

## EXECUTIVE SUMMARY

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*"At the state and local level, the practices that led to the [U.S. Department of Education] monitoring letter will end."* - Governor Greg Abbott

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The state of Texas provides special education related services to approximately 500,000 students. However, only 41 percent of these students are approaching grade level knowledge and skills in reading and math, compared to 75 percent of all Texas students who are approaching grade level. As the United States Supreme Court recently proclaimed in *Endrew F. v. Douglas County School District RE-1*, the Individuals with Disabilities Education Act (IDEA) demands that a child with a disability who requires special education and related services be offered an appropriately ambitious educational program that is "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances." Our goal for Texas is to ensure that special education provides support to our students with disabilities on an individualized basis, because legally and morally our students deserve access to the same programs that could lead to academic success. To work toward this goal, the TEA has developed this Strategic Plan for Special Education.

This strategic plan outlines a system that supports ongoing efforts to achieve strong outcomes for all students with disabilities. The system represents a balanced approach between compliance with federal regulations and a results-driven focus on student outcomes. TEA will focus on leveraging grants and contracts on a statewide and regional basis with non-profits, education service centers, higher education partners, and others to support improved capacity, but local education agencies will do most of the heavy lifting. This strategic plan also includes specific activities to address correction requirements outlined in the January 11, 2018 letter from the United States Department of Education (USED). There has always been, and will continue to be, a need for strong advocacy from parents for their children. This strategic plan aims to support special education because it is a means of meeting student needs for the benefit of society and an important part of an integrated education system.

As it exists today, the strategic plan has been formed by significant stakeholder feedback. This includes over 7,000 survey responses, over 4,000 emails and comments, over 100 focus groups and meetings, and over 150 one-on-one interviews from a host of special education stakeholders, including students, their parents, teachers, administrators, advocates, and others. In addition, this feedback process has been continual, with TEA hosting in-person meetings and public comment periods to solicit feedback on the revised version of the plan. This strategic plan will evolve over time as part of a process of continuous improvement. Further, this strategic plan focuses on the agency's responsibilities related to special education in the state, especially as it relates to monitoring, supportive tools, and

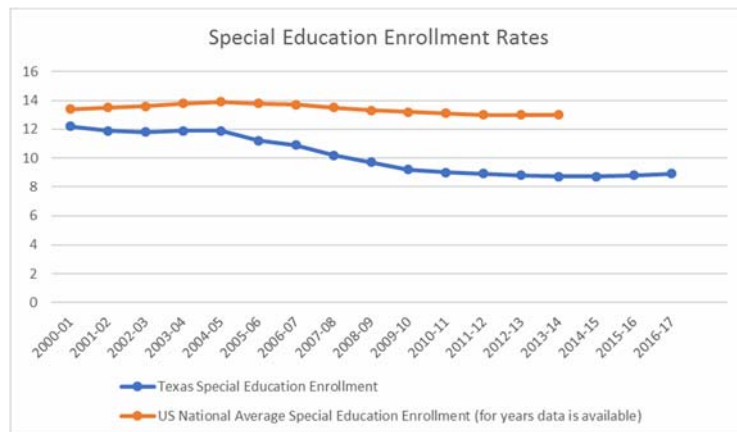
professional development. There are minimal additional requirements for a local school system outside of what has always been the expectation as outlined in IDEA and state statute. TEA recognizes that many school systems have operated within the legal and statutory guidelines. Those that have not done so may see a moderate to significant increase in workload as they adjust their practices to meet the requirements set out in law.

Lastly, TEA cannot legally commit additional funds outside of those that are appropriated by the Texas Legislature and the US Congress. A sizeable amount of stakeholder feedback was related to funding. While that feedback may warrant additional action, any recommendations for action are most appropriately heard by state and federal legislators. This strategic plan has been designed so that it can be sustained with existing appropriations. In this plan, TEA has committed all available IDEA resources to this Strategic Plan, and will further commit to spending any additional appropriated funds to executing on this plan and additional opportunities for LEA support. Working together, we will significantly improve outcomes for our students with disabilities

## DEFINING THE NEED FOR CHANGE

Special education participation and performance trends in Texas highlight the need to improve. One area of focus is student access to special education support. The following graph notes the decline in special education participation in Texas until the most recent years:

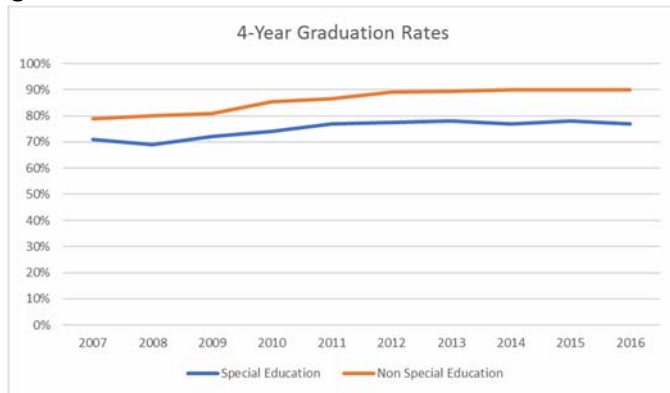
**Figure 1: Special Education Enrollment Rates**



