

The State's Academic Excellence Indicator System (AEIS) pulls together a wide range of information on the performance of students in each school and district every year. This information is compiled into the annual AEIS reports, which are available each year in the fall on the TEA Division of Performance Reporting's web page at <http://www.tea.state.tx.us/perfreport/aeis/>.

Performance on a variety of indicators (including dropout and graduation) is shown disaggregated by ethnicity, sex, special education, low income status, and limited English proficient status. The reports also provide extensive information on school and district staff, finances, programs, and

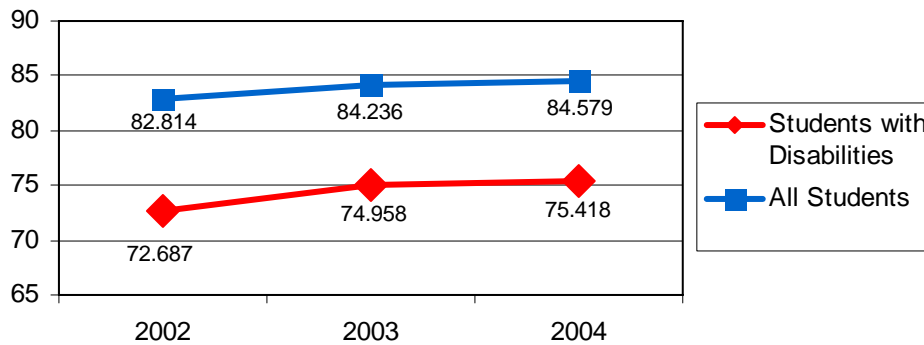
student demographics. In addition, the TEA Division of Performance Reporting publishes annually a document titled *Secondary School Completion and Dropouts in Texas Public Schools*. This document includes detailed information concerning the graduation and dropout rates methodologies, as well as state-level data. This document is available on the TEA Division of Performance Reporting's web page at <http://www.tea.state.tx.us/perfreport/aeis/>.

Baseline Data for FFY 2004 (2004-05):

	Graduation Rates		
	2002	2003	2004
Students with Disabilities	72.687	74.958	75.418
All Students	82.814	84.236	84.579

Source: Academic Excellence Indicator System (AEIS) Datasets, Class of 2002-2004

Graduation Rates



Discussion of Baseline Data:

Graduation rates for students with disabilities continue to increase and remain comparable in year-to-year gain with the rate of all students graduating (see table below).

	Rate of Change: Texas Graduation Rates		
	2002 to 2003	2003 to 2004	2002 to 2004
Students with Disabilities	+3.1%	+0.6%	+3.8%
All Students	+1.7%	+0.4%	+2.1%

Source: Academic Excellence Indicator System (AEIS) Datasets, Class of 2002-2004

More data are needed to understand trends concerning the State's graduation rates. The State anticipates continued positive increases in graduation rates long term as a result of statewide activities such as the implementation of the state-required Personal Graduation Plan (beginning with the 2003-04 school year) for students at risk of not graduating in four years.

FFY	Measurable and Rigorous Target
2005 (2005-06)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.
2006 (2006-07)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.
2007 (2007-08)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.
2008 (2008-09)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.
2009 (2009-10)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.
2010 (2010-11)	The graduation rate for students with disabilities will increase 0.2% from the previous year's rate.

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 State Performance Plan (SPP) including:

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

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

Texas Behavior Support Initiative

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

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

Improvement activities of the TBSI Network center around three areas:

- TBSI School-wide Core Team PBS Implementation
- Statewide-Level PBS Capacity Building Training and Implementation Support
- TBSI Statewide PBS Conference, Summer 2006

School-wide Core Team PBS implementation includes providing training of trainers support for ESCs on discipline monitoring software, as well as providing the software for campuses participating in TBSI. Capacity building at the statewide level involves maintaining and enhancing the TBSI website and the developing and delivering of campus and parent training modules for ESC staff. In summer 2005, the TBSI worked collaboratively with the statewide network to plan and implement a conference featuring national and state level presenters to spotlight research-based implementation, linking implementation to results for students, families, and campuses.

Access to the General Education Curriculum

The primary source of improvement planning in the area of Access to General Curriculum (AGC) rests with a decentralized function at Region 20 ESC. This ESC is responsible for coordinating with all other regions to develop a statewide AGC network. The purpose of the 20-region network is to ensure ongoing communication among ESCs about state-level needs assessments, program planning and implementation, and evaluating statewide activities regarding access to the general curriculum.

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

Continuous improvement efforts concerning AGC are supported through the following activities of the leadership function of Region 20 ESC:

AGC District Program Analysis

In 2002-2003, the AGC Network developed a data analysis process to provide intensive support to local education agencies (LEAs) addressing LRE issues.

Results from this project include:

- Increased number of students served in less restrictive environments for K-12 students with disabilities as evidenced by comparing Public Education Information Management System (PEIMS) reports;
- Increased access to the general education curriculum and Texas Essential Knowledge and Skills (TEKS)-Based Instruction; and
- Increased student progress for students with disabilities grades 3-11, as evidenced by statewide assessment reports.

AGC TEKS-Based Instruction Video Series and Training Modules

The AGC Network has developed and disseminated an instructional video series and training modules aligned with the TEKS. These training modules have been developed for the purpose of promoting understanding, knowledge, and skills among administrators, educators, and parents in order that:

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

LRE Brochure

The AGC Network developed the *LRE Question and Answer* brochure to serve as a resource for parents and educators of the state to better understand the basic laws surrounding free appropriate public education (FAPE) in the LRE. The document was later enhanced to include additional information for parents. The brochure was revised in 2004-2005 to include the new transition regulations and will continue to be amended as needed. This document was designed to provide current information about LRE to ensure that the applicable requirements governing the education of students with disabilities are accurately understood and properly implemented. The State encourages the dissemination of the *LRE Question and Answer* brochures to a wide range of educators and parents. This brochure is available in English and in Spanish on the Region 20 ESC website at <http://www.esc20.net/>.

Pre-Referral Pilot Project

The AGC Network is piloting a project to proactively address pre-referral issues surrounding special education. A stakeholder-based task force has been formed to thoroughly research available resources in this area. This task force will develop a district-level resource to outline the key stages of building and implementing an effective pre-referral process at the district level. This resource will eventually include links to a clearinghouse of intervention tools which can be utilized to aid districts in making sound decisions regarding early intervention processes.

Response to Intervention

The State anticipates that the implementation of activities associated with the Response to Intervention (RtI) framework will have a positive effect on this indicator. RtI may be described as a model addressing the needs of all students through a continuum of services which provide:

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

The State hosted an RtI Summit in January 2006. Stakeholders representing both general and special education parents, teachers, administrators, universities, and state agencies were among the wide variety of individuals in attendance at this event.

The purpose of the summit was to provide:

- Research-based information to participants in order to set the stage for a common understanding of the topic; and
- An opportunity for a wide variety of stakeholders to discuss the topic and provide advisement to the state.

Next steps related to RtI will include dialogue between divisions at the TEA and general and special education staff from the 20 ESCs regarding the development of a process for understanding how best to implement this framework throughout the state.

The implementation of RtI has the potential to have a positive impact on the ability of local education agencies to meet the needs of all struggling students. The RtI framework also has the possibility of assisting the state in addressing concerns related to:

- Coordination between general and special education
- Disproportionality and over-representation based on race and ethnicity
- Discipline and behavior management
- The provision of Early Intervening Services
- Improvements in the special education referral process and use of special education resources
- Learning disability evaluation and determination of eligibility

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

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

Monitoring Priority: FAPE in the LRE

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

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

Measurement:

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

Overview of Issue/Description of System or Process:

Dropout information is collected from the local education agencies (LEAs) after the end of each school year. LEAs report the number of dropouts through the Public Education Information Management System (PEIMS); instructions for identification of dropouts are included in the PEIMS Data Standards. Dropout information is collected for grades 7-12. A student is identified as a dropout if the individual does not return to school by the fall of the following school year, or if he or she completes the school year but fails to reenroll the following school year.

For additional information about dropouts, the Texas Education Agency (TEA) maintains a web page for the Dropout Prevention Clearinghouse at <http://www.tea.state.tx.us/dpchse/>.

Explanation of Calculation of Dropout Rates:

The State follows a class of students, or cohort, over a period of years, and determines the status of each student after the anticipated graduation date of the cohort. This allows the State to produce a dataset that provides rates for graduates, students still enrolled and continuing their education, recipients of General Educational Development (GED) certificates, and dropouts.

The dropout rate is calculated as follows:

$$\frac{\text{number of students from the cohort who dropped out before the fall of 2003-04}}{\text{divided by total number of students in the 2000-01 cohort (graduation + GED + continuing + dropout)}}$$

The State's Academic Excellence Indicator System (AEIS) pulls together a wide range of information on the performance of students in each school and district every year. This information is compiled into the annual AEIS reports, which are available each year in the fall on the TEA Division of Performance Reporting's web page at <http://www.tea.state.tx.us/perfreport/aeis/>.

Performance on a variety of indicators (including dropout and graduation) is shown disaggregated by ethnicity, sex, special education, low income status, and limited English proficient status. The reports also provide extensive information on school and district staff, finances, programs, and student demographics. In addition, the TEA Division of Performance Reporting publishes annually a document titled *Secondary School Completion and Dropouts in Texas Public Schools*. This document includes detailed information concerning the graduation and dropout rates

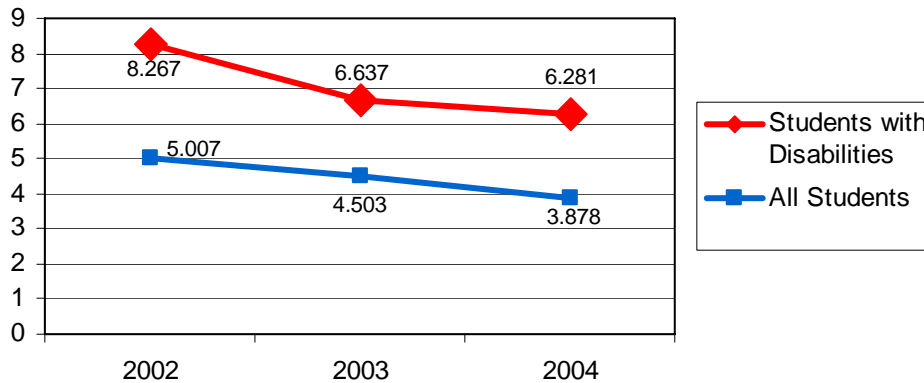
methodologies, as well as state-level data. This document is available on the TEA Division of Performance Reporting's web page at <http://www.tea.state.tx.us/perfreport/aeis/>.

Baseline Data for FFY 2004 (2004-05):

	Dropout Rates		
	2002	2003	2004
Students with Disabilities	8.267	6.637	6.281
All Students	5.007	4.503	3.878

Source: Academic Excellence Indicator System (AEIS) Datasets, Class of 2002-2004

Dropout Rates



Discussion of Baseline Data:

Dropout rates for students with disabilities continue to decrease and remain comparable in year-to-year decline with the rate of all students dropping out (see table below).

	Rate of Change: Texas Dropout Rates		
	2002 to 2003	2003 to 2004	2002 to 2004
Students with Disabilities	-19.7%	-5.4%	-24.0%
All Students	-10.1%	-13.9%	-22.5%

Source: Academic Excellence Indicator System (AEIS) Datasets, Class of 2002-2004

More data are needed to understand trends concerning the State's dropout rates.

In 2003, the 78th Texas Legislature passed Senate Bill 186 requiring LEAs to report dropout data using the National Center for Education Statistics (NCES) definition by 2005-06. Districts will begin collecting dropout data consistent with the NCES dropout definition starting in the 2005-06 school year.

In addition, more study of statewide activities to prevent dropouts is required.

FFY	Measurable and Rigorous Target
2005 (2005-06)	The dropout rate for all students shall not exceed 1.9%*
2006 (2006-07)	The dropout rate for all students shall not exceed 2.9%* Note: increase reflects change in State dropout definition for 2005-06
2007 (2007-08)	The dropout rate for all students shall not exceed 2.9%* Note: Target will be updated by the Texas Legislature in September 2007
2008 (2008-09)	The dropout rate for all students shall not exceed 2.9%* Note: Target will be updated by the Texas Legislature in September 2007
2009 (2009-10)	The dropout rate for all students shall not exceed 2.9%* Note: Target will be updated by the Texas Legislature in September 2009
2010 (2010-11)	The dropout rate for all students shall not exceed 2.9%* Note: Target will be updated by the Texas Legislature in September 2009

*Target defined by Texas Legislature

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 State Performance Plan (SPP) including:

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

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

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

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

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

A. Percent = # of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the State times 100.

B. Participation rate =

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

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

Overall Percent = b + c + d + e divided by a.

C. Proficiency rate =

- 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 (percent = b divided by a times 100);
- c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations (percent = c divided by a times 100);
- d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards (percent = d divided by a times 100); and
- e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards (percent = e divided by a times 100).

Overall Percent = b + c + d + e divided by a.

Overview of Issue/Description of System or Process:

The *No Child Left Behind Act of 2001* (NCLB) (Public Law 107-110), which was signed by the President on January 8, 2002, reauthorizes and amends federal programs established under the *Elementary and Secondary Education Act of 1965* (ESEA). Under NCLB, accountability provisions that formerly applied only to districts and campuses receiving Title I, Part A funds now apply to all districts and campuses. All public school districts, campuses, and the state are evaluated annually for Adequate Yearly Progress (AYP). The Texas AYP Plan approved by the United States Department of Education (USDE) in July 2004 meets the requirements in NCLB and provides a mechanism for evaluating district and campus AYP in 2005.

The AYP requirements in NCLB are based on the following principles:

All Schools: A single statewide definition of AYP applies to all districts and campuses, including Title I and non-Title I districts and campuses, alternative education campuses, and open-enrollment charter schools.

