

Initial DRAFT

TEA Corrective Action Plan

Thursday, February 22, 2018



First things first... we need to ask ourselves..

What brought us to the Education Arena?

Survey says:

1. To make a difference 42

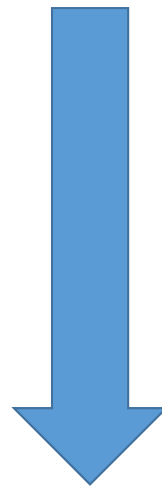
2. To make a positive impact 34

3. To enhance and enrich 14

**100% for
students**



It is our job, our duty, to ensure we are preparing all students to excel...does this remind us of anything?



VISION STATEMENTS & COLLECTIVE COMMITMENTS created by ISDs



ISDs VISION & COLLECTIVE COMMITMENTS

Vision Statement

- ISD will prepare and inspire all students to be equipped to excel in the college and career of their choice, dominate 21st century skills in leadership, knowledge, language, and technology to compete in a global economy and serve as successful citizens in their community.

Collective Commitments

We believe that we have the duty to foster opportunities for each student to build a legacy of success. We, Therefore, collectively commit to:

- Putting students first and inspiring innovation
- Taking ownership of a collaborative, educational partnership through student, parent, and civic engagement
- Understanding cultural diversity with the ability to relate effectively amidst varied cultures within a global economy Learning professionally for continuous improvement



Promise to have:

- Safe learning environments
- Provide quality instruction based on students present level of academic and functional level
- Prepare them for life after high school—transition
 - College and Career
 - Assisted Daily Living Skills
 - Independent Living Skills
 - Vocational/Employability Skills



How is this working for us?



Why are Students are NOT Making Progress

Discipline Concerns

Lack of Collaboration

Lack of Engagement

Lack of Consistency

Low Relationship Building

Social & Emotional Issues

Lack of Motivation & Interest

Limited Parental Involvement

What are the causal factors?



Or Perhaps...

Our educational philosophy is not all inclusive
with our methods and the delivery of
instruction, or possibly our belief system or
lack thereof...



TEA Corrective Action Plan for Special Education

Decline in the State's overall special education identification rate 11.6% in 2004 and 8.6% in 2016

US Department of Education visited 5 Region Service Centers (1, 4, 10, 13, & 19) to host Listening Sessions around the 8.5% cap placed by TEA

Office of Special Education Program (OSEP) visited TEA and 12 school districts and found 3-areas of non-compliance

US Department of Education released findings of monitoring visit on January 11, 2018

2004 was the same year TEA initiated a performance indicator measuring the total number of enrolled children receiving special education services

TEA conducts focus group sessions to solicit feedback

TEA drafts an initial Corrective Action Plan

Gov. Abbott addresses Commissioner Morath in a letter to take immediate action



US Department of Education Findings

Monitoring Visits Conducted by OFFICE OF SPECIAL EDUCATION PROGRAM (OSEP)

TEA's Failure to Ensure ISDs Properly Implement the IDEA Child Find Requirements

All Children who
are in need of
special education
and related services
are identified,
located and
evaluated

IDEA does not limit or
restrict the number of
children who can be
identified as “children
with a disability” provided
they qualify

2-Prong test

--have one of the 13
disabilities

--have an educational
need

FAPE is made available to all
children with disabilities
residing in the State in the
State's mandated age range,
which in Texas is ages 3
through 21

At no cost to parents in
conformity with an
individualized education
program (IEP) that meets
applicable IDEA requirements

Local educational agencies
(LEAs), in providing for the
education of children with
disabilities within their
jurisdiction, are consistent
with the State's policies
and procedures as a
condition of receiving a
subgrant of IDEA funds
from the State



TEA's Failure to Ensure ISDs Properly Implement the IDEA Child Find Requirements -- Cont'd.

- Implementation of Response to Intervention (RTI) and Special Education Referral Procedures
- Section 504 Related Aids and Services
- Implementation of State's Dyslexia Program
- Lack of Understanding of the Difference Between the IDEA and Programs for Struggling Learners



US Department of Education/ OSEP Findings

3-Areas of Non-compliance

TEA failed to ensure all children with disabilities residing in the State who are in need of special education and related services were identified, located, and evaluated, regardless of the severity of their disability, as required by IDEA section 612(a)(3) and its implementing regulation at 34 CFR §300.111.

TEA failed to ensure that FAPE was made available to all children with disabilities residing in the State in Texas's mandated age ranges (ages 3 through 21), as required by IDEA section 612(a)(1) and its implementing regulation at 34 CFR §300.101

TEA failed to fulfill its general supervisory and monitoring responsibilities as required by IDEA sections 612(a)(11) and 616(a)(1)(C), and their implementing regulations at 34 CFR §§300.149 and 300.600, along with 20 U.S.C. 1232d(b)(3)(A), to ensure that ISDs throughout the State properly implemented the IDEA child find and FAPE requirements



Gov. Abbott's letter to Commissioner Morath



GOVERNOR GREG ABBOTT

January 11, 2018

The Honorable Mike Morath
Commissioner
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

Dear Commissioner Morath:

I have read with deep concern the recent monitoring letter sent to the Texas Education Agency (TEA) from the U.S. Department of Education (DOE). The past dereliction of duty on the part of many school districts to serve our students and the failure of TEA to hold districts accountable are worthy of criticism. At the state and local level, the practices that led to the DOE monitoring letter will end.