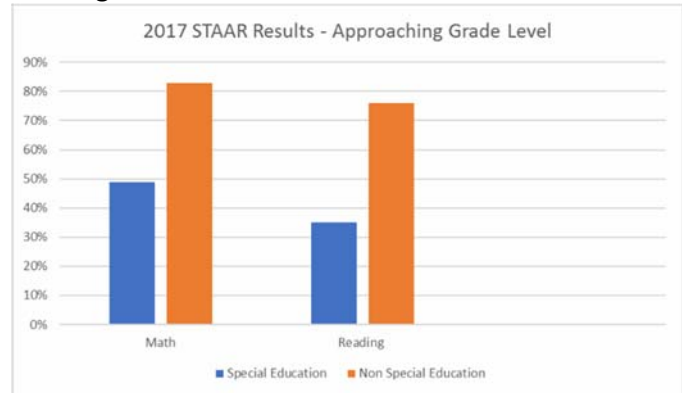
Changes in special education participation can be the result of a variety of factors, as each student should be considered individually. But during a monitoring visit in late 2016, the USED found that “some school districts took actions specifically designed to decrease the percentage of children identified as children with disabilities under the IDEA to 8.5 percent or below,” and cited TEA for not “[ensuring] that all [school systems] in the State properly identified, located, and evaluated all children with disabilities residing in the State who were in need of special education and related services, as required by 34 CFR §300.111.” As a result, the USED required TEA to correct the noncompliance.

USED found that not all eligible students have been given timely access to special education services. While USED did not examine the efficacy of special education services, an analysis of student outcomes in the areas of graduation rates, achievement in reading and mathematics, and college readiness measures indicate we have room for significant improvements.

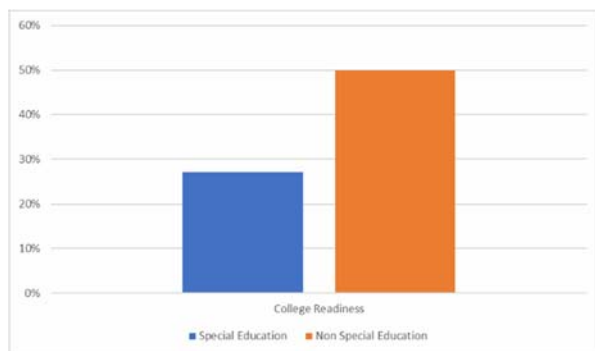
**Figure 2: Four-Year Graduation Rates**



**Figure 3: 2017 STAAR Results**



**Figure 4: College Readiness (Class of 2016)<sup>2</sup>**



These data highlight significant gaps in performance between students served by special education and their non-disabled peers. For the majority of students served by special education, performing on level academically with their non-disabled peers is an attainable and reasonable goal. We should work to eliminate the gaps in performance exposed by these data.

But these data alone cannot describe the full picture of special education efficacy in Texas. Therefore, the agency set out to solicit feedback directly from special education stakeholders throughout the state. As further described in Appendix A, feedback was received from students, parents, teachers, school administrators, advocates, and others, in every region of the state and in school systems that ranged from large urban to suburban to rural, and including charters.

This anecdotal feedback, combined with the data, informed the decision to develop a comprehensive strategic plan for special education in Texas.

This strategic plan includes steps that address the corrective actions related to Child Find required by USED. Appendix C in this document is the Corrective Action Response (CAR). Those are referenced throughout this document by their Corrective Action Number from the appendix (ex: CA:1.a). However, this strategic plan is broader and goes far beyond what the USED requires through the CAR. The broader steps of this strategic plan are meant to help more fully support students eligible for special education in every aspect of their education, focused not just on access to supports but also on improved outcomes from those supports.

Given the needs identified, this strategic plan is organized around a few primary focus areas:

- Monitoring
- Identification, Evaluation, and the offer of free appropriate public education (FAPE)
- Training, Support, and Development
- Student, Family, and Community Engagement
- Technical Assistance Networks

The Agency expects this strategic plan to change as situations warrant. As the process evolves, the agency is committed to two key beliefs to help ensure a process of continuous improvement:

- **Significant Stakeholder Input:** TEA is committed to including significant stakeholder engagement. This includes engaging with students with disabilities, families, educators, advocacy groups, and district and school officials, among others. This also means that there must be multiple, varied opportunities for stakeholders to provide this feedback. Texas cannot improve special education services in a way that students with disabilities deserve without concentrated collaboration among stakeholders in the special education community. It should be noted that the development of this strategic plan is not the end of the feedback process. Regular feedback will be solicited throughout the strategic plan's execution.
- **Transparency:** TEA's rulemaking and stakeholder processes are and will continue to be made public to the extent allowed by law.

Please note that this is a strategic plan. The details around many of these initiatives will unfold as the work progresses. The agency also plans to continue its engagement with stakeholders as outlined below. TEA will produce materials intended for parents/guardians in both English and Spanish and strongly encourages all school systems to do the same.

With these beliefs firmly embedded in TEA's processes for planning and execution of this strategic plan, we should have an effective framework for collaborative continuous improvement that delivers real results for our students.

## **MONITORING**

Texas has approximately 1,200 Local Education Agencies (LEAs), more than any other state in the country. These include all local school systems in Texas, both traditional Independent School Districts (ISDs), Consolidated Independent School Districts (CISDs), and charter schools. To provide the level of support and oversight required for this many LEAs and the students they serve, TEA must significantly increase its monitoring capacity and ensure that monitoring focuses on improvements for students, in addition to fulfilling minimum expectations for compliance with federal requirements. This requires the adoption of a more holistic approach to monitoring that takes into account compliance-based indicators while also looking for best practices. Texas must seize the opportunity to share this information across the state, allowing for greater peer collaboration and innovative solutions for improvement.

Texas LEAs have diverse and unique needs. Therefore, differences in LEA type and size require differentiated technical assistance. Further, some LEAs may require more intensive support and monitoring, while some LEAs may simply require routine desk reviews. This strategic plan highlights the state's approach to the need for differentiation. It also meets the needs outlined in the USED's corrective action requirements (see appendix C).