All Students: All students must be tested and all results must be included in the AYP calculation. Assessments included in the AYP calculation are:

- Texas Assessment of Knowledge and Skills (TAKS) in Reading/Language Arts and Mathematics;
- State-Developed Alternative Assessment II (SDAA II) in Reading/Language Arts and Mathematics;
- Locally-Determined Alternate Assessments (LDAA) for students exempted from the TAKS and SDAA II by the Admission, Review, and Dismissal (ARD) committee for Reading/Language Arts and Mathematics;
- Reading Proficiency Tests in English (RPTE) for recent immigrant limited English proficient (LEP) students who were exempted in Reading/Language Arts by the Language Proficiency Assessment Committee (LPAC);
- Linguistically Accommodated Testing (LAT) of the TAKS or SDAA II Mathematics assessments for recent immigrant LEP students who were exempted by the LPAC.

Standards: Baseline performance standards for Reading/Language Arts and Mathematics measures are determined using the methodology required in NCLB. The standards must increase over time to reach 100 percent by 2013–14.

Participation: Districts and campuses must meet test participation standards as well as performance standards for students tested.

Student Groups: All students, and African American, Hispanic, White, economically disadvantaged, special education, and LEP student groups must meet the same performance and participation standards. States individually develop minimum size requirements for evaluation of student groups.

Other Measures: High schools must meet a Graduation Rate standard set by the state. States individually identify an additional measure for elementary and middle/junior high schools.

For more information about AYP, including guidance and reports is available on the TEA website at <http://www.tea.state.tx.us/ayp>.

Baseline Data for FFY 2004 (2004-05):

Table 3A | Adequate Yearly Progress, LEA Performance, 2004-05

Did not meet AYP Objective	45 LEAs
Met AYP Objective	1184 LEAs
% Met AYP Objective	96.34

Source: 2004-05 Adequate Yearly Progress Dataset

Table 3B.1 | Participation Rate, Math, 2004-05

	#	%
a. # of children with IEPs in grades assessed	297,680	---
b. # of children with IEPs in regular assessment with no accommodations	101,607	34.13
c. # of children with IEPs in regular assessment with accommodations	---	---
d. # of children with IEPs in alternate assessment against grade level standards	47,379	15.92
e. # of children with IEPs in alternate assessment against alternate achievement standards	145,933	49.02
Total, Grades 3-8, 10	294,919	99.07
Non-participants	2,761	00.03

Source: 2004-05 Adequate Yearly Progress Dataset

Table 3B.2 | Participation Rate, Reading, 2004-05

	#	%
a. # of children with IEPs in grades assessed	299,038	---
b. # of children with IEPs in regular assessment with no accommodations	95,118	31.95
c. # of children with IEPs in regular assessment with accommodations	---	---
d. # of children with IEPs in alternate assessment against grade level standards	45,345	15.23
e. # of children with IEPs in alternate assessment against alternate achievement standards	155,467	52.23
Total, Grades 3-8, 10	295,930	99.41
Non-participants	3,108	00.59

Source: 2004-05 Adequate Yearly Progress Dataset

Table 3C.1 | Performance Rate, Math, 2004-05

	#	%
a. # of children with IEPs in grades assessed	271,803	100.00
b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations	51,779	19.05
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	37,485	13.79
e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	93,680	34.47
Total, Grades 3-8, 10	182,964	67.31

Source: 2004-05 Adequate Yearly Progress Dataset

Table 3C.2 | Performance Rate, Reading, 2004-05

	#	%
a. # of children with IEPs in grades assessed	271,546	100.00
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
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	36,190	13.33
e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards	97,561	35.93
Total, Grades 3-8, 10	190,358	70.10

Source: 2004-05 Adequate Yearly Progress Dataset

Discussion of Baseline Data:

Indicator 3A

Forty-five LEAs did not meet AYP objectives, while 1,184 LEAs met AYP objectives. 96.34% of LEAs met AYP objectives.

Indicator 3B

The State was within 1% of meeting its target of 100% participation in Math and Reading assessments.

Indicator 3C

The State is exceeding the AYP Targets in No Child Left Behind (NCLB) for performance on Math and Reading assessments.

FFY	Measurable and Rigorous Target
<p>2005 (2005-06)</p>	<p>Indicator 3A 100%</p> <p>Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100%</p> <p>Indicator 3C Performance on Math Assessments = 42% (AYP Target in NCLB) Performance on Reading Assessments = 53% (AYP Target in NCLB)</p>
<p>2006 (2006-07)</p>	<p>Indicator 3A 100%</p> <p>Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100%</p> <p>Indicator 3C Performance on Math Assessments = 50% (AYP Target in NCLB) Performance on Reading Assessments = 60% (AYP Target in NCLB)</p>
<p>2007 (2007-08)</p>	<p>Indicator 3A 100%</p> <p>Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100%</p> <p>Indicator 3C Performance on Math Assessments = 50% (AYP Target in NCLB) Performance on Reading Assessments = 60% (AYP Target in NCLB)</p>

FFY	Measurable and Rigorous Target
2008 (2008-09)	Indicator 3A 100% Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100% Indicator 3C Performance on Math Assessments = 58% (AYP Target in NCLB) Performance on Reading Assessments = 67% (AYP Target in NCLB)
2009 (2009-10)	Indicator 3A 100% Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100% Indicator 3C Performance on Math Assessments = 67% (AYP Target in NCLB) Performance on Reading Assessments = 73% (AYP Target in NCLB)
2010 (2010-11)	Indicator 3A 100% Indicator 3B Participation on Math Assessments = 100% Participation on Reading Assessments = 100% Indicator 3C Performance on Math Assessments = 75% (AYP Target in NCLB) Performance on Reading Assessments = 80% (AYP Target in NCLB)

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 State Performance Plan (SPP) 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).

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

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

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity. **[New Indicator]**

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

Measurement:

- A. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by # of districts in the State times 100.
- B. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity divided by # of districts in the State times 100.

Include State's definition of "significant discrepancy."

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. The State has reported suspension and expulsion data in its past two Annual Performance Reports (APR).

The Texas Education Agency (TEA) has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System and Performance-Based Monitoring Analysis System (PBMAS) to identify and select for interventions those LEAs whose data indicate significant patterns of disproportionate removal of students with disabilities. Each LEA is evaluated annually against established criteria to determine whether such data patterns exist. LEAs reflecting a disproportionate data pattern are required to conduct a comprehensive data analysis and engage in improvement planning regarding their patterns of disproportionate removal. Additionally, LEAs will be required to review their policies, practices, and procedures and report publicly on any revisions to their policies, practices, and procedures. The TEA engages in ongoing follow up with and monitors the progress of LEAs in implementing required improvement activities and achieving desired results in this area. Information on the PBM and PBMAS systems is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

For the purposes of the State Performance Plan, the State identifies a significant discrepancy in the rates of suspension and expulsion when an LEA's relative difference exceeds 0.2 (see "Methodology," next page).

Methodology

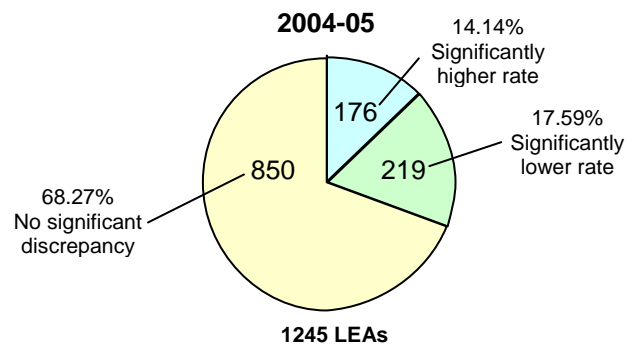
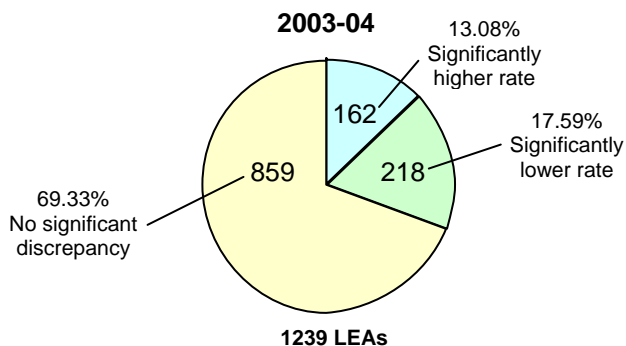
(a) rate of suspensions > 10 days for students with disabilities	=	$\frac{\text{\# of students with disabilities suspended}}{\text{\# of students with disabilities enrolled in school year}}$
(b) rate of suspensions > 10 days for students without disabilities	=	$\frac{\text{\# of students without disabilities suspended}}{\text{\# of students without disabilities enrolled in school year}}$
Difference in the rates of suspension between (a) and (b)	=	(a) – (b)
Relative Difference in the rates of suspension <i>(the number of times the rate of suspension for students with disabilities has increased in comparison to the rate of suspension for students without disabilities)</i>	=	(a) – (b) / (b)

Baseline Data for FFY 2004 (2004-05):

Indicator 4A

Students with Disabilities

I. Number of Single Suspensions and Single Expulsions > 10 Days

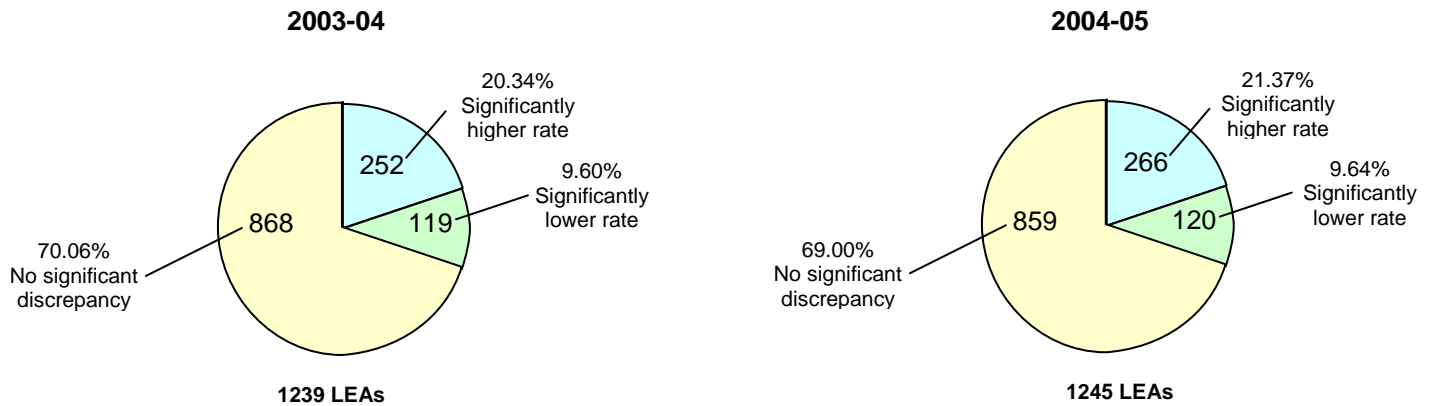


Baseline Data for FFY 2004 (2004-05):

Indicator 4A

Students with Disabilities

II. Number of Multiple Suspensions and Multiple Expulsions > 10 Days



Discussion of Baseline Data:

Indicator 4A

Rate of Change for % of Local Education Agencies with significantly higher rates of suspending/expelling students with disabilities

	Rate of Change 2003 to 2004
Number of Single Suspensions and Single Expulsions > 10 Days	+8.1%
Number of Multiple Suspensions and Multiple Expulsions > 10 Days	+5.1%

Source: Annual Federal Data Reports, 2003-04, 2004-05

The number of single suspensions and single expulsions and the number of multiple suspensions and multiple expulsions of students with disabilities are increasing. The numbers of LEAs determined to have a significantly lower rate, no significant discrepancy, or significantly higher rate remains static.

FFY	Measurable and Rigorous Target
2005 (2005-06)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%. Indicator 4B Measurable and rigorous targets will be provided in the FFY 2005 APR due February 1, 2007.
2006 (2006-07)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.
2007 (2007-08)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.
2008 (2008-09)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.
2009 (2009-10)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.
2010 (2010-11)	Indicator 4A The percent of districts identified by the state as having a significant discrepancy in the rates of suspension and expulsions of students with disabilities for greater than 10 school days in a school year will be 0%.

Note: Under certain circumstances suspensions and expulsions are mandatory by state law; therefore, in some cases, it would be impossible for LEAs to meet the 0% target.

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 State Performance Plan (SPP) including:

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

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

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

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

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

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

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

Measurement:

- | |
|---|
| <ul style="list-style-type: none"> B. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity divided by # of districts in the State times 100. <p>A "significant discrepancy" is defined as exceeding the 0.31 cut point for 2005-06 (see Methodology below)</p> |
|---|

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. The state has reported suspension and expulsion data in its past two Annual Performance Reports (APRs).

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

The state calculates and compares the rates of suspensions and expulsions of students with disabilities (SWD) and the rates of students without disabilities (SWOD) by LEA and race/ethnicity.

Determining the Ratio of Suspension/Expulsions

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

1. Calculating the Rates

Rate of SWD (white) suspended/expelled in LEA by race and ethnicity category	=	$\frac{\text{\# of SWD (white) suspended/expelled in LEA}}{\text{\# of SWD (white) in the LEA}}$
Example	=	$12.72\% = \frac{42}{330} * 100$

1. Calculating the Rates (continued)

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

2. Calculating the Ratio

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

Determining the Cut Point

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

Data Cut Points

	Cut Point
2005-06	> 0.31 (at over 95%)

Baseline Data for FFY 2005 (2005-06):

Indicator 4B: Suspensions/Expulsions for Students with Disabilities

	2005-06
a. Districts with significant discrepancy	167
b. Total LEAs	1242
Calculation: $a / b \times 100$	13.4%

Note: In applying the methodology described in this indicator, 167 districts were identified as having a potential significant discrepancy. This methodology did not factor in districts with small student populations (minimum “n” size of 30 students enrolled in general and special education by racial and ethnic group). For 2005-06, an additional 45 districts with small student populations will receive further review to determine if a significant discrepancy exists.

Discussion of Baseline Data:

212 districts were identified with a potential significant discrepancy in the rates of suspension and expulsion of students with disabilities by any racial and ethnic category (White, African American, Hispanic, Asian, and Native American). Note: Caution must be used in the analysis of student data from the 2005-06 school year as a result of the influx of students from Gulf States impacted by Hurricanes Katrina and Rita.

The Discipline/Behavior Management improvement group will convene in the spring 2007 to review discipline data and other factors that are contributing to the progress or slippage for this indicator.

FFY	Measurable and Rigorous Target
2005 (2005-06)	Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than ten days in a school year of children with disabilities by race and ethnicity will be 0%.
2006 (2006-07)	Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than ten days in a school year of children with disabilities by race and ethnicity will be 0%.
2007 (2007-08)	Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than ten days in a school year of children with disabilities by race and ethnicity will be 0%.

FFY	Measurable and Rigorous Target
<p>2008 (2008-09)</p>	<p>Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than ten days in a school year of children with disabilities by race and ethnicity will be 0%.</p>
<p>2009 (2009-10)</p>	<p>Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity will be 0%.</p>
<p>2010 (2010-11)</p>	<p>Indicator 4B Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity will be 0%.</p>

Note: Under certain circumstances suspensions and expulsions are mandatory by state law; therefore, in some cases, it would be impossible for LEAs to meet the 0% target.

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 SPP and APR including:

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

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) of the FFY 2005 APR submission.

The TEA has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System to identify and select for interventions those LEAs whose data indicate significant patterns of disproportionate identification of African American and Hispanic students as eligible to receive special education services. Each LEA is evaluated annually against established criteria to determine whether such data patterns exist.

LEAs reflecting a disproportionate data pattern are required to conduct a comprehensive focused data analysis and engage in improvement planning regarding their patterns of disproportionate identification.

LEAs selected for intervention are required to review their code of conduct and discipline policies, practices, and procedures used in general education, including student support interventions such as tutorial, remedial, compensatory, response to intervention and other academic or behavior support services, functional behavioral assessments, behavioral intervention plans, placement, to ensure that the policies, practices, and procedures are in compliance with federal regulation. Additionally, LEAs should review their professional development related to this area for general and special education teachers and administrators.

LEAs must publicly report any changes to policies and procedures, including operating guidelines and practices.

LEAs are required to correct any noncompliance items as soon as possible, but in no case may the evidence of compliance take longer than one calendar year from the date of identification of noncompliance.

The TEA engages in ongoing follow-up with and monitors the progress of LEAs in implementing required improvement activities and achieving desired results in this area. Information on the PBM system is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

In the spring of 2007, the State will compare the data from the relevant indicators in the monitoring system with the similar indicators in the SPP and APR to determine which, if any, LEAs have significant disproportionality of identification of SWD based on race and ethnicity.

LEAs that are identified as having significant disproportionality of identification of SWD based on race and ethnicity with respect to the identification of children with disabilities, the placement of children with disabilities in particular educational settings, and the incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions, are required to reserve the maximum amount of funds under section 613(f)(1) of the Act to provide EIS to children in the LEA, particularly to children in those groups that were significantly over-identified as eligible to receive special education services.

The TEA will provide oversight and management of the LEA's use, documentation, and reporting of these funds as well as a continued monitoring of the data associated with the area of concern.

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

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

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

- A. Percent = # of children with IEPs removed from regular class less than 21% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- B. Percent = # of children with IEPs removed from regular class greater than 60% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.

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 Educational Environment of Children with Disabilities, ages 6-21, to the U.S. Department of Education Office of Special Education Programs on the Annual Federal Data Report (AFDR) each spring. In addition to the AFDR, the State has reported educational environment data in its past two Annual Performance Reports (APR).

The Texas Education Agency (TEA) has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System and Performance-Based Monitoring Analysis System (PBMAS) to identify and select for interventions those LEAs whose data indicate concerns with students with disabilities placed in the least restrictive environments (LRE). Information on the PBM and PBMAS systems is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

Baseline Data for FFY 2004 (2004-05):

Educational Environment, Aged 6-21

	2002-03		2003-04		2004-05	
	#	%	#	%	#	%
A. Less Than 21% of Day	243891	53.154	245858	52.741	252110	53.337
B. More Than 60% of Day	61785	13.466	61362	13.163	61098	12.926
C. Public/Private/Residential/Homebound	7029	1.532	6891	1.478	6642	1.405

Source: Annual Federal Data Reports, Texas Education Agency

Discussion of Baseline Data:

The educational environment data reflect decreases in environments B and C, and a slight increase in environment A over time.

	Rate of Change: Educational Environment, Ages 6-21		
	2002 to 2003	2003 to 2004	2002 to 2004
A. Less Than 21% of Day	-0.8%	1.1%	0.3%
B. More Than 60% of Day	-2.3%	-1.8%	-4.0%
C. Public/Private/Residential/Homebound	-3.5%	-4.9%	-8.3%

More data are needed to understand trends concerning increases and decreases to these environments and how the data reflect students with disabilities receiving a free appropriate public education (FAPE) in the least restrictive environment (LRE).

FFY	Measurable and Rigorous Target
2005 (2005-06)	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the baseline year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the baseline year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the baseline year's rate.</p>

FFY	Measurable and Rigorous Target
<p>2006 (2006-07)</p>	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the previous year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the previous year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the previous year's rate.</p>
<p>2007 (2007-08)</p>	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the previous year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the previous year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the previous year's rate.</p>
<p>2008 (2008-09)</p>	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the previous year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the previous year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the previous year's rate.</p>
<p>2009 (2009-10)</p>	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the previous year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the previous year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the previous year's rate.</p>
<p>2010 (2010-11)</p>	<p>A. The percent of children with IEPs ages 6-21 removed from regular class less than 21% of the day will increase by 1.1% above the previous year's rate.</p> <p>B. The percent of children with IEPs ages 6-21 removed from regular class greater than 60% of the day will decrease by 0.48% below the previous year's rate.</p> <p>C. The percent of children with IEPs ages 6-21 served in other locations will decrease by 0.06% below the previous year's rate.</p>

Improvement Activities/Timelines/Resources:

The improvement activities related to increasing and decreasing the appropriate educational environment rates for students with disabilities are interrelated to several other indicators in the State Performance Plan (SPP) including:

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

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

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

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

Monitoring Priority: FAPE in the LRE

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

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

Measurement:

Percent = # of preschool children with IEPs who received all special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100.

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 Educational Environment of Children with Disabilities, ages 3-5, to the U.S. Department of Education Office of Special Education Programs on the Annual Federal Data Report (AFDR) each spring. In addition to the AFDR, the State has reported educational environment data in its past two Annual Performance Reports (APR).

The Texas Education Agency (TEA) has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System and Performance-Based Monitoring Analysis System (PBMAS) to identify and select for interventions those LEAs whose data indicate concerns with students with disabilities placed in the least restrictive environments (LRE). Information on the PBM and PBMAS systems is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

Baseline Data for FFY 2004 (2004-05):

Educational Environment, Aged 3-5

	2002-03		2003-04		2004-05	
	#	%	#	%	#	%
Early Childhood Setting	2102	5.644	2016	4.965	2117	5.093
Early Childhood Special Education Setting	8556	22.973	10332	25.444	10232	24.617
Home	267	0.717	213	0.525	197	0.474
Part-Time Early Childhood/ Part-Time Early Childhood Special Education Setting	6602	17.726	6539	16.103	7059	16.983
Itinerant Service Outside The Home (Optional)	19630	52.706	21450	52.823	21893	52.673

Source: Annual Federal Data Reports, Texas Education Agency

Discussion of Baseline Data:

Although the preschool placement data may indicate concerns with least restrictive environment, the data does not provide a full understanding of the many factors associated with this issue. 21,893 of preschool students (52.67%) are coded "Itinerant Services Outside of the Home." In PEIMS, the code "Itinerant Services Outside of the Home" does not indicate a specific instructional setting; it is used to denote services provided less than five days a week and/or less than two hours per day. An example of the use of this code is for students receiving speech therapy services only. Of the 21,893 preschool students coded "Itinerant Services Outside of the Home," 99% have speech impairments.

FFY	Measurable and Rigorous Targets
2005 (2005-2006)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the baseline year's data.
2006 (2006-2007)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the previous year's data.
2007 (2007-2008)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the previous year's data.
2008 (2008-2009)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the previous year's data.
2009 (2009-2010)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the previous year's data.
2010 (2010-2011)	The percent of preschool children with IEPs who received special education and related services in the Early Childhood setting will increase by 1.65% above the previous year's data.

Improvement Activities/Timelines/Resources:

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

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

Continuous improvement efforts concerning AGC are supported through the following Region 20 ESC decentralized function leadership:

Preschool LRE Initiative

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

Early Childhood Special Education Network

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

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

District-Level Data Collection and Reporting

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

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

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

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

Measurement:

A. Positive social-emotional skills (including social relationships):

- a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100.
- b. Percent of preschool children who improve functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100.
- c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy)

- a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100.
- b. Percent of preschool children who improved functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100.
- c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

- a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100.
- b. Percent of preschool children who improved functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100.
- c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100.

If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.

Overview of Issue/Description of System or Process:

Data Collection Activities for Baseline and Measurable Targets for FFY 2007 APR:

In order to address the requirements of this newly revised indicator; the state must develop and administrate a new data collection system to measure the outcomes for preschool-aged children receiving services through the Preschool Program for Children with Disabilities.

Based upon the specifics designated within this indicator and the requirements to report data for all local education agencies (LEAs), the State will apply the ECO Center's *ECO Summary Form* model as a method for developing an Early Childhood Outcomes Measurement System. This form is a template which allows LEA staff to record multiple sources of assessment information regarding a student's level of functioning in each of the prescribed outcome areas. The form also serves as a template for converting individualized assessment data into a consistent system for statewide reporting. An example of the ECO Summary Form is located on the ECO Center's website at www.fpg.unc.edu/~eco/pdfs/co_form_7pt.pdf.

Comprehensive details regarding the parameters of the ECO Summary form model are presented within the *Overview of the Child Outcomes Summary Form* (12.1.05) available on the ECO Center's website at www.fpg.unc.edu/~eco/pdfs/co_overview.pdf.

The State will follow the sampling procedures defined by the U.S. Department of Education Office of Special Education Programs (OSEP). A representative sample will initiate the development of a statewide data collection system and provide baseline data. Based on feedback regarding an analysis of the sampled population, improvement efforts will be applied to the data collection process on an ongoing basis. The sampling system described in the original SPP and approved by OSEP is as follows:

- In addition to the 14 largest LEAs with Average Daily Membership (ADM) over 50,000 students, LEAs will be sampled each year so that all LEAs will report within the time span of the State Performance Plan.
- All LEAs will be required to report data through an online data reporting system. LEAs with an *N* size less than 30 students will report on all students.
- To ensure accurate representation of LEAs within the state in order to report state level data, the following demographic strata will be used: gender, race/ethnicity, age, disability category. In addition, Selection of LEAs will continue to be representative of the State based on district size and geographical region.
- To ensure accurate representation within an LEA in order to report LEA level data, the following demographic strata will be used: gender, race/ethnicity, age, disability category.
- Both pre- and post-assessment data will be collected through a representative stratified sampling of the selected LEAs. All LEAs will report data through an online data reporting system.
- Data will be reported at the state and LEA level on an annual basis within the time span of the State Performance Plan. However, LEAs with an ADM determined to be small enough to result in the disclosure of personally identifiable information about individual children or where the data is insufficient to yield statistically reliable information will not be reported.
- The TEA will collaborate with the statewide Regional Education Service Centers to ensure accurate and timely submission of required data from LEAs through an online data reporting system.

The State is currently developing the data collection mechanism to incorporate the specifics of this new indicator. The State will develop and employ a statewide data collection system to meet the specific requirements of the State Performance Plan. This system will be designed to facilitate improvement at the statewide, regional, and district level. Training for use of the data system will be an integral part of the statewide training process for data collection on this indicator. Based on the time needed to develop the

data collection system and the nature of the indicator, data must be collected at two points in the school year, data can not be collected until the 2007-2008 school year.

Baseline Data for FFY 2005 (2005-06):

Baseline data will be provided in the FFY 2007 APR due February 2009.

Discussion of Baseline Data:

Not applicable

FFY	Measurable and Rigorous Target
2005 (2005-06)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.
2006 (2006-07)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.
2007 (2007-08)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.
2008 (2008-09)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.
2009 (2009-10)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.
2010 (2010-11)	Measurable and rigorous targets will be provided in FFY 2008 APR due February 1, 2009.

Improvement Activities/Timelines/Resources:

- Based on the challenges associated with developing a new data collection system for this indicator, the state will implement the following activities:
 - Completion of development of data collection system.
 - Training on the use of the ECO Summary Form will be delivered to the Education Service Center (ESC) Preschool Specialists Spring 2007.
 - Training for district staff by ESCs will occur late spring/summer 2007.
 - Data collection fall 2007 and spring 2008.
 - Reported in the 2009 APR.

Early Childhood Special Education Network

The TEA and Early Childhood Special Education contacts from each ESC will continue to serve as sources of guidance, leadership, and resources for the continued improvement of services for preschool students with disabilities. The ESCs provide a variety of training, technical assistance, and support for preschool educators. This includes, but is not limited to, curriculum development, teaching strategies, and specialized instruction. Each ESC conducts a needs assessment process to determine specific offerings within their region. When available, early childhood outcome data will also be included the State's needs assessment process.

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

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

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.

Overview of Issue/Description of System or Process:

Data Collection Activities for Baseline and Measurable Targets for FFY 2006 APR:

During the Texas Self Assessment in 2000, Family Involvement was identified as an area of improvement for the state. Although the State had many entities providing training, support, and technical assistance to parents of students with disabilities, there was no systematic process of coordination. Additionally, there was very little data available in this area which contributed to the difficulties of understanding the issues and identifying methods to measure improvement.

Region 9 Education Service Center is the statewide lead for Parent Coordination. The ESC is responsible for coordinating with all other regions to develop a statewide Parent Coordination network. The purpose of the 20-region network is to ensure ongoing communication among ESCs regarding state-level needs assessments, program planning and implementation, evaluation of statewide activities, and training regarding parent coordination.