## **Review and Support Team (CA: 4.a.)**

The Review and Support team will be a new unit housed in the TEA Office of Academics (see Figure 5 below). This team will have three primary responsibilities:

- (1) to monitor LEAs related to IDEA and federal and state statutes using a risk assessment index and holistic student-centered practices;
- (2) to provide targeted technical assistance and support for LEAs related to special education; and
- (3) to escalate support for LEAs experiencing significant challenges as well as to highlight those LEAs that demonstrate clear success.

The Review and Support team should not adopt a narrow focus on process and legal requirements, but rather be guided by an effort to support the most effective practices that lead to improved outcomes for students.

The Review and Support team will be functionally separated into two units. The first unit will consist of special education staff who will complete on-site and desk monitoring activities. This team will be staffed to allow for annual desk reviews of one-third (1/3) of LEAs in the state. The monitoring system will include both quantitative and qualitative indicators, and will consider data points that may include disability indicator(s), specific strategies or interventions listed in a student's individualized education program (IEP), student achievement, LEA staffing, local policies and procedures, and compliance indicators in alignment with federal and state law (e.g., meeting timelines for evaluations, parent and family participation and inclusion, etc.). Quantitative indicators will likely include both compliance indicators (e.g., timeliness and completeness of individual initial evaluations) and performance indicators (e.g., participation and achievement levels of students with disabilities in the general curriculum). Qualitative indicators will likely include, to the extent permitted by law, anonymous survey and interview results collected from educators and parents. Surveys and interviews will likely consider local policies as well as local practices.

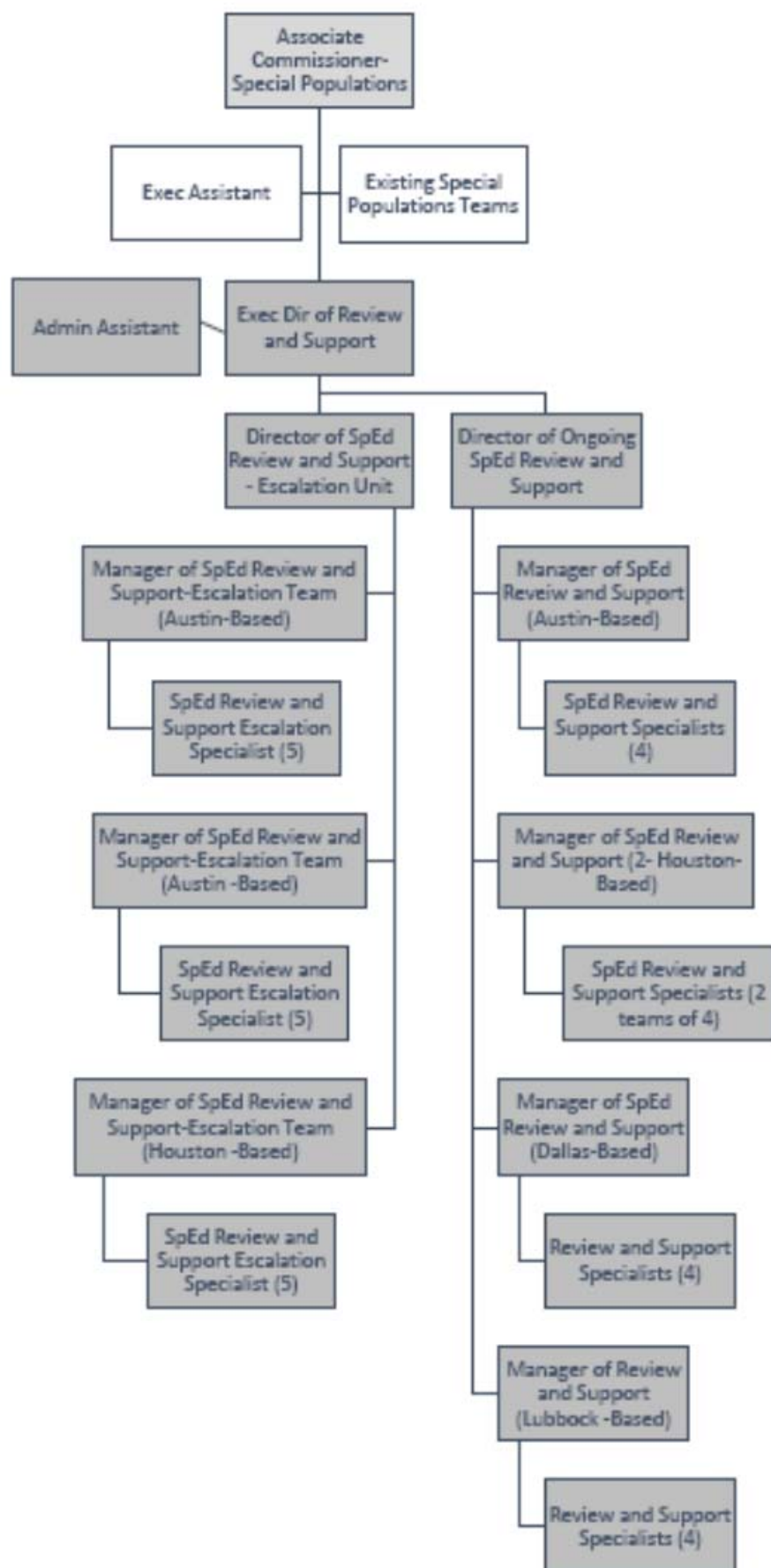
LEAs will be required to submit information through Public Education Information Management System (PEIMS, described later in this section) for review. LEAs may be asked to submit additional information related to randomly selected students to allow for a holistic review of information without the disruption of on-site visits (including Admission Review and Dismissal (ARD) committee information, IEP reviews, teacher interviews, and the opportunity for families to provide feedback). Any student interviews would require parental consent. This monitoring and data collection process utilizes a secure data collection site that allows only authorized state agency (and applicable district) personnel to review any student records and/or conduct interviews (in alignment with state and federal law). This secure process will ensure that student data remains confidential.