The Parent Coordination Network is committed to ensuring that parents of students with disabilities receive accurate and timely information to assist them in making informed choices in their child's education. The Network has identified the following priorities: joint training opportunities for parents and educators, collaboration with other parent training entities, and technical assistance to parents and school district personnel in the area of special education.

In 2002, the Texas Education Agency (TEA) in conjunction with the Parent Coordination Network, conducted a survey of parental understanding of special education issues. A total of 54 items, or questions, were included in surveys distributed to a sample of parents in all local education agencies (LEAs). Surveys were provided in English and Spanish.

The sampling plan utilized for the distribution of this survey was representative of student groups, disability categories, local education agency size, and geographic area. Of the 32,000 surveys distributed, slightly less than 20 percent were returned in a usable form. The structured data were analyzed along with approximately 2,000 open-ended responses. A comprehensive report was produced and distributed statewide. The results were also posted on the Region 9 ESC website at www.esc9.net/survey/.

Development of New Survey

In 2005, the Parent Coordination Network, consisting of a representative from each of the 20 regional ESCs, reviewed questions from the National Center for Special Education Accountability Monitoring (NCSEAM) parent survey and the Statewide Survey of Parents of Students with Disabilities Receiving Special Education Services. State Performance Plan (SPP) Indicator 8 was reviewed and discussed. The

network members recommended the survey questions reflect both surveys. A separate survey development committee was formed to create the questions. Details regarding the development of the survey are available in the SPP 2005-2010 found at <http://www.tea.state.tx.us/special.ed/spp/>.

In the fall of 2006, the State conducted a limited distribution of the parent and principal surveys. The purpose for this limited survey distribution was to ensure the survey met the needs of the State and to provide data for the 2007 SPP. A copy of the survey is included in Appendix A. The sampling plan for the survey distribution beginning in the spring of 2007 is included in the original SPP and was approved by OSEP.

Sampling Plan

The fall 2006 limited distribution of the parent survey was used in a developmental effort to proof and refine the distribution, collection, and analysis methodology for subsequent, full-scale survey distributions. As such, a reduced group of parents were sampled (approximately 2,000) compared to the first full-scale survey scheduled for spring 2007 (12,000). 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 that enrolls 50,000 students or more must be included each year. The fall 2006 survey included 232 campuses located in 100 districts. Individual students were identified using the TEA student database.

Survey Distribution

Surveys were distributed in August 2006 to be returned by the end of September. Each survey was individually packaged with a campus name and student identified. Survey distribution procedures to parents were left up to the campuses. Every student with a home language survey indicating Spanish received both an English and a Spanish version of the survey. An addressed postage paid envelope was included with each survey as well as a contract number and e-mail address for assistance in both English and Spanish.

Findings

A total of 434 parent surveys were returned. Of these, 346 English and 57 Spanish surveys were returned in time to be included in the quantitative analyses (n=403). The overall return rate for parent surveys was approximately 24 percent. Of the 346 surveys, 204 parents also provided answers to the open-ended questions. Of these, 171 provided feedback in English, and 33 responded in Spanish. A copy of the Survey of Parents of Students Receiving Special Education Services in Texas; Fall Administration, December 2006; may be found at <http://www.esc9.net/survey/texasparentsurvey06.pdf>.

Baseline Data for FFY 2005 (2005-06):

Table 2: Summary by Category

Category	Positive	Neutral	Negative
	Always Agree Yes	Sometimes Neutral	Never Disagree No
General School Issues	70.0%	21.0%	9.0%
Communication Issues	75.0%	28.1%	11.0%
Information and Understanding	81.6%	18.3%	9.3%
Teacher Issues	71.4%	26.3%	2.3%
IEP and ARD	80.1%	13.9%	6.0%
Parental Interactions	80.8%	16.6%	2.6%
Parental Actions	35.6%	24.9%	39.6%

Source: English and Spanish Fall 2006 Parent Involvement Surveys.

Discussion of Baseline Data:

A total of 24 questions from the parent survey were examined divided into seven topic specific categories. Grouping the three types of responses (Always-Never, Yes-No, and Agree-Disagree), Table 2 contains a

summary of responses within these categories. In general, with one notable exception, the responses were overall positive. The percentage of responses in the least positive category, again with one exception, was also small. This category (Parental Actions) included participation in PTA/PTO, attending training sessions, and whether special education services had helped make changes in family routines.

Regarding communications, the degree to which a parent communicates regularly with the teacher had a lower positive rating. Within the same category, there was also some disagreement whether special education services have helped the parent communicate more effectively with the people who work with their child.

The second category with the least positive ratings is related to teacher issues. When asked if the teacher understands a child's needs, quarter, 26 percent of parents responded "sometimes." On the other hand, the ratings for whether the teachers were willing to discuss a child's needs received a higher rating. Special education teachers were rated higher than general education teachers on the paired items examining implementation of IEPs. Another area that had a relatively high overall rating (General School Issues), had two items that were not highly rated. These two items related to transition from high school.

Overall, parent open ended survey parallels the responses received in the structures survey. Parents that responded to the survey are overall satisfied with the services received by their children's school. Following is a list of the overall findings from parent responses.

Overall satisfaction—the majority of respondents expressed being satisfied with the special education services provided by schools.

Communication improvements, regular reports to parents—across all questions in the parent open-ended survey, one relevant concern had to do with communication between parents and the special education staff (or communication between the special education setting and the general education setting). Parents want to be kept informed and want to know how to help the academic progress of their children.

Teachers and student monitoring—though relatively few criticisms were offered with respect to teachers in the parent open-ended survey, to enhance the relationship with the special education teacher, many parents wanted more contact through progress reports, and thusly, the frequency of student progress monitoring was also brought to fore. This is similar to the communication issue already described.

More resources—Parents noted that students with disabilities need intensive services. Respondents want more resources like more student-teacher time or services outside the school day.

Three categories from the parent survey were used to set the baseline target for Indicator 8. These categories are Communication Issues; Information and Understanding; and Parental Interactions (see Table 2: Summary by Category).

Note: The data from the limited distribution of the survey was used to baseline and set targets for this indicator in order to meet the requirements of the SPP. The State will use the representative data from the spring 2007 survey distribution as baseline and set new targets for this indicator with the Texas Steering Committee prior to the submission of the 2006 APR (February 2008).

FFY	Measurable and Rigorous Target
2005 (2005-06)	Not applicable. Measurable and rigorous targets will be provided in FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2006 (2006-07)	70% 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.
2007 (2007-08)	71% 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.
2008 (2008-09)	72% 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.
2009 (2009-10)	73% 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.
2010 (2010-11)	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.

Improvement Activities/Timelines/Resources:

Spring 2007 Parent Survey Timeline

- Letters sent to Districts Announcing the Survey February 2007
- Surveys Distributed March 2007
- Surveys Returned April 2007
- Report Issued June 2007

This year a follow-up component will be added to ensure campuses have disseminated the surveys to parents.

The Parent Coordination Network (PCN) will be working closely with the Texas Project First (Families, Information, Resources, and Training) website, which can be found at <http://www.texasprojectfirst.org/>. This web site is a project of the Texas Education Agency and is committed to providing accurate and consistent information from a variety of sources to parents and families of students with disabilities.

The PCN is also developing a State Parent Training Academy to build partnerships with parent training entities in the state to ensure access to current and accurate information

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

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

Monitoring Priority: Disproportionality
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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))

Measurement:

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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A “significantly disproportionate” is defined as exceeding the 3.31 cut point for 2005-06 (see Methodology below).

Overview of Issue/Description of System or Process:

Methodology for Identifying LEAs with Disproportionate Representation of Racial and Ethnic Groups in Special Education

The State calculates and compares the percent of students with disabilities (SWD) population for a certain racial and ethnic group with a state average.

Determining the Ratio for Disproportionate Representation

The State calculates the percent of the enrolled population of students with disabilities by ethnic and racial group by LEA, and the state average for students enrolled in special education. The ratio measures the number of times the population of students with disabilities by ethnic group in an LEA over the statewide representation of students with disabilities. The State applies the same calculation for all racial and ethnic groups (White, African American, Hispanic, Native American, and Asian).

1. Calculating the Rates

Percentage of SWD in LEA by race and ethnicity category	=	$\frac{\text{\# of SWD (white) in LEA}}{\text{\# of students (white) in the LEA}}$
Example	=	$12.72\% = \frac{42}{330} * 100$

1. Calculating the Rates (continued)

State Average	=	$\frac{\text{\# of SWD enrolled statewide}}{\text{\# of students enrolled statewide}}$
Example		
11.33%	=	$\frac{511,722}{4,516,898} * 100$

2. Calculating the Ratio

Ratio	=	$\frac{\text{\% of SWD in (white) LEA}}{\text{State Average}}$
Example		
1.12	=	$\frac{12.72\%}{11.33\%} * 100$

Determining the Cut Point

The State produces a plot of all of the ratios using a *proc univariate normal plot*. Based on the plot, LEAs that have ratios within the 95 percentile area are considered to have statistically proportional populations of students with disabilities. The LEAs with ratios that are over the 95 percentile area (remaining 5%) may be considered to have a disproportionate population of students with disabilities by certain racial and ethnic groups.

Data Cut Points

	Cut Point
2005-06	> 3.31 (at over 95%)

Baseline Data for FFY 2005 (2005-06):

	2005-06
a. # of districts with disproportionate representation	25
b. Total LEAs	1242
Calculation: $a / b * 100$	2.0%

Source: Public Education Information Management System (PEIMS) Datasets

Note: In applying the methodology described in this indicator, 25 districts were identified as having a potential disproportionate representation. This methodology did not factor in districts with small student populations (minimum “n” size of 30 students enrolled in the LEA). For 2005-06, an additional 141 districts with small student populations will receive further review to determine if disproportionate representation exists.

Discussion of Baseline Data:

Twenty-five districts were identified with a potential disproportionate representation of students with disabilities by any racial and ethnic category (White, African American, Hispanic, Asian, and Native American). Note: Caution must be used in the analysis of student data from the 2005-06 school year as a result of the influx of students from Gulf States impacted by Hurricanes Katrina and Rita.

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

FFY	Measurable and Rigorous Target
2005 (2005-06)	0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2006 (2006-07)	0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2007 (2007-08)	0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

FFY	Measurable and Rigorous Target
<p>2008 (2008-09)</p>	<p>0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p>
<p>2009 (2009-10)</p>	<p>0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p>
<p>2010 (2010-11)</p>	<p>0% of districts have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p>

Improvement Activities/Timelines/Resources:

The improvement activities related to decreasing the disproportionate representation of students with disabilities in special education are interrelated to several other indicators in the State Performance Plan (SPP) and 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 disproportionality indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation) of the FFY 2005 APR submission.

The Texas Education Agency (TEA) has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System to identify and select for interventions those LEAs whose data indicate significant patterns of disproportionality identification of African American and Hispanic students as eligible to receive special education services. Each LEA is evaluated annually against established criteria to determine whether such data patterns exist.

LEAs reflecting a disproportionate data pattern are required to conduct a comprehensive focused data analysis and engage in improvement planning regarding their patterns of disproportionate identification.

LEAs are required to review their policies, practices, and procedures used in general education, including student support interventions such as tutorial, remedial, compensatory, response to intervention and other academic or behavior support services, special education screening and referral practices, identification (eligibility determination) and placement, to ensure that the policies, practices, and procedures are in compliance with federal regulation. Additionally, LEAs should review their professional development related to this area for general and special education teachers and administrators.

LEAs must publicly report any changes to policies and procedures, including operating guidelines and practices.

LEAs are required to correct any noncompliance items as soon as possible, but in no case may the evidence of compliance take longer than one calendar year from the date of identification of noncompliance.

The TEA engages in ongoing follow-up with and monitors the progress of LEAs in implementing required improvement activities and achieving desired results in this area. Information on the PBM system is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

In spring 2007, the State will compare the data from the relevant indicators in the monitoring system with the similar indicators in the SPP and APR to determine which, if any, LEAs have significant disproportionality based on race and ethnicity.

LEAs that are identified as having significant disproportionality based on race and ethnicity with respect to the identification of children with disabilities, the placement of children with disabilities in particular educational settings, and the incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions, are required to reserve the maximum amount of funds under section 613(f)(1) of the Act to provide EIS to children in the LEA, particularly to children in those groups that were significantly over-identified as eligible to receive special education services.

Note on MOE: Reduction of local MOE and the authority to use Part B funds for EIS are interconnected. The decisions that an LEA makes about the amount of funds that it uses for one purpose affect the amount that it may use for the other. An LEA must ensure that the amount it uses for EIS is less than the amount that may be used for local MOE reduction (50 percent of the increase in the LEA's grant from the prior year's grant).

The TEA will provide oversight and management of the LEA's use, documentation, and reporting of these funds, as well as a continued monitoring of the data associated with the area of concern.

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

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

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.

A “significant discrepancy” is defined as exceeding the cut points for specific disability categories for 2005-06 (see **Methodology** below).

Overview of Issue/Description of System or Process:

Methodology for Identifying LEAs with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability Categories

The State calculates and compares the percent of students with disabilities (SWD) population by local education agency (LEA), race/ethnicity, and specific disability categories with a state average:

- Autism (AU)
- Emotional Disturbance (ED)
- Learning Disability (LD)
- Mental Retardation (MR)
- Other Health Impaired (OHI)
- Speech Impaired (SI)

Determining the Ratio for Disproportionate Representation

The State calculates the percent of the enrolled population of students with disabilities by ethnic and racial group by LEA, and the state average for students enrolled in special education. The ratio measures the number of times the population of students with disabilities by ethnic group in an LEA over the statewide representation of students with disabilities. The State applies the same calculation for all racial and ethnic groups (White, African American, Hispanic, Native American, and Asian).