In addition to LEA desk reviews, select LEAs will also receive on-site visits. The review and support team size will be structured such that up to 20 percent of the LEAs in Texas could receive an on-site visit in any given year. On-site visiting could be a result of random selection, a result of the desk review, ongoing or frequent complaints to TEA, or in partnership with other state agency monitoring. The structure of the on-site visit would depend on the reason for the visit. Unannounced visits will focus on observing processes in action, speaking with stakeholders when possible, and conducting additional reviews of actual practices. These visits will provide opportunities for giving feedback and connecting LEAs to technical assistance. They will also allow the reviewers to identify bright spots and best practices to share broadly. The visits will be structured to minimize disruption to LEA and school activities. As the content to be reviewed may be unannounced, there would be no need for visit preparation on the LEA's part, assuming that all files and documents are appropriately organized (as they should be). For those LEAs that receive on-site visits due to identified risk factors, the visit may include requests to view student files, observation of records of supports provided, and more conversations with multiple layers of the organization. The review activities will be determined on an individual basis.

The review and support team will also include an escalation unit comprised of special education specialists. This small and flexible unit will be used for LEAs that are significantly out of compliance, and/or for those LEAs that require or request intensive support. The purpose of the escalation unit – as with the larger review and support team is focused less on documenting a running list of problems and more about supporting the identification and implementation of solutions. The escalation unit may remain on-site for longer periods of time and provide more intensive support.



Figure 5: Draft Proposed Organization Chart (Review and Support Team)



## **Non-Compliance**

34 CFR §300.600 requires TEA, as the state education agency, to monitor all local education agencies (LEAs) in the state to ensure compliance with IDEA requirements. In accordance with 34 CFR §300.600(a)(3), if TEA determines that an LEA is not in compliance, TEA must use appropriate enforcement mechanisms, including, as necessary, technical assistance, conditions on funding, implementation of a corrective action plan, or the withholding of funds in whole or in part.

In furtherance of this IDEA requirement, TEC §29.010 authorizes TEA to “develop and implement a system of sanctions for school districts whose most recent monitoring visit shows a failure to comply with major requirements of [IDEA], federal regulations, state statutes, or agency requirements necessary to carry out federal law or regulations or state law relating to special education.” These interventions and sanctions are found at 19 TAC §89.1076, and include, but are not limited to:

- 1) on-site review for failure to meet program or compliance requirements;
- 2) required fiscal audit of specific programs and/or of the district, paid for by the district;
- 3) required submission of corrective actions, including compensatory services, paid for by the district;
- 4) required technical assistance, paid for by the district;
- 5) public release of program or compliance review findings;
- 6) special investigation and/or follow-up verification visits;
- 7) required public hearing conducted by the local school board of trustees;
- 8) assignment of a special purpose monitor, conservator, or management team, paid for by the district;
- 9) hearing before the commissioner of education or designee;
- 10) reduction in payment or withholding of funds;
- 11) lowering of the special education monitoring/compliance status and/or the accreditation rating of the district; and/or;
- 12) other authorized interventions and sanctions as determined by the commissioner.

IDEA requires TEA, in exercising its monitoring duties, to ensure that identified noncompliance is corrected “as soon as possible, and in no case later than one year after the State’s identification of the noncompliance.” 30 CFR §300.600(e). State law mandates that if a district remains in noncompliance for more than one year, “the first stage of sanctions shall begin with annual or more frequent monitoring visits. Subsequent sanctions may range in severity up to the withholding of funds,” which the agency may use to provide services to the students and staff within the noncompliant LEA. TEC §29.010(d).

## **Review Process Development**

TEA will develop a standardized process for conducting reviews, including development of documentation and reporting templates to be used. The standardized review process will be developed with stakeholder consultation to ensure maximal effectiveness for students. TEA may work with external organizations to ensure stakeholder feedback is properly integrated into the review process design. Part of the process design will include an internal reviewing mechanism to ensure processes are completed with fidelity to the purpose of helping students and to avoid the bureaucratic tendency to focus solely on compliance.

Monitoring visits will follow a standardized process. They will also result in a published report. These reports will be available in a searchable database on the TEA Special Education website. LEAs will have the opportunity to respond to any report, along with an opportunity to discuss relevant topics in post-meetings. LEAs would also have an opportunity to provide additional information on planned corrective action steps using a standardized format to be included as part of the report. Nonetheless, the agency will remain focused on data privacy. As such, in accordance with law, all student information, or information that would reasonably identify protected persons, will be removed from the report. Furthermore, data aspects that would normally be public will be limited, as required by law, for very small LEAs, given the issues with small data samples.

LEAs may have the opportunity to request "support visits" from the state in advance of on-site reviews. These may be helpful for LEAs to identify areas for growth, or to solicit feedback around existing structures. Support visits are optional and would be done by request.

Again, on-site monitoring visits can create some disruption to campuses and LEAs. However, TEA is committed to sharing clear expectations and supporting best practices so that LEA visits can be structured to reduce disruption at the host site. Visits will not be conducted during state testing.

TEA will develop an independent review of the standardized monitoring process, as a check on its own process implementation quality.

## **Data Collection**

To accommodate desk reviews, TEA will need to collect additional data from LEAs. TEA will ensure that its data collections provide adequate information for monitoring, while maintaining strong controls on data privacy. This could include the following, as allowable in state or federal statute:

- Parent- and staff-generated requests for special education initial evaluation;
- Complete information on all categories under which a child qualified for special education;
- Information on the interventions that are in place for the child;
- Additional information on Section 504 and Rtl;
- Sample schedules;
- Services offered and provided, including frequency;
- Number of students who were referred for evaluation, the number evaluated, and the number who qualified after evaluation; and
- Coding of dyslexia, dyscalculia and dysgraphia.