1. Calculating the Rates

A. Percentage of SWD in LEA by race and ethnicity category by specific disability category	=	$\frac{\text{\# of SWD (AA, MR) in LEA}}{\text{\# of students (AA) in LEA}}$
Example		
8.23%	=	$\frac{7}{85} \times 100$

B. State Average	=	$\frac{\text{\# of SWD (MR) enrolled statewide}}{\text{\# of students enrolled statewide in LEAs with MR populations}}$
Example		
0.78%	=	$\frac{30,528}{3,869,829} \times 100$

2. Calculating the Ratio

Ratio	=	$\frac{A}{B}$
Example		
9.48	=	$\frac{8.23\%}{0.78\%} \times 100$

Determining the Cut Point

The State produces a plot of all of the ratios using a *proc univariate normal plot*. Based on the plot, LEAs that have ratios within the 95 percentile area are considered to have statistically proportional populations of students with disabilities. The LEAs with ratios that are over the 95 percentile area (remaining 5%) may be considered to have a disproportionate population of students with disabilities in any racial and ethnic groups by specific disability categories.

Data Cut Points by Disability

AU	> 6.69 (at over 95%)	MR	> 6.91 (at over 95%)
ED	>15.61 (at over 95%)	OHI	> 6.81 (at over 95%)
LD	> 4.51 (at over 95%)	SI	> 4.39 (at over 95%)

Baseline Data for FFY 2005 (2005-06):

	2005-06
a. # of districts with disproportionate representation	81
b. Total LEAs	1242
Calculation: $a / b * 100$	6.52%

Source: Public Education Information Management System (PEIMS) Datasets

Note: In applying the methodology described in this indicator, 81 districts were identified as having a potential disproportionate representation. This methodology did not factor in districts with small student populations (minimum “n” size of 30 students enrolled in the LEA). For 2005-06, an additional 388 districts with small student populations will receive further review to determine if disproportionate representation exists.

Discussion of Baseline Data:

81 districts were identified with a potential disproportionate representation of students with disabilities by any racial and ethnic category (White, African American, Hispanic, Asian, and Native American) in a specific disability category (Autism (AU), Emotional Disturbance (ED), Learning Disability (LD), Mental Retardation (MR), Other Health Impaired (OHI), and Speech Impaired (SI).

Note: Caution must be used in the analysis of student data from the 2005-06 school year as a result of the influx of students from Gulf States impacted by Hurricanes Katrina and Rita.

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

FFY	Measurable and Rigorous Target
2005 (2005-06)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2006 (2006-07)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2007 (2007-08)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2008 (2008-09)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

FFY	Measurable and Rigorous Target
2009 (2009-10)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2010 (2010-11)	0% of districts have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Improvement Activities/Timelines/Resources:

The improvement activities related to decreasing the disproportionate representation of students with disabilities in special education are interrelated to several other indicators in the State Performance Plan (SPP) and 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 disproportionality indicator. Specific improvement activities related to these areas include all the activities listed in Indicator 1 (Graduation).

The Texas Education Agency (TEA) has developed and implemented a selection and review process through the Performance-Based Monitoring (PBM) System to identify and select for interventions those LEAs whose data indicate significant patterns of disproportionality identification of African American and Hispanic students as eligible to receive special education services. Each LEA is evaluated annually against established criteria to determine whether such data patterns exist.

LEAs reflecting a disproportionate data pattern are required to conduct a comprehensive focused data analysis and engage in improvement planning regarding their patterns of disproportionate identification.

LEAs are required to review their policies, practices, and procedures used in general education, including student support interventions such as tutorial, remedial, compensatory, response to intervention and other academic or behavior support services, special education screening and referral practices, identification (eligibility determination) and placement, to ensure that the policies, practices, and procedures are in compliance with federal regulation. Additionally, LEAs should review their professional development related to this area for general and special education teachers and administrators.

LEAs must publicly report any changes to policies and procedures, including operating guidelines and practices.

LEAs are required to correct any noncompliance items as soon as possible, but in no case may the evidence of compliance take longer than one calendar year from the date of identification of noncompliance.

The TEA engages in ongoing follow-up with and monitors the progress of LEAs in implementing required improvement activities and achieving desired results in this area. Information on the PBM system is available on the TEA website at <http://www.tea.state.tx.us/pbm> (PBMAS Manual) <http://www.tea.state.tx.us/pmi> (Interventions).

In spring 2007, the state will compare the data from the relevant indicators in the monitoring system with the similar indicators in the SPP and APR to determine which, if any, LEAs have significant disproportionality based on race and ethnicity.

LEAs that are identified as having significant disproportionality based on race and ethnicity with respect to the identification of children with disabilities, the placement of children with disabilities in particular educational settings, and the incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions, are required to reserve the maximum amount of funds under section 613(f)(1) of the Act to provide EIS to children in the LEA, particularly to children in those groups that were significantly over-identified as eligible to receive special education services.

Note on Maintenance of Effort (MOE): Reduction of local MOE and the authority to use Part B funds for EIS are interconnected. The decisions that an LEA makes about the amount of funds that it uses for one purpose affect the amount that it may use for the other. An LEA must ensure that the amount it uses for EIS is less than the amount that may be used for local MOE reduction (50 percent of the increase in the LEA's grant from the prior year's grant).

The TEA will provide oversight and management of the LEA's use, documentation, and reporting of these funds, as well as a continued monitoring of the data associated with the area of concern.

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

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

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).

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

Measurement:

- | |
|--|
| <ul style="list-style-type: none"> a. # of children for whom parental consent to evaluate was received. b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline). c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline). |
|--|

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

<p>Percent = b + c divided by a times 100.</p>
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Overview of Issue/Description of System or Process:

In accordance with Texas Education Code (TEC) §29.004, a written report for a full individual and initial evaluation of a student for purposes of special education shall be completed not later than 60 calendar days following the date on which the local education agency (LEA) receives written consent for the evaluation signed by the student's parent or legal guardian. This timeline requirement is explained and detailed in a variety of publications and materials available statewide. Education service centers (ESCs) routinely provide training to districts, parents, and communities regarding compliance timelines.

As stated in the overview of this document, the State has not previously collected statewide data from LEAs in regard to this indicator and is in the process of developing a data collection system. For the purposes of reporting data for this SPP, the OSEP provided guidance to the state to use any existing data related to the indicators. The information included below is data available through the Performance-Based Monitoring System (PBMS). The sample size for this submittal includes districts identified in the Performance-Based Monitoring Analysis System (PBMAS) at a compliance review level. This data includes information related to meeting evaluation timelines for students found eligible for special education services. As this data is not in direct alignment with the indicator the state will not baseline this indicator until the 2007 APR.

	2005-06
Number of LEAs in Intervention	701
Number of LEAs with noncompliance issues identified related to Indicator 11	4

Source | Texas Education Agency, State Supervision Data

Note: Three of the four LEAs addressed and corrected individual and systemic noncompliance within one year. The LEA with continued noncompliance was assigned a special purpose monitor to be paid for by the LEA (as noted in 2005 APR Indicator 15).

Data Collection Activities for Baseline and Measurable Targets for FFY 2006 APR:

Texas is currently developing a data collection mechanism for this indicator. The State plans to develop and employ a statewide data collection system to incorporate the specific requirements of the State Performance Plan. Due to the time needed for the development of this system, the 2006-2007 collection will be conducted in the 14 largest LEAs with average daily membership (ADM) over 50,000 students using a representative sample. In 2007-2008 all districts in the state will report a representative sample for this indicator. The system will be designed to facilitate improvement at the statewide, regional, and district level. Training for use of the data system will be an integral part of the statewide training process for data collection on this indicator.

Baseline Data for FFY 2005 (2005-06):

Baseline data will be provided in the FFY 2006 APR due February 2008.

Discussion of Baseline Data:

Not Applicable

FFY	Measurable and Rigorous Target
2005 (2005-06)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.
2006 (2006-07)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.
2007 (2007-08)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.
2008 (2008-09)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.
2009 (2009-10)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.
2010 (2010-11)	100% of children with parental consent to evaluate, are evaluated and eligibility determined within 60 days.

Improvement Activities/Timelines/Resources:

Improvement planning in the area of Evaluation is led for the state by Region 12 Education Service Center (ESC). This ESC is responsible for coordinating with all 20 regions to develop a statewide evaluation network. The network provides guidance in regard to eligibility requirements for special education services. This guidance includes an ongoing focus on timelines and other requirements associated with Child Find responsibilities. The guidance will be made available statewide.

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

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

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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))

Measurement:

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

Account for children included in a but not included in b or c. Indicate the range of days beyond the third birthday when eligibility was determined and reasons for the delays.

Percent = c divided by a – b times 100.

Overview of Issue/Description of System or Process:

Texas recognizes the importance of facilitating a timely and effective transition from Part-C early childhood intervention services into Part-B early childhood special education services for eligible students. Initiated by the State's Self-Assessment in 2000, and the accompanying improvement planning phase of the Office of Special Education Programs (OSEP) Continuous Improvement Monitoring Process (CIMP), a joint task force consisting of both Part-C early childhood intervention (ECI) and Part-B early childhood special education stakeholders was formed in February of 2001. The primary goal of this task force of interagency representatives was to address the cooperative responsibilities of assuring a smooth, effective, and well-timed interagency transition process.

Through the Texas Continuous Improvement Process (TCIP) this task force has evolved into what is currently the Early Childhood Transition (ECT) Improvement Planning Group. The ECT Improvement Planning Group continues to serve as a source for advisement in the area of early childhood transitioning and preschool education.

Guidance and accompanying training and technical assistance efforts which have been initiated as a result of the Texas Continuous Improvement Process include:

- The development of a state level interagency memorandum of understanding (MOU) between the Texas Education Agency and the Texas Department of Assistive and Rehabilitative Services Division of Early Childhood Intervention. The Early Transition MOU is available on the TEA website at <http://www.tea.state.tx.us/special.ed/mou/etmou.html>.
- The development of multiple frameworks for local level interagency MOUs between the local education agencies (LEAs) and local ECI programs.
- *Beyond ECI*, family-focused document addressing the stages of transitioning from ECI to Part-B services appropriate for the individual needs of a child. The *Beyond ECI* document is available in English and in Spanish versions on the TEA website at <http://www.tea.state.tx.us/special.ed/>.

As stated in the overview of this document, the State has not previously collected statewide data from LEAs in regard to this indicator and is in the process of developing a data collection system. For the purposes of reporting data for this SPP, the OSEP provided guidance to the state to use any existing data related to the indicators. The information included below is data available through the Performance-Based Monitoring System (PBMS). The sample size for this submittal includes districts identified in the Performance-Based Monitoring Analysis System (PBMAS) at a compliance review level. This data includes information related to effective provision of services for all eligible students upon their third birthday. As this data is not in direct alignment with the indicator the state will not baseline this indicator until the 2007 APR.

	2005-06
Number of LEAs in Intervention	701
Number of LEAs with noncompliance issues identified related to Indicator 12	0

Source | Texas Education Agency, State Supervision Data

Data Collection Activities for Baseline and Measurable Targets for FFY 2005 APR:

Texas is currently developing a data collection mechanism for this indicator. The state plans to develop and employ a statewide data collection system to incorporate the specific requirements of the State Performance Plan. Due to the time needed for the development of this system, the 2006-2007 collection will be conducted in the 14 largest LEAs with average daily membership (ADM) over 50,000 students using a representative sample. In 2007-2008 all districts in the state will report a representative sample for this indicator. The system will be designed to facilitate improvement at the statewide, regional, and district level. Training for use of the data system will be an integral part of the statewide training process for data collection on this indicator.

Discussion of Baseline Data:

Texas will collect and review data regarding the provision of services for all three year olds found eligible for Part-B services. Current and future data collection and improvement activities will center not only on the effective transitioning of students between Part-C and Part-B services, but also the effective provision of services for all eligible students upon their third birthday.

FFY	Measurable and Rigorous Target
2005 (2005-06)	100% of eligible children will have IEPs in place by their 3 rd birthday.
2006 (2006-07)	100% of eligible children will have IEPs in place by their 3 rd birthday.
2007 (2007-08)	100% of eligible children will have IEPs in place by their 3 rd birthday.
2008 (2008-09)	100% of eligible children will have IEPs in place by their 3 rd birthday.
2009 (2009-10)	100% of eligible children will have IEPs in place by their 3 rd birthday.
2010 (2010-11)	100% of eligible children will have IEPs in place by their 3 rd birthday.

Improvement Activities / Timelines / Resources:

Texas recognizes that young children learn in similar ways throughout the early years and the key to effective services is best accomplished through ensuring continuity in certain key elements that characterize all good early childhood programs. We will ensure continuous and effective services throughout the early years, through the systematical establishment of relationships with multiple frameworks of understanding between the LEAs and local early childhood intervention (ECI) programs.

Alignment of Guidance Documents with Reauthorization of IDEA (2004)

- The MOU between the TEA and the Texas Department of Assistive and Rehabilitative Services Division of ECI and the *Beyond ECI* document will be revised to reflect changes in both Federal Regulations and Commissioner's Rules. Upon revision, the guidance documents will be posted to the web and disseminated statewide through the ESCs to all districts and community agencies.
- *Key Elements of an Effective Early Childhood Transition (KEET)*
The [KEET] document, a companion resource to the family-focused guidance document, *Beyond ECI*, will address the key elements of an effective early childhood transition process at the local level. When final, the *KEET* will be posted to the web and disseminated statewide through the ESCs to all districts and community agencies.

Improvement activities associated with this indicator will be ongoing through the 2010-2011 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 aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

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

Measurement:

Percent = # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals divided by # of youth with an IEP age 16 and above times 100.

Overview of Issue/Description of System or Process:

Secondary transition and the associated requirements have been an identified area of improvement in the Texas Continuous Improvement Process (TCIP) for several years. In addressing this issue the Texas Education Agency (TEA) has worked closely with the Secondary Transition ESC Leadership at Region 11 Education Service Center (ESC) and the associated 20-region network. The purpose of the ESC Transition Network is to ensure that secondary students who receive special education services successfully transition from high school to post-school activities.

Transition goals are supported through activities of the statewide Secondary Transition Network. Professional development for network members included training by a national consultant on creating a statewide system to address transition issues. Network members provided training for districts on transition processes, specifically those related to new reporting requirements. Regional activities also included training events for parents and students to enable their full participation in the transition process.