Additional indicators may be identified on a rolling basis once the new monitoring process is implemented. All new data collections are subject to all statutorily required reviews, including a review through the agency's Data Governance Board.

## **Other Related Work**

TEA will review and potentially propose administrative rule revisions to ensure clear compliance with the law and alignment with best practices for serving students with disabilities. For example, TEA may propose rule revisions to 19 Texas Administrative Code (TAC) 89.1050 to require LEAs to provide the Dispute Resolution Handbook and explain rights to parents when there is disagreement in the ARD committee. TEA will also look into opportunities for reducing administrative burden on duplicative or unnecessary paperwork, to allow for more aligned systems and structures to be put into place.

## **IDENTIFICATION, EVALUATION AND OFFER OF FAPE (CHILD FIND)**

Child Find is the legally required first step toward ensuring that children with disabilities, as that term is defined in IDEA, are offered a FAPE. School districts must identify, locate, and evaluate all children residing within the district who are suspected of having a disability and in need of special education and related services because of the disability. TEA is responsible for ensuring, through policies and procedures, that districts fully comply with the Child Find mandate. The agency has provided guidance on Child Find to school districts in the past and will continue to do so. However, TEA accepts that, as USED determined, not every school district appears to understand the full import of its Child Find responsibilities and what must be done in order to fulfill its obligations. Through this strategic plan, the agency will work to eliminate confusion by providing additional guidance to districts and to families within the districts.

## **Immediate Short-Term Corrective Actions (Child Find)**

TEA recognizes that there are short-term requirements related to monitoring activities, as outlined in the letter from USED. Specifically, the agency is required to ensure that school districts identify, locate, and evaluate those students enrolled in the district who should have been referred for an initial evaluation. The agency is further required to ensure that ARD committees consider, on an individual basis, whether compensatory services are needed for children previously suspected of having a disability who were not evaluated in a timely manner and were later found eligible to receive services.

Admittedly, this is an exceptionally complicated process, with multiple considerations for all stakeholders. This first section under Child Find is specific to the immediate steps that must be taken related to the corrective action. The remainder of the section is devoted to the ongoing work necessary to support LEAs.

1. **Identification Support:** TEA will continue to advise districts on the requirements of IDEA regarding the identification of students who are suspected of having a disability and are in need of special education services, in alignment with USED policies and guidance. TEA will then consider multiple data sources in prioritizing near-term LEA monitoring visits to provide near-term compliance support, including for those student groups who have been traditionally underserved including foster youth, homeless youth, and students involved in the criminal justice system.
2. **Funding:** In addition to generating federal funding, eligible students also generate different levels of funding from the state. Currently enrolled Texas students are eligible to generate state draw-down funds, including weighted formulas for special education. Students up to age 21 who are not currently enrolled, but who have not yet earned a diploma, are eligible to generate the same funding should they choose to re-enroll in public schools.
3. **Additional Services Guidance:** TEA will develop guidance to school districts and charter schools about the award and provision of compensatory services.
4. **Targeted LEA Outreach to Parents Most Likely Impacted** The agency will propose rulemaking to require all school districts to distribute information to every enrolled student's family regarding the Child Find and FAPE requirements and obligations in IDEA, to inform them of their rights under IDEA, and to provide the contact information to request an initial evaluation. Note: The cost of identifying and conducting initial evaluations for students suspected of having a disability has always been the responsibility of the LEA, and this will continue. TEA will assist with the development of evaluative resources, as outlined below in the Training, Support, and Development section below.
5. **TEA Outreach Campaign:** TEA will execute a campaign to reach parents more broadly than the targeted outreach noted above, and will partner with an external organization

to create and execute the campaign. Part of the campaign will likely involve district actions to reach families with templates and other resources developed centrally to facilitate the process. This outreach effort will include strong partnership with the Parent Training and Information Center, among others. An outreach campaign should likely include letters, emails, public service announcements, town halls and provision of individualized parent support by LEA staff (to explain to families the details laid out in the campaign and what, if any, steps they can take for their child). Outreach efforts will be available in English and Spanish, at minimum, to ensure broad reach in the state. TEA also strongly encourages LEAs to communicate with families, as LEAs may be able to deliver more targeted strategies.

6. **TEA Evaluation Support:** As a result, TEA will provide for short-term relief in contracting with external diagnosticians and expert personnel to support LEAs, upon request. TEA will work with existing in-state and out-of-state organizations through a competitive solicitation process to provide necessary psychologist and diagnostician support for LEAs that require or request it. TEA will develop a process for LEAs to request assistance. LEAs will be asked to identify the date range for requested assistance, approximate number of students, and other relevant information in order for TEA to create a schedule through which additional resources will be available, at no cost to LEAs. For those LEAs that prefer to conduct and facilitate this work independently, the same vendors will be placed on a state-approved list with negotiated pricing. TEA does not have the authority to waive the state or federal statute requiring students to be evaluated within a certain period of time.
7. **Additional Services Note:** For each student who should have been referred for an initial evaluation and was later found eligible for special education and related services, the student's ARD committee must determine whether additional services are required for that student, taking into account the supports and services previously provided. If a student's ARD committee determines that additional services are required, the LEA is responsible for providing those services. TEA will provide guidance for ARD committees to consider in their conversations and decisions. TEA may not provide definitive rules related to additional service entitlements outside of those established in federal and state law. TEA may monitor IEPs through the short-term corrective action monitoring work to ensure that ARD committees for these students consider the need for additional services.
8. **Additional Services Funding:** Additionally, TEA will allocate \$65 million to LEAs, which may be used to support these efforts. LEAs will be able to use this money within the parameters of IDEA funding, but TEA guidance will strongly suggest use towards compensatory services, as needed.