As stated in the overview of this document, the State has not previously collected statewide data from LEAs in regard to this indicator and is in the process of developing a data collection system. For the purposes of reporting data for this SPP, the OSEP provided guidance to the state to use any existing data related to the indicators. The information included below is data available through the Performance-Based Monitoring System (PBMS). The sample size for this submittal includes districts identified in the Performance-Based Monitoring Analysis System (PBMAS) at a compliance review level. This data includes information related to IEPs that include coordinated, measurable, annual IEP goals and transition services. As this data is not in direct alignment with the indicator the state will not baseline this indicator until the 2007 APR.

	2005-06
Number of LEAs in Intervention	701
Number of LEAs with noncompliance issues identified related to Indicator 13	1

Source | Texas Education Agency, State Supervision Data

Note: The LEA did not address and correct the identified noncompliance issue within one year. The LEA with continued noncompliance was assigned a special purpose monitor to be paid for by the LEA (as noted in 2005 APR Indicator 15).

Data Collection Activities for Baseline and Measurable Targets for FFY 2007 APR:

Texas is currently developing a data collection mechanism for this indicator. Texas plans to develop and employ a statewide data collection system to incorporate the specific requirements of the State Performance Plan. Due to the time needed for the development of this system, the 2006-2007 collection will be conducted in the 14 largest LEAs with average daily membership (ADM) over 50,000 students using a representative sample. In 2007-2008 all districts will report a representative sample for this indicator. The system will be designed to facilitate improvement at the statewide, regional, and district level. Training for use of the data system will be an integral part of the statewide training process for data collection on this indicator.

Baseline Data for FFY 2005 (2005-06):

Baseline data will be provided in the FFY 2006 APR due February 2008.

Discussion of Baseline Data:

Not Applicable

FFY	Measurable and Rigorous Target
2005 (2005-06)	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 post-secondary goals.
2006 (2006-07)	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 post-secondary goals.
2007 (2007-08)	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 post-secondary goals.
2008 (2008-09)	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 post-secondary goals.
2009 (2009-10)	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 post-secondary goals.
2010 (2010-11)	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 post-secondary goals.

Improvement Activities/Timelines/Resources:

Secondary Transition

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

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

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

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

Measurement: 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) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

Data Collection Activities for Baseline and Measurable Targets for FFY 2005 APR:

Texas Effectiveness Study Post-School Survey

The importance of measuring post-school outcomes has been a priority in Texas for several years. In 1990, the TEA began a Special Education Effectiveness Study. The coordination of this project was decentralized to ESC, Region XI, in 1995. Several studies have been done over the years to look at the effectiveness of special education in preparing youth with disabilities for life after high school. After the Texas Self Assessment in December 2000, it was apparent that the project needed to be retooled in order to provide the relevant information and the sampling representation to address statewide needs in the continuous improvement process. A large allocation of resources was directed to the project to ensure integrity and reliability.

The primary purpose of the current Texas Effectiveness Study is to provide a clear measure of post-school results of youth with disabilities as they transition from high school to adult life. The information collected through the study is intended to assist with decisions made at the state and local level necessary to improve policy and practices leading to successful post-school outcomes for students served under IDEA.

Current Activities:

- In order to build upon the knowledge collected from previous studies and to meet future needs for continuous sources of data, an ongoing system for collecting post-school outcome data was created.
- Annually, the system begins with the administration of a Grade-12 Exit Survey succeeded by the administration of a Post-School Survey within the first year of exiting high school in order to gather information about employment, independent living, social/recreation/leisure activities, and participation in post-secondary education/training. A second Post-School Survey is administered two years after exiting high school.
- Qualitative case studies are conducted on a select number of former students annually.
- An electronic, non-static, state level program evaluation report utilizing PEIMS and other data sources within TEA (Special Education Supplemental Report) is currently under development. <https://www.texaseffectiveness.net/sesr/>

- Statewide dissemination of information involves, but is not limited to, annual reports, conference presentations, technical assistance provision, information posted to the listserv, and continuing refinement of a collaborative website venture with the statewide leadership for the High School Transition Function.
- Collaborative program development and program evaluation meetings are conducted with the TES mini-grant "Action" committee and the TES workgroup.

Additional information regarding the Texas Effectiveness Study may be found at <http://www.esc11.net/TES>.

The Current Statewide Sample

In the state of Texas the total student enrollment exceeds 4.3 million students. The total graduates for the class of 2003 equaled 238,109 of which 23,626 or 9.9% were special education graduates (<http://www.tea.state.tx.us/perfreport/aeis/2004/state.html>). Every year approximately 10% of the exiting special education population and 1% of the exiting general education population are included in the Texas Effectiveness Study (TES) statewide sample. Stratified random sampling methods will be applied to the special education sample of students using the variables primary disability, gender, ethnicity, and region, representative of percentages at the state level for each population. The general and special education student samples have matched sample distributions on the variables gender, ethnicity, and region/community type. Every exiting or grade 12 population of students will be sampled on an annual basis. Once a year districts will be notified of their participation in the statewide sample. The statewide sample is completed by selecting students from both the special education and general education exiting or grade 12 populations. The information supplied to the TES for student sampling and identification comes from the fall attendance information for the previous year supplied through PEIMS by the Information Analysis Division at TEA.

Sampling Methodology

Based on 2003-2004 grade 11 fall enrollment data, an initial demographic profile was identified for the statewide special education population. Since comparable data is also collected through the TES, the PEIMS request included records for all students included in the fall enrollment. The total number of students enrolled was 267,682 of which 32,054 were students identified with disabilities. The special education sample was purposefully executed to be a representative sample of the statewide demographics for the exiting special education population in the areas of primary disability, gender, ethnicity, and region.

Sample Size and Selection

The initial sampling plan proposed utilizing approximately 10% of the exiting special education population in the statewide sample. Based on the class of 2003, there were 23,626 special education graduates which would translate to a sample of approximately 2,363 individuals.

If a simple random sample were drawn from the population of exiting special education students using a 95% confidence level and a confidence interval of 4, only 589 individuals would be needed for the sample. A stratified random sampling procedure was used to identify individuals for the statewide sample using the variables primary disability, gender, ethnicity, and region. The disability categories Auditory Impairment and Visual Impairment were over-sampled and the category Learning Disabled was purposefully under-sampled. No students were assigned the disability category Speech Impaired. The rationale for this decision was based on the observation from the IEP folder review project that, generally, students with (09) Speech Impairment in elementary school go back to the ARD Committee for a disability determination some time before reaching secondary grades and are either dismissed from speech services or there is a change in eligibility status from 09 to Learning Disability, etc. **The total sample size for the Statewide Special Education 04-05 TES project year was 2,665** (Based on a population size of 32,054 and a population percentage of 9%, the sample size of 2,665 at a confidence level of 95% yields a confidence interval of +/-1). Once individual students were randomly assigned via the random stratified sampling process, a list of each student's corresponding region, district and campus was

generated. The stratified sample ensures that all disability categories are represented in the sample and they are represented in “meaningful” numbers.

Sampling Bias

A sample stratified by primary disability, ethnicity, and gender is likely to be more representative than a random sample; that is, a stratified sample will have a lower sampling error or a higher confidence level. By using students as the primary unit for sampling (instead of district or campus), there is less bias (i.e. error) introduced in the selection process.

General Education Sample

The general education sample matched the special education sampling strata for gender and ethnicity. Individual students were randomly identified at the district level to match the same districts/campuses chosen for the special education sample.

Survey Process

The Texas Effectiveness Study project developed two distinct surveys to gather information directly from students.

- The Grade-12 Exit Survey, administered before a cohort graduates or leaves high school, 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 same cohort for two consecutive years following high school, obtains information about where these former high school students study, work, live, and spend their free time.

After two administrations of the Post-School Survey, data collection will cease. The rationale for this decision is based on historical evidence that the attrition rate for conducting post-school follow-up increases dramatically after the second year and the cost benefit for continuing past this time is counterproductive. The procedures outlined above will be followed annually, for each exiting cohort of students, to include both the **general and special education samples**, in order to provide comparable data.

Baseline Data for FFY 2005 (2005-06):

Not Applicable

Discussion of Baseline Data:

Not Applicable

FFY	Measurable and Rigorous Target
2005 (2005-06)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.
2006 (2006-07)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.

FFY	Measurable and Rigorous Target
2007 (2007-08)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.
2008 (2008-09)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.
2009 (2009-10)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.
2010 (2010-11)	Measurable and rigorous targets will be provided in FFY 2006 APR due February 1, 2008.

Improvement Activities/Timelines/Resources:

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

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification:

- a. # of findings of noncompliance made related to monitoring priority areas and indicators.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = b divided by a times 100.

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

B. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification:

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

Percent = b divided by a times 100.

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

C. Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification:

- a. # of agencies in which noncompliance was identified through other mechanisms.
- b. # of findings of noncompliance made.
- c. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = c divided by b times 100.

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

Overview of Issue/Description of System or Process:

2003-2004 Transition Year for Monitoring

Under the previous state monitoring system, approximately 165 local education agencies (LEAs) were scheduled to receive on-site visits in 2003-2004 based on a cycle system. Instead, these LEAs participated in the special education monitoring plan for 2003-2004. See flowchart of the 2003-2004 special education monitoring plan at <http://www.tea.state.tx.us/taa/comm020204a2.ppt>.

Under the special education monitoring plan for 2003-2004, graduated levels of intervention were implemented based on risk levels as determined by updated Data Analysis System (DAS) calculations. In addition to the 165 LEAs, a limited number of other LEAs were identified for intervention based on risk levels as reflected in DAS. Special education interventions will be implemented by the Division of Program Monitoring and Interventions.

- **Stage 1 Intervention** *Public Program Performance Review*: LEAs were required to gather public input on the effective operation and performance of the special education program through community focus groups and/or surveys that address a determined set of questions. The purpose of the review was to (1) conduct a needs assessment and gather feedback from community stakeholders on the operation of the special education program; (2) identify areas in need of improvement; (3) inform the process through the local review of student and program data; and (4) develop a continuous improvement plan (CIP) detailing results, measures, activities, resources, timelines, and follow-up activities should the timelines or results not be met. The Texas Education Agency (TEA) Division of Program Monitoring and Interventions reviewed the findings and CIP according to the decision-making flowchart.

More information on this stage of intervention is available on the TEA website at <http://www.tea.state.tx.us/pmi/spedmon/2004/pppr.html>

- **Stage 2 Intervention** *Focused Data Analysis and Public Program Performance Review*: The activities in the Stage 1 Intervention were conducted. Additionally, LEAs were required to conduct a data analysis and program review to determine factors contributing to DAS results outside the Stage 1 parameters and include results of the review in the CIP.

More information on this stage of intervention is available on the TEA website at <http://www.tea.state.tx.us/pmi/spedmon/2004/fda.html>

- **Stage 3 Intervention** *Focused Data Analysis and Public Program Performance and Corrective Action Review*: The activities in the Stage 1 and Stage 2 Intervention were conducted. Additionally, LEAs were required to complete a thorough review and update on the implementation of any corrective actions resulting from 00-01, 01-02, or 02-03 DEC visits and include results in the CIP.

More information on this stage of intervention is available on the TEA website at <http://www.tea.state.tx.us/pmi/spedmon/2004/car.html>

- **Stage 4 Intervention** *Focused Data Analysis and Public Program Performance and Compliance Review*: The activities in the Stage 1 and Stage 2 Intervention were conducted. Additionally, LEAs were required to complete a review of specified compliance indicators and include results in the CIP.

More information on this stage of intervention is available on the TEA website at <http://www.tea.state.tx.us/pmi/spedmon/2004/cr.html>

The 2003-2004 special education monitoring system required LEAs to include a systemic corrective action plan in the CIP for any identified noncompliance issues discovered during any activity for the stage of intervention. Documentation of specific compliance issues was included in TEA correspondence to districts regarding the status of the program review. The procedures used by TEA reviewers required contact with district personnel for follow-up verification of procedural and systemic corrective action implementation. Summative evaluations of systemic corrective action plans occurred in the late spring and early summer of 2005.

Baseline Data for FFY 2004 (2004-05):

As a result of the 2003-04 special education monitoring process and agency review, 32 LEAs were identified with 188 specific noncompliance issues. Within one year of identification of noncompliance issues, only one LEA had five specific noncompliance issues outstanding.

$$\frac{\text{Noncompliance issues identified}}{\text{Noncompliance issue outstanding after one year of identification}} * 100 = \text{Percent}$$

$$(188 / 183) * 100 = 97.3\%$$

Discussion of Baseline Data:

A procedure for escalated interventions has been implemented for any LEA that has not demonstrated that corrective action activities and correction of noncompliance have been completed within one year. Escalated interventions initially include, but are not limited to: frequent conference calls with LEA stakeholders involved in the implementation of corrective action activities, written status reports from the LEA, submission of LEA documents verifying implementation of corrective action activities, and on-site verification of compliance. Other escalated interventions may include: required technical assistance, special investigation and/or follow-up verification visits, public hearing conducted by the local board of trustees, assignment of a special purpose monitor or conservator; hearing before the commissioner of education or designee, and/or the withholding of funds.

FFY	Measurable and Rigorous Target
2005 (2005-06)	100% compliance with requirement for correction of non-compliance within one year of identification.
2006 (2006-07)	100% compliance with requirement for correction of non-compliance within one year of identification.
2007 (2007-08)	100% compliance with requirement for correction of non-compliance within one year of identification.
2008 (2008-09)	100% compliance with requirement for correction of non-compliance within one year of identification.
2009 (2009-10)	100% compliance with requirement for correction of non-compliance within one year of identification.
2010 (2010-11)	100% compliance with requirement for correction of non-compliance within one year of identification.

Improvement Activities/Timelines/Resources:

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

- Indicator 16: Complaints Timeline
- Indicator 17: Due Process Hearing Timeline
- Indicator 18: Early Resolution Session
- Indicator 19: Mediation Agreements

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

State Supervision

In Texas, the term “state supervision” refers to the State’s responsibility for a system that ensures all eligible children with disabilities have an opportunity to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE). This system identifies and addresses deficiencies and areas of noncompliance and ensures correction in a timely manner. The functions of the state supervision system are the complaints resolution system, mediation, early resolution sessions, due process and monitoring.

Additionally, the Texas Education Agency (TEA) has implemented an internal strategy to ensure agency-wide collaboration and coordination regarding the implementation of monitoring, investigations, and interventions. When traditional methodologies fail to result in (1) improved performance of students, (2) fiscal management and/or program compliance, requiring additional interventions and/or sanctions, each division with accountability, monitoring, audit, and/or program compliance responsibilities brings the issue(s) in question to an agency-wide coordination group for discussion. This coordination group was established by the Commissioner to ensure agency-wide collaboration and coordination of (1) monitoring, (2) audits, (3) investigative, and (4) intervention and sanction activities.

The coordination group is called the Monitoring, Investigation, and Intervention Steering Committee (MIISC). The MIISC meets once a week to discuss issues that have escalated in either time and/or severity regarding student performance, fiscal management, or program compliance. The MIISC is comprised of TEA senior leadership, division directors, and division staff responsible for all agency monitoring, audits, investigations, and interventions. TEA personnel responsible for special education monitoring and oversight serve as members of MIISC.

State Supervision Data System

The State is developing a four-phase technology project that is based on the following goals:



1. Centralize and coordinate disparate data sources concerning due process hearings, mediations, complaints, performance-based monitoring activities and general correspondence.
2. Integrate and analyze data to establish district profiles.
3. Determine and analyze data-driven trends at district, regional and state levels.
4. Interact with LEAs, track intervention activities, monitor LEA progress and maintain continuous improvement plans.

In order to accomplish these goals, we have broken the tasks into four distinct, yet integrated technology applications. The four applications are detailed as follows:

1. **Special Education Ad hoc Reporting System (SPEARS):** This application is a web-based reporting tool designed to allow users the ability to access and analyze data related to special education in the state of Texas. The data provided is collected from disparate data sources throughout the agency and includes data based on the following categories:
 - a. Child Count
 - b. Instructional Setting
 - c. Disproportionality
 - d. Exit
 - e. Disciplinary Action
 - f. Extended School Year

When fully implemented, this application will provide dynamic and meaningful reports on special education data at the district, regional and state level. SPEARS can be accessed on the TEA website at <http://hancock.tea.state.tx.us/tea.spears.web/>.

2. **Dispute Resolution and Communications Management:** This web-based application is designed to centralize data related to dispute resolution issues and to general correspondence received by the department. The system will allow TEA internal users to log, track and correlate individual dispute resolution items as well as consolidate data so that district, regional and state trends can be more easily detected and analyzed. Additionally, the system will log and track general communication, including written correspondence and telephone calls, which will facilitate the creation of frequently asked questions (FAQ) and technical assistance documentation.
3. **Performance-Based Monitoring System:** This application will automate and extend the current model used for performance-based monitoring. The system will automatically determine district intervention levels based on pre-defined indicator thresholds and cut points. The system will be used to communicate these findings with districts and provide them an interface to successfully manage intervention activities and develop and maintain continuous improvement plans.
4. **State Supervision Activities:** This final stage of the project will be a combination of data analysis tools that will monitor data and alert internal users of any potential concerns and will portray the trends found at the district, regional and state levels. Additionally, the reporting tools developed in this phase will integrate data from several disparate data sources across the agency to create district profiles for internal and external use.

It will be some time before the State Supervision Activities system will be in place to provide an automated, overarching overseer of all the data collected within the applications previously described. However, the development and implementation of the Dispute Resolution Management application will allow the state to interface data from complaints, mediation, and due process with the current monitoring data system, providing the state with immediate and actionable findings.

Performance-Based Monitoring

In 2004-2005, the TEA implemented a system in which all LEAs are reviewed and evaluated every year for levels of concern related to specific program effectiveness and student performance indicators as reflected in the Performance-Based Monitoring Analysis System (PBMAS). The results of this analysis, as opposed to a cyclical schedule, are used to select LEAs for intervention.

Additionally, in 2004-2005, the activities required at each stage of intervention were revised slightly, and an additional activity, the *Program Effectiveness Review*, was added to the system of interventions. As part of the *Program Effectiveness Review*, additional data-gathering activities are implemented for identified LEAs related to establishment of LEA systems, provision of services, least restrictive environment, surrogate parents, and suspension and expulsion. The purpose of the *Program Effectiveness Review* is to point out data trends, systemic program issues, and/or areas of noncompliance with program requirements which are to be addressed through improvement planning.

Moreover, additional validation activities have been added to the system as it relates to interventions undertaken by LEAs in 2004-2005. The TEA will conduct on-site system validation and data verification activities to ensure the accuracy of data in the system and the appropriate implementation of intervention activities.

As referenced in the *Discussion of Baseline Data* section, escalated interventions are in place for LEAs with continuing noncompliance issues. Also, for the 2004-2005 monitoring year, the Texas Youth Commission (TYC) was required to engage in data-gathering activities related to the provision of related services. Citations related to 34 Code of Federal Regulations (CFR) §§300.347(a)(3); 300.350(a)(1); 300.551(a); and 300.552(b)(2) were identified, and a plan for correction was included in a required continuous improvement plan that was submitted to the agency. Agency staff will engage in frequent follow-up activities with the TYC to determine the status of corrective action activities. TYC personnel will be required to submit documentation verifying the completion of corrective action activities and corrected noncompliance.

During the 2004-2005 program year, certain LEAs also were identified with findings of noncompliance based on the investigation of a system-level least restrictive environment complaint. These LEAs were required to identify goals, activities, and timelines in a continuous improvement plan to address the complaint finding and correct the noncompliance. Additionally, agency staff members have engaged in follow-up activities, and verification and documentation of corrective actions will be required within the one-year timeline.

For more information see: <http://www.tea.state.tx.us/pmi/spedmon/2005/>.

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

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100.

Overview of Issue/Description of System or Process:

The State began improvement planning in regard to the complaint resolution process after the State's Continuous Improvement Monitoring Process (CIMP) self assessment in December 2000. The State Supervision Improvement Planning Group advised the State in the development of an improvement plan that is available on the TEA website at <http://www.tea.state.tx.us/special.ed/tcip/gs.html>.

As a result of the State's federal monitoring visit in May of 2002, the State's complaint resolution process was identified as an area of noncompliance. Specifically the monitoring report stated:

"The Complaint Resolution Process fails to meet the requirements of 34 CFR §§300.660-300.662."

Throughout the improvement planning activities associated with the state supervision system, which includes the complaints resolution system, the timeline issues were addressed. When the State submitted the Annual Performance Reports for 2002-2003 and 2003-2004, the data indicated that the State had addressed the issue of compliance with timelines.

In April of 2004, the State began to address the underlying concerns identified through continuous improvement with the complaint resolution process including, but not limited to:

- Appropriate and consistent identification and notification of complaints to the parties involved; and
- Appropriate and consistent investigations and the development of investigative reports.

Activities associated with addressing these concerns included:

- Review and revision of the complaint resolution procedures;
- Development of a process by which complaint review and identification of allegations, as well as development of the investigative report, are completed by a panel of investigators;
- Development of a process for TEA legal staff advisement in complaint investigations, when appropriate; and
- Development of an automated data collection system for managing and monitoring the complaints resolution process.

During the review and revision of the complaint resolution process, the early resolution process has been defined and developed to expand the State's complaint resolution continuum. In addition to expediting the resolution of a dispute and maintaining the requirements of the federal regulation, the local education agency has more direct involvement in reaching resolution.

All of this information and the following data was shared with the Texas Steering Committee (TSC) during the January 2006, meeting. The TSC was supportive of the activities and accomplishments associated with the complaint resolution system and looks forward to the continued positive results associated with the integrity of this system.

Baseline Data for FFY 2004 (2004-05):

Complaint Investigation Timeline, 2004-05

(1) Signed, written complaints total	485
(1.1) Complaints with reports issued	183
(a) Reports with findings	129
(b) Reports within timeline	14
(c) Reports within extended timelines	0

Source | Texas Education Agency, 2004-05 State Supervision Data

Measurement | (1.1(b) + 1.1(c)) divided by (1.1) times 100 = Percent

$$((14 + 0) / 183) * 100 = 7.6\%$$

Discussion of Baseline Data:

Due to the time intensive nature of this major overhaul and refinement of the state's complaint resolution process, the State did not complete all investigations in the sixty-day timeframe. Out of 129 investigative reports (IR) with findings, 115 were issued beyond the 60 day timeline. Due to the compromised timelines during 2004-2005, no timelines were extended (see Attachment 1).

As of December 31, 2005, all of the outstanding complaints have been resolved. Additionally, the review and revision of the complaint resolution procedures have resulted in an improved system that includes processes to ensure complaints are resolved in the 60-day timeline. The revised system includes criteria for extensions to the timeline.

FFY	Measurable and Rigorous Target
2005 (2005-06)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2006 (2006-07)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2007 (2007-08)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

FFY	Measurable and Rigorous Target
2008 (2008-09)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2009 (2009-10)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2010 (2010-11)	100% of all signed written complaints with reports issued will be resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Improvement Activities/Timelines/Resources:

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

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

The data associated with the indicators above must be considered when addressing the complaints timeline indicator. Specific improvement activities related to these areas can be found in Indicator 15.

Specific to Indicator 16, as previously stated, the concerns regarding the complaint process timelines have been addressed.

Continuous improvement activities in this area have been and will continue to be ongoing through the 2010-2011 school year. Specific plans include:

- Continued review and revision to the complaint procedures as needed to ensure a neutral, consistent, and responsive process.
- Management of complaint timelines to ensure signed written complaints will be resolved within the 60-day timelines or a timeline extended for exceptional circumstances with respect to a particular complaint.
- Continued refinement of complaint processes related to development of investigative reports, correspondence with complaint parties, and follow-up on corrective actions associated with complaints.
- TEA Division of IDEA Coordination staff members have attended trainings associated with facilitating admission, review, and dismissal (ARD) committee meetings. This information as well as the early and local dispute processes will be used to train staff at education service centers in an effort to enhance their technical assistance to local education agencies in resolving and preventing disputes.

Dispute Resolution Processes (complaints, mediation, and due process hearings):

- Beginning in January, TEA staff associated with the processes in the Dispute Resolution Processes will work with representatives from the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). The purpose of this activity is to continue our work toward an integrated approach to managing and improving state dispute resolution and agreement-reaching systems.
- Development of additional information, guidance, and resources regarding all dispute resolution processes will be added to the TEA website during the spring of 2006.

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

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent = (3.2(a) + 3.2(b)) divided by (3.2) times 100.

Overview of Issue/Description of System or Process:

In managing the State's due process hearing system, the Texas Education Agency (TEA) continuously monitors special education hearing officer (SEHO) dockets to assure compliance with timelines. On a weekly basis the TEA Docket Administrator emails a copy of each hearing officer's docket to the hearing officer. Cases in which a deadline is forthcoming in the following week are highlighted, thus alerting the hearing officer that TEA must receive either a final decision or an order of continuance in the case no later than the highlighted date on the special education hearings docket.

If an extension of time is granted, the hearing officer must issue a written order identifying the good cause grounds for the extension, the specific number of days of extension that the hearing officer is granting, and the date by which the final decision must be reached. The date by which the final decision must be reached shall be determined by adding the number of days of extension that are granted by the hearing officer to the original 45-day period. The hearing officer must submit a copy of the order of continuance to the TEA Docket Administrator for entry onto the special education hearings docket.

The TEA monitors the date decisions are due and makes contact with the hearing officer before the deadline to assure that the decision will be issued on or before the deadline. Implementation of decisions adverse to local education agencies (LEAs) is managed by the TEA Division of IDEA Coordination.

Effective management of the State's due process hearing system is emphasized in the hiring process for hearing officers. TEA publishes a request for proposal (RFP) advertising for "Independently Contracted Special Education Hearing Officers" which contains as a job requirement compliance with the 45-day deadline for issuing final decisions.

The most recent RFP was published in July 2003, contracts with TEA began on September 1, 2003. The contracts were extended through August 31, 2004, with the option for TEA to extend the contracts for up to two years. Contained within Section One of the RFP are the following Clauses:

1.5 PROJECT DESCRIPTION AND REQUIREMENTS

The following are the job requirements of a special education hearing officer:

- F. A hearing officer must comply with all legal and contractual timelines, including but not limited to:

1. rendering a final written decision disposing of all issues raised by the parties in a hearing **not later than the 45th day following the date on which the request for hearing was filed with TEA, unless the hearing officer has, for good cause, granted a specific extension of time beyond the 45-day timeframe** at the request of either party, in which case the final written decision disposing of all issues must be rendered by the date identified in the order extending the 45-day timeframe (see Competitive Requirements for Special Education Hearing Officers for more specific requirements regarding the granting of an extension of time by a hearing officer);

1.6 COMPETITIVE REQUIREMENTS FOR SPECIAL EDUCATION HEARING OFFICERS

A. Timeliness.

Federal law specifies that the final decision of the hearing officer must be reached and mailed to the parties **not later than 45 days after the receipt by TEA of a request for due process hearing**, unless the hearing officer grants a specific extension of time at the request of either party. 34 C.F.R. §300. 511. Texas law specifies that extensions of time are only permitted upon the finding of “good cause” by the hearing officer. 19 Tex. Admin. Code §89.1185(o). No waiver of the 45-day timeline will be permitted. If an extension of time is granted, the hearing officer must issue a written order identifying (i) the good cause grounds for the extension, (ii) the specific number of days of extension that the hearing officer is granting, and (iii) the date by which the final decision must be reached. The date by which the final decision must be reached shall be determined by adding the number of days of extension that are granted by the hearing officer to the original 45-day period.

The evaluation of hearing officers who apply to renew contracts with the TEA includes a section on compliance with the 45 day rule as indicated in the charts below:

In the most recent 2 years, the candidate wrote decisions within 45 days from the date of filing. The scale is determined from the last day of the hearing.