## **Considerations**

There are many issues related to the identification of students who were not identified in accordance with IDEA. A child's parent may make a request for an initial evaluation in any format to any school official (including a teacher). The school/LEA must then determine if testing is required by evaluating the existing data. If testing is required, the school/LEA must comply with federal and state law related to timelines, eligibility determinations, and services. However, given the flexibility that parents have in how they choose to make a request for an initial evaluation, it is anticipated that some issues will occur when it comes to determining whether a particular student who should have been referred for an initial evaluation was denied one. The following are some examples of when it could be difficult to determine whether a child should have previously been evaluated for special education eligibility:

- Parent made a verbal request that was not documented;
- Request was made in writing, but the school or LEA does not have a copy or record of the request (though a parent may);
- Staff who received the request may no longer be employed by the LEA or may no longer remember;
- Records retention policies that limit the records that are available for retroactive review; or
- Questions/lack of clarity as to whether alternate supports that were provided to the child outside of IDEA can be applied to ARD committee decisions related to additional services provided through IDEA.

In light of the difficulties associated with identifying students who should have been referred for an evaluation, TEA will solicit the feedback of leading special education experts nationwide to ascertain best practices and approaches in making these critical decisions. It is expected that these experts will address topics including, but not limited to, how LEAs might consider relevant and available information, how LEAs might consider additional service needs, and what monitoring activities might look like.

As a note, a parent may make a request for their child to be referred for special education testing/evaluation at any time.



## **Ongoing Action Steps for TEA**

1. **Updated Guidance on Identification and Evaluation (CA: 2.b.):** TEA's special education team will update guidance for clarity and will support the provision of trainings for LEAs on the necessary steps to take when a parent requests an initial evaluation. Specific guidelines will be put into place around a formal process for initial evaluation.
2. **Complaints:** TEA will ensure that the special education state Complaints team is sufficiently staffed to resolve in a timely manner all special education complaints that the agency receives. The Complaints team will also expand its support functionality to provide and facilitate stronger student-focused collaborative partnerships between LEAs and families, when disputes arise.
3. **Dispute Resolution Support (CA: 1.e.):** TEA will continue its ongoing practice of providing specialized IDEA-related training to its independent special education hearing officers and mediators.
4. **Clarification and Guidance:** Feedback on the preliminary plan included significant LEA requests for clarification related to identifying the appropriate amount of time for a child to be in Response to Intervention (RtI) before being tested for special education. Similar questions were raised related to the level of specialized instruction required for students with dyslexia and dyslexia-related disorders. TEA will provide clarification on the requirements of RtI, Section 504, and dyslexia related topics to support individual decisions for students, and to reiterate that each decision will be unique to that specific child.
5. **General Assurances (CA: 1.b.):** TEA will review and ensure that assurance statements received from LEA grantees clearly convey to the applicant their acceptance of and required compliance with all state policies, and procedures under 34 CFR §§300.101 - 300.163 and 300.174 and 300.165 - 300.174. This will be done as a condition of receiving grant funds and will be completed by way of signing Schedule #1-General Information of the paper application or by certifying and submitting the eGrants application.
6. **Dispute Resolution:** In addition to the Texas Education Agency Dispute Resolution Systems Handbook, TEA will develop and make publicly available easily accessible and understandable brochures regarding available dispute resolution programs (including IEP facilitation, mediation, state complaints, and due process hearings).

## TRAINING, SUPPORT AND DEVELOPMENT

Effective training of teachers must be based in sound adult learning theory and must allow for multiple opportunities for supported implementation of new practices or ideas. Previous models of professional development relied heavily upon facilitator led, lecture-style training sessions that have not proven effective in making the changes in adult behavior and teaching practice that are required to significantly improve outcomes for students with disabilities. TEA will help ensure the availability of effective models of educator support and training that include face-to-face interactions with expert trainers but more importantly, allow for adequate space for coaching and professionally reflective practices. This will be done using multiple formats including in-person face-to-face sessions and distance learning opportunities. Technology will be leveraged to provide equitable access to high-quality training for educators in even the most geographically remote LEAs. Professional development should focus on effective implementation of practice rather than on seat time.

### Action Steps for TEA

1. **Additional Evaluation Capacity:** As described in the section on Identification, TEA will dedicate technical assistance and resources to ensure the availability of bilingual evaluators, educational diagnosticians, and school psychologists in the short-term (2018). This could be done through the utilization of inter-local cooperation agreements through the Education Service Centers to facilitate deployment of existing evaluators, diagnosticians, and psychologists to LEAs and charter schools with shortages that affect timely initial evaluations and reevaluations. TEA will also coordinate with professional organizations of evaluators, educational diagnosticians, and school psychologists to develop a system for ensuring access to evaluators across the state, especially in rural areas.
2. **Professional Development:** TEA will create and execute statewide professional development for all educators (all education, special education, and others), structured initially as a training institute for teachers around the state, and which will include ongoing follow up through year- round support and modules. The content of this professional development will include elements both for inclusive practices and instructional techniques as well as broader identification and related Child Find practices. The content development would be informed by the perspectives of educators, students with disabilities, and field experts, as well as feedback and data gathered to date. For example, TEA will (re)train teachers/administrators on use of RtI strategies with an emphasis on consistent procedures and practices across the state. TEA will include training related to Section 504, especially as it relates to the differences between Section 504 and IDEA, and considerations for appropriate placement. TEA will also address appropriate dyslexia identification and

placement of students, and other best practices as outlined in the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook). This training would launch in Summer 2019, be conducted through third parties, and require significant stakeholder feedback, including students, educators, parents, and administrators. In order to focus on impact, participants would likely be required to demonstrate content proficiency and implementation before being noted as having participated in the full program.