Rank	Criteria
6 (high)	90-100 % of decisions are <=45 days and no decision exceeds 60 days from the last day of the hearing
5	70-89% of decisions are <=45 days and no decision exceeds 60 days from the last day of the hearing
4	50-69% of decisions are <= 45 days and no decision exceeds 60 days from the last day of the hearing
3	< 50% of decisions are <=45 days and no decision exceeds 60 days from last day of the hearing
2	One decision exceeds 60 days from the last day of the hearing, regardless of any percentage
1 (low)	More than one decision exceeds 60 days from the last day of the hearing, regardless of any percentage

Candidate	Total # Decisions	<=45 days	46-60 days	> 60 days	RANK
				0	
				0	

Capacity building needs identified for impartial hearing officers this year included implementation of the requirements of Individuals with Disabilities Education Improvement Act, 2004 (IDEA 2004), building the resolution session into the due process timeline, and the sufficiency of pleadings as required by U.S.C. §1415(b)(70(B)(a).

Hearing officers were provided continuing legal education training on January 9, 2006, to address these specific issues. Hearing officers are required, pursuant their contracts with TEA, to attend training provided by TEA three times annually at which licensed attorneys representing school districts, parents, the Office of the Attorney General, and other entities provide continuing legal education. Additionally, hearing officers are required to attend one conference annually at which the focus of the training is special education or administrative law where the hearing officer receives no less than 10 hours of continuing legal education.

Baseline Data for FFY 2004 (2004-05):

Due Process Hearing Timeline, 2004-05

(3) Hearing requests total	425
(3.2) Hearings (fully adjudicated)	58
(a) Decisions within timeline	5
(b) Decisions within extended timeline	53

Source | Texas Education Agency, 2004-05 State Supervision Data

Measurement | (3.2(a) + 3.2(b)) divided by (3.2) times 100 = Percent

$$((5 + 53) / 58) * 100 = 100\%$$

Discussion of Baseline Data:

The number of Due Process Hearing requests increased in 2004-2005 to 425 from the previous year's total of 387. However, the State entered 2004-2005 with 98 hearings pending from 2003-2004. As referenced in the March 2005 Annual Performance Report (APR), the total number of adjudicated hearings has decreased from 73 to 58 in 2004-2005. Of the 58 adjudicated hearings, five were conducted within the 45-day timeline, with 53 hearings having extended timelines.

In 2004-2005, 367 disputes were resolved without going to hearing. With the new early resolution session process and the other alternatives in the dispute resolution continuum, the State plans to more fully examine the breakdown of data regarding disputes not resulting in an adjudicated due process hearing.

Expedited hearing requests related to disciplinary actions were minimal with only one being fully adjudicated. The State will continue to monitor this data.

FFY	Measurable and Rigorous Target
2005 (2005-06)	The State will demonstrate 100% compliance with this indicator.
2006 (2006-07)	The State will demonstrate 100% compliance with this indicator.
2007 (2007-08)	The State will demonstrate 100% compliance with this indicator.
2008 (2008-09)	The State will demonstrate 100% compliance with this indicator.
2009 (2009-10)	The State will demonstrate 100% compliance with this indicator.
2010 (2010-11)	The State will demonstrate 100% compliance with this indicator.

Improvement Activities/Timelines/Resources:

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: Complaints Timeline
- Indicator 18: Early Resolution Session
- Indicator 19: Mediation Agreements

The data associated with the indicators above must be considered when addressing the complaints timeline indicator. Specific improvement activities related to these areas can be found in Indicator 15.

Specific to Indicator 17, the TEA will continue to work with the hearing officers in regard to training and activities related to improvement of the process and adherence to the timelines.

Dispute Resolution Processes (complaints, mediation, and due process hearings):

- Beginning in January, TEA staff associated with the processes in the Dispute Resolution Processes will work with representatives from the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). The purpose of this activity is to continue our work towards an integrated approach to managing and improving state dispute resolution and agreement-reaching systems.
- Development of additional information, guidance, and resources regarding all dispute resolution processes will be added to the TEA website during the spring of 2006.

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

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

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

Measurement: Percent = (3.1(a) divided by 3.1) times 100.
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Overview of Issue/Description of System or Process:

Impartial special education hearing officers are currently responsible for assuring that each party to a due process hearing is aware of the requirement that the LEA must convene a meeting with the parents of the child who is the subject of the requested hearing and the relevant members of the individualized education program (IEP) team. This information is conveyed to both parties during the transcribed telephone pre-hearing conference call required by State Commissioner's rules. Also during the same pre-hearing conference call, the hearing officer notifies all parties that if the LEA has not resolved the issue to the satisfaction of the parent within 30 days of the receipt of the request for hearing, then the due process hearing will move forward. The hearing officer further informs both parties at the pre-hearing conference that parents may choose to waive the resolution session meeting and move forward with the due process hearing, or they may waive the resolution session and choose to attempt to resolve the dispute through mediation. Either choice of waiver by the parent must be in writing.

Baseline Data for FFY 2005 (2005-06):

Resolution Sessions

	2005-06
(3) Hearing requests total	277
(3.1) Resolution meetings	173
(a) Settlement agreements	65
Calculation: (3.1(a) / (3.1) * 100	37.6%

Source | Texas Education Agency, State Supervision Data

Discussion of Baseline Data:

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

FFY	Measurable and Rigorous Target
2005 (2005-06)	Increase the percent of settlement agreements by 1.66% over the previous year.
2006 (2006-07)	Increase the percent of settlement agreements by 1.66% over the previous year.
2007 (2007-08)	Increase the percent of settlement agreements by 1.66% over the previous year.
2008 (2008-09)	Increase the percent of settlement agreements by 1.66% over the previous year.
2009 (2009-10)	Increase the percent of settlement agreements by 1.66% over the previous year.
2010 (2010-11)	Increase the percent of settlement agreements by 1.66% over the previous year.

Improvement Activities/Timelines/Resources:

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

A major focus of improvement will be the development of a uniform process by which all hearing officers will track the scheduling of resolution sessions in each case assigned to their individual dockets. The hearing officer will further be responsible for reporting to TEA whether the resolution session was held and if the session resulted in a settlement agreement between the parties. The procedure will require that the hearing officer include in the final order of dismissal of the case that a resolution session was held that resulted in a settlement agreement and that said dismissal of the case was the result of the settlement agreement.

The resolution of disputes at the local level or in less invasive functions such as mediation or Resolution Sessions is a focus for the State.

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

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

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

Measurement:

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

Overview of Issue/Description of System or Process:

In the August 2003 Texas Education Agency (TEA) reorganization, the mediation process was moved to the TEA Division of Legal Services. This relocation resulted in a closer alignment of mediation with the Due Process system. Additionally, the TEA Division of Legal Services has worked closely with the TEA Division of IDEA Coordination in aligning the State's dispute resolution continuum.

Mediators are chosen through the same process as special education hearing officers. Many of these individuals serve in a dual role. This has been a positive change in the mediation process. In addition to mediators having mediation certification, they also have knowledge of special education and associated rules and regulations.

As each request for a due process hearing is received by TEA the request is forwarded to the TEA Mediation Coordinator who contacts both parties to the hearing. Each party is asked to consider mediating the dispute. If both parties agree a TEA mediator is assigned. Contact information for each party is faxed by TEA to the assigned mediator. At this point the mediator manages the mediation with no further assistance from TEA.

The TEA also receives requests directly from either a parent or a local education agency (LEA) requesting mediation. In such instances the parties are not involved in a due process hearing. The TEA mediation coordinator receives the request and calls the non-requesting party asking if they will agree to mediate the dispute. If the non-requesting party agrees, the TEA assigns a mediator and the mediation follows the same process as mediations conducted as a result of due process hearings.

Mediations are not on a set timeline; however, a basic purpose of mediating any dispute is to resolve the dispute faster than going through the due process hearing system. Most mediations are concluded in less than 21 days.

All mediators sign contracts which require that they participate in three continuing legal education training sessions annually provided by TEA. Mediators must also attend one national training at which they receive continuing legal training.

Historically, TEA has neither asked nor required parties in mediation to provide copies of their written agreements to TEA or its mediators. The TEA believes that collecting copies of mediation agreements would cause the parties to have added concerns about confidentiality and negatively influence the parties' view of mediation as a process they own and control.

Baseline Data for FFY 2004 (2004-05):

Mediation Agreements, 2004-05

(2) Mediation requests total	259
(2.1) Mediations	
(a) Mediations related to due process	164
(i) Mediation agreements	124
(b) Mediations not related to due process	91
(i) Mediation agreements	71

Source | Texas Education Agency, 2004-05 State Supervision Data

Measurement | (2.1(a)(i) + 2.1.(b)(i)) divided by (2) times 100 = Percent

$$((124 + 71) / 259) * 100 = 75.3\%$$

Discussion of Baseline Data:

The data indicate that 75.3% of the mediations held in 2004-2005 resulted in agreements. In both mediations related and not related to due process hearings, the number of mediations and associated agreements increased in 2004-2005.

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

FFY	Measurable and Rigorous Target
2005 (2005-06)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.
2006 (2006-07)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.
2007 (2007-08)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.
2008 (2008-09)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.

FFY	Measurable and Rigorous Target
2009 (2009-10)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.
2010 (2010-11)	Increase the percent of mediations held that result in mediation agreements by 1.66% over the previous year.

Improvement Activities/Timelines/Resources:

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: Complaints Timeline
- Indicator 17: Due Process Hearing Timeline
- Indicator 18: Early Resolution Session

The data associated with the indicators above must be considered when addressing the mediations agreement indicator. Specific improvement activities related to these areas can be found in Indicator 15.

Dispute Resolution Processes (complaints, mediation, and due process hearings):

- Beginning in January 2006, TEA staff associated with the processes in the Dispute Resolution Processes will work with representatives from the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). The purpose of this activity is to continue our work towards an integrated approach to managing and improving state dispute resolution and agreement-reaching systems.
- Development of additional information, guidance, and resources regarding all dispute resolution processes will be added to the TEA website during the spring of 2006.

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

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

Monitoring Priority: Effective General Supervision Part B / General Supervision

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 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 February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring accuracy).

Overview of Issue/Description of System or Process:

Person Identification Database (PID) system

The Person Identification Database (PID) system is used by the Texas Education Agency (TEA) to manage and store identifying information on individuals who are reported to TEA through the Public Education Information Management System (PEIMS). The PID system includes records for students and teachers. The purpose of the PID system is to ensure that each time data are collected for the same individual, certain pieces of basic identifying information match. The PID system used at TEA verifies that social security number (or alternative ID), last name, first name, and date of birth match on every record submitted for an individual. The PID system allows linking of data across data collections with greater confidence. It also provides a unique identifying number for each individual that can be used to maintain the confidentiality of personally identifiable data. Other Texas state agencies and education agencies in other states that collect data on individuals use similar systems to manage identifying information.

With each PEIMS data submission districts receive diagnostic reports of PID errors. A PID error is reported if enough of the identifying information for an individual matches an existing PID record to suggest that this is the same individual, but one or more required elements do not match. For example, a record submitted with the same social security number but different last name from a record in the PID file would produce a PID error. (There is a mechanism for requesting a change to PID information during submission.) The PID error lists are sent to districts as warning messages. Districts are requested but not required to submit corrections for records listed with warning messages. Some PEIMS data edits trigger fatal errors, requiring districts to correct the data before it can be submitted.

Although the overall PID error rate for the state has declined with each data submission, PID errors continue to plague efforts to link data across two or more data submissions. The introduction of longitudinal performance measures of school completers and school leavers requires linking many years of data. In addition, with increased reliance on desk audits of district leaver data submissions that require linking to prior year data, accuracy of the PID information has become more critical.

Data Collection and Reporting

The Division of IDEA Coordination is required to submit Annual Federal Data Reports (618 data) and Annual Performance Reports in a timely and accurate manner. The Division uses data gathered annually from local education agencies (LEAs) through PEIMS.

The Division's IDEA-B Data Manager is responsible for facilitating the completion of the Annual Federal Data Reports (AFDR) and the data components of the Annual Performance Reports. Upon receipt of the data reporting forms, Division staff follow procedures to ensure that data reporting instructions and data requirements are reviewed. Prior to submission, data reports are checked against the previous year's reports for potential errors in the current year's report.

Baseline Data for FFY 2004 (2004-05):

Federal Data Report Submissions

Federal Data Report	Deadline	TEA Submission
AFDR Child Count and Education Environment	February 1, 2005	March 24, 2005*
2004 Annual Performance Report	March 31, 2005	March 31, 2005
AFDR Discipline, Personnel, Exit	November 1, 2005	November 1, 2005

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

Discussion of Baseline Data:

The Division of IDEA Coordination has procedures in place to report data as accurately and timely as possible. The State's data management system, PEIMS, continues to be a quality data source with high integrity.

FFY	Measurable and Rigorous Target
2005 (2005-06)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.
2006 (2006-07)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.
2007 (2007-08)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.
2008 (2008-09)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.
2009 (2009-10)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.
2010 (2010-11)	The State will demonstrate 100% compliance in its reporting requirements as well as continue to ensure accurate and timely reporting.

Improvement Activities/Timelines/Resources:

- The IDEA-B Data Manager will continue to attend OSEP sponsored conferences on data reporting and seek technical assistance from WESTAT as needed.
- The TEA Division of IDEA Coordination will continue to disseminate data to stakeholders statewide via the TEA website:
 - Annual Federal Data Reports <http://www.tea.state.tx.us/special.ed/afdr/>
 - Annual Performance Reports <http://www.tea.state.tx.us/special.ed/apr/>
 - State Performance Plan <http://www.tea.state.tx.us/special.ed/spp/>
- Processes for collecting and reporting data are evaluated after each annual federal data report submission.

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

Part B – SPP /APR Attachment 1 (Form)

Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	485
(1.1) Complaints with reports issued	183
(a) Reports with findings	129
(b) Reports within timeline	14
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	289
(1.3) Complaints pending	13
(a) Complaint pending a due process hearing	12
SECTION B: Mediation requests	
(2) Mediation requests total	259
(2.1) Mediations	
(a) Mediations related to due process	164
(i) Mediation agreements	124
(b) Mediations not related to due process	91
(i) Mediation agreements	71
(2.2) Mediations not held (including pending)	4
SECTION C: Hearing requests	
(3) Hearing requests total	425
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	58
(a) Decisions within timeline	5
(b) Decisions within extended timeline	53
(3.3) Resolved without a hearing	367
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	2
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	1
(a) Change of placement ordered	1