3. **Child Find Resource Development (CA: 3.c.):** TEA will release an RFP to create a suite of resources which would describe the differences between RtI, the state dyslexia program (for dyslexia or dyslexia-related needs), Section 504, and the IDEA. Resource development will happen in conjunction with extensive stakeholder feedback. Guidance and resources will include how and when school staff and parents of children suspected of having a disability may request interventions and/or services, as well as time lines, forms, relatable and understandable translation of federal and state statute, etc. Resources may be available both online and in hard copy, for LEA and school personnel as well as for parents. The RFP may further require the awardee to develop a system of resource dissemination, which may include a plan to conduct online training sessions for parents and administrators (on-demand modules which can be utilized for in-person trainings across the state).
4. **Expert Support:** The existing call center will be strengthened to include access to state-funded experts in exceptional student cases, as well as a set of tools to support planning and resource allocation activities within the context of best practices. The call center will expedite significant concerns and complaints, for escalated investigation or inquiry.
5. **The Texas Dyslexia Handbook (CA: 3.a.):** The State Board of Education (SBOE) is in the process of considering amendments to current administrative rules for students with dyslexia and related disorders. Currently, the rule requires LEAs to implement procedures for identifying a student with dyslexia or a related disorder and for providing appropriate instructional services to the student according the strategies and techniques described in the Dyslexia Handbook. Administrative rule amendments are expected to clarify that to support and maintain full educational opportunity for students with dyslexia and related disorders, LEAs must provide each student with dyslexia or a related disorder access to each program under which the student might qualify for services. Amended rules are expected to more specifically outline steps that must be taken before implementing identification or evaluation procedures. Additionally, the proposed rule is expected to include more specific requirements for parent education programs. The SBOE has asked TEA staff to work on a proposal for updates to the Dyslexia Handbook. TEA began this process by soliciting input from stakeholders on areas that need updates and/or clarification. Small topic-specific committees will be convened to review input and develop recommendations for updates

based on stakeholder input. Committee work will include clarifying the difference between dyslexia and dyslexia-related services, IDEA, Section 504, and RtI, as well as guidance regarding provision of the most appropriate services for each individual student. Committee work will also address guidance for LEA implementation of the required screening of all students at the end of kindergarten and grade 1 as required by legislation passed by the 85th Texas legislature in 2017. Committees will include representatives from K-12 education, higher education/researchers, learning centers, advocacy organizations/parents, and diagnosticians. Updates to the handbook are expected to be approved by the SBOE no later than September 2018.

6. **Dyslexia-Specific Support:** The educational needs of students with dyslexia vary greatly among students and can be fluid throughout a student's educational career. It is critical that such variance is reflected in the services provided to these students. TEA will improve services for students with dyslexia by providing LEAs with improved training regarding the interplay between the state's dyslexia program, services provided under Section 504, and services provided by special education, as well as how students with dyslexia should be effectively served in these programs commensurate with individual students' needs. When provided with high expectations and appropriately designed instruction, students with dyslexia can achieve academically at, or above, the level of their peers who are not identified with dyslexia. It is incumbent upon the state to ensure that LEAs are effectively supported in implementing services for these vulnerable students.
7. **Dyslexia and Related Disorders Reporting Study:** TEA is in the process of contracting for a study on the reporting of students with dyslexia and related disorders through PEIMS. The objective of this project is to examine how LEAs identify and report students as having dyslexia or related disorders. The project calls for the following:
  - (1) Policy and literature review documenting the history and current status of dyslexia requirements in Texas, as well as a review of federal and state requirements and policy regarding identifying and reporting students with dyslexia in public education;
  - (2) Summary of research regarding the true approximate percentage of students in public education that are identified as having dyslexia or related disorders;
  - (3) Data analysis to determine how many students are identified as having dyslexia or related disorders and whether any other factors such as LEA demographics, student characteristics, or available resources are correlated with this identification;
  - (4) Analysis describing the extent to which students identified and reported as having dyslexia or a related disorder are also identified and reported as receiving special education services; and the extent to which students identified and reported as receiving special education services are identified and reported as having dyslexia or a related disorder;
  - (5) Examination of the procedures used by LEAs to identify and report students with

dyslexia or a related disorder. The examination may use surveys and interviews of LEAs to gather information and insight on past and current identification and reporting practices. The examination may include an estimate of the extent to which those practices vary across LEAs and identify barriers LEAs experience in identifying and reporting students with dyslexia and related disorders.

The project is intended to culminate in the development of a set of recommendations for TEA, ESCs, LEAs, and/or campus personnel to ensure proper, accurate, and prompt identification and reporting of students who have dyslexia or related disorders.

8. **Finance System:** TEA will create a handbook for understanding of the school finance system related to special education.
9. **Educator Preparation:** TEA will explore options related to possible improvements in educator preparation and continuing education, in partnership with the State Board for Educator Certification. TEA will explore updates to the continuing education requirements for certified teachers in Texas to include a more explicit focus on special education practices.
10. **Sufficient Special Education Staffing:** TEA will convene a special education personnel forum and will invite the State Board for Educator Certification, the Texas Higher Education Coordinating Board, Colleges of Education from across the state, and professional organizations. This policy forum may discuss and develop a report with recommendations about how Texas will meet the staffing needs in special education.
11. **Governance:** TEA will explore the development of training resources for school boards on special education, with a focus on monitoring outcomes and program implementation fidelity.
12. **Texas Workforce Commission (TWC) Partnership - General Workforce Resources and General Vocational Rehabilitation (VR) Available to Individuals with Disabilities :** TEA will continue its collaboration with TWC to determine partnerships related to workforce preparation and readiness. These training resources may also include access to basic education skills, as well as basic job preparation skills training. VR helps eligible Texans with disabilities prepare for, obtain, retain or advance in competitive integrated employment, which is employment in full or part- time jobs with work settings, wages, benefits and advancement opportunities.

## STUDENT, FAMILY, AND COMMUNITY ENGAGEMENT

The effective and meaningful engagement of students, families, and communities is critical to the successful development and implementation of supports and services that lead to positive outcomes for students with disabilities. TEA will expand upon systems that facilitate effective stakeholder engagement at the state level. TEA will leverage the experiences and expertise of these stakeholders to ensure that programs and services developed for students with disabilities appropriately meet the needs of the individual student and lead to improved student outcomes. The state must meet stakeholders on their terms, so this engagement will include both in-person and virtual engagement.

### **Action Steps for TEA**

1. **Outreach Campaign to Identify, Locate, and Evaluate (CA: 2.a.):** As described above, the outreach campaign is reiterated here to establish the critical importance of ensuring an accessible campaign that clearly informs families and provides actionable steps they could take.
2. **Family Support Call Center and Portal:** As discussed in the section on Child Find, a set of paper and web-based resources will be created for parents and for LEAs to help understand special education eligibility. Beyond that, TEA will also provide a more substantial support structure, beyond static resources, to help parents navigate the process of identification, evaluation, eligibility, and admission into special education services. This would include a streamlined call center staffed with process experts coupled with an online portal that provides clearly outlined process steps and tracking systems to support easier navigation for parents of children with disabilities. This online resource will help parents navigate a process that can be highly complex and difficult to understand. The portal would provide for a statewide trackable timeline for parents that would have the ability to trigger reminders, supports in communication, etc. The call center will help support parents to help them understand relevant information. All calls would be documented and reported to LEAs on a monthly basis with identifiable information removed, to help with their efforts at process improvement.
3. **Parent Brochures:** TEA will create "user-friendly" definitions, flowcharts, etc. to assist LEAs and parents in understanding Child Find and the process for referral for an initial evaluation. These resources may not be policy documents, but rather resources containing information with regard to guiding questions to ask in ARD meetings, data and evidence to consider in conversations, and timelines and agendas to facilitate productive and student-centered meetings. These documents will also provide families with clarification on the information and data they may want to consider bringing to meetings to help in decision-

making. Documents may also reference existing networks in place to support families. Examples of such assistive networks include the Parent Coordination Network and ESC-based parent training supports.

4. **Ongoing Stakeholder Engagement:** TEA will release a request for Letters of Interest (LoI) for a Stakeholder Engagement Partnership. This partnership would provide the infrastructure and logistical facilitation necessary for TEA to gather meaningful feedback and input related to special education. Given the size and scope of needs in Texas, and the challenges of a state agency to conduct effective and comprehensive engagement at scale, TEA will need consistently focused capacity to ensure inclusive and representative feedback and discussion. As a result of this partnership, TEA will significantly increase opportunities to engage with various stakeholders on an ongoing basis. Stakeholder groups will include students, families, educators, LEAs, ESCs, IHEs, and others.

## **TECHNICAL ASSISTANCE NETWORKS AND STRUCTURES**

As part of the dissemination of state discretionary funds that TEA receives under IDEA for state-level activities, TEA grants or contracts out services, supports, and networks. Networks are major, thematic topics that are identified as critical for the state. Resources from these networks are available to any LEA in the state and are intended to leverage best practices. These networks have remained largely unchanged for over fifteen years. As part of this strategic plan, TEA will redesign the statewide networks. TEA used and incorporated stakeholder feedback, data, and interviews to determine needs and adjustments to the existing structure.

As part of the work over the last year, TEA had already begun to enhance and expand its support structures in special education. TEA increased the number of staff available to provide technical assistance to districts, re-designing the team to allow for specialization in key strategic areas instead of a team of generalists. Second, TEA piloted the implementation of Special Education Liaisons in each of the Education Service Center (ESC) regions to provide differentiated and targeted support and assistance to local districts. Finally, TEA had started the work of a statewide gap analysis related to professional development opportunities, compliance, and necessary supports to the field. This included statewide surveys, regional meetings, and a significant shift in financial resources to provide stronger impact to students. TEA also improved the existing network structures so that discretionary funds would be tied to measurable outcomes as opposed to project completion. This was another way in which TEA began to align the foundation necessary for strong statewide activities (staffing, student-centered metrics, funding alignment) prior to this process beginning.

The following descriptions are brief summaries of each of the proposed networks. Full descriptions, deliverables, and requirements will be outlined in the request for Letters of Interest, to be released in the summer 2018. Requests will be posted based on stakeholder feedback provided through April 2018. The Letters of Interest will be open to ESCs and Institutions of Higher Education (IHEs) and will encourage collaboration among these various entities. Each network project will expect applicants to meet a minimum set of standards to be eligible for consideration. Should no Letter of Interest applicants meet those requirements, that network project would be bid competitively to include proposals from private providers. Additionally, ESCs will continue to receive funds to support special education, as well as funds for activities related to regional liaisons. However, these funds will be tied to specific grant requirements and metrics related to positive student outcomes. Funds will also support work aligned to the networks and the needs of the region. Through best practices observed in Review and Support activities (described under Monitoring) as well as through the Networks outlined below, TEA will support mechanisms through which LEAs may learn from and have access to resources and strategies that are working in regions throughout Texas.

TEA commits to solicit significant stakeholder input and guidance in the development of the new network grants over the Spring and Summer 2018.