Going back to 2004, the letter points to multiple failures by local school districts to adequately address the needs of our most vulnerable students. Of particular concern were local compliance failures stemming from the long-standing 8.5 percent representation policy. Such failures are not acceptable, and TEA must take steps now to significantly increase the oversight provided to ensure our special education students are receiving the services they deserve.

Thankfully, actions taken by you and our legislature put an end to that representation policy last year. But while the problems identified in the report started long before your arrival at TEA, our parents and students demand significant actions be taken now to improve special education in Texas.

Federal officials have provided no definitive timeline for action by TEA, but parents and students across our state cannot continue waiting for change. I am directing you to take immediate steps to prepare an initial corrective action plan *draft within the next seven days*.

Because no plan crafted solely by the agency could possibly serve the needs of all students around the state, the draft should be shared with representatives of parent groups, special education advocacy groups, as well as administrators and educators throughout the state. There must be full and meaningful input before the final plan is put into action.

Post Office Box 12428 Austin, Texas 78711 512-463-2000 (Voice) Dial 7-1-1 For Relay Services

...duty on the part of many school districts to serve our students and the failure of TEA to hold districts accountable are worthy of criticism.

Going back to 2004, the letter points to multiple failures by local school districts to adequately address the needs of our most vulnerable students.

Such failures are not acceptable, and TEA must take steps now to significantly increase the oversight provided to ensure our special education students are receiving the services they deserve.

...our parents and students demand significant actions be taken now to improve special education in Texas.

...parents and students across our state cannot continue waiting for change.

...it is obvious that more can be done, and more must be done.



TEA Proposed INITIAL DRAFT Plan US Department of Education Corrective Action Plan Request

The agency recognizes this is a first draft and requires substantial public comment and feedback

Purpose of the draft:

- ☐ To create a framework, from which the public may respond by either agreeing, disagreeing, or providing alternatives, etc.
- ☐ Intended to address the corrective actions as they relate to special education

As per Commissioner Morath, “This Corrective Action Plan provides the State of Texas the chance to make meaningful, lasting change in how we educate and support children with special needs.”



The plan assumes the following:

Significant Stakeholder Input

EXCERPT from Gov. Abbott's Letter: *Because no plan crafted solely by the agency could possibly serve the needs of all students around the state, the draft should be shared with representatives of parent groups, special education advocacy groups, as well as administrators and educators throughout the state. There must be full and meaningful input before the final plan is put into action.*

- TEA is committed to including significant stakeholder engagement in a meaningful way
- Stakeholders include: students, families, educators, advocacy groups, district & school officials, amongst other
- Multiple varied opportunities to provide feedback
 - Face to face focus groups—Throughout the month of February 2018
 - Online survey—Closed February 20, 2018

Transparency

- TEA will ensure all milestones of drafting, research, approval and implementation of corrective action plan are open and transparent
- Plan is posted for public review
- Following stakeholders feedback, the actual proposed plan will also be posted for public comments
- Comments will be summarized for public review
- Implementation milestones will of the plan will be publicly reported as it is implemented in the coming years
- TEA will also produce a bi-annual report on Special Education in Texas Summarizing Progress



FOCUS GROUPS

Reference page 13 of the TEA Proposed Initial Draft

APPENDIX C: Stakeholder Engagement Plan Outline

This outline is based on the following timeline assumptions:

- That TEA needs to operate with a healthy balance of urgency and thoughtfulness.
- This initial Draft Plan is available now and we will be accepting public comment through February 18, 2018.
- The Proposed Plan will be available on or around March 1, 2018. Additional public comment will be accepted through March 31, 2018.
- The FINAL State Corrective Action Plan, pending conversations with USED, will be submitted on or around April 18, 2018.

Stakeholders	Engagement Opportunities	Goals
<i>Special Education Students</i>	<ul style="list-style-type: none">• Focus groups in each region• State survey• Emailed feedback	At least 100 special education students will provide feedback.
<i>Families</i>	<ul style="list-style-type: none">• Focus groups in each region• State survey• Emailed feedback	At least 500 parents will respond to the survey
<i>Special Education Educators</i>	<ul style="list-style-type: none">• Focus groups in each region• State survey• Emailed feedback	At least 500 teachers will respond to the survey
<i>General Educators</i>	<ul style="list-style-type: none">• Focus groups in each region• State survey• Emailed feedback	At least 500 teachers will respond to the survey (inclusive of above).
<i>School Administrators</i>	<ul style="list-style-type: none">• Focus groups in each region• State survey• Emailed feedback	At least 500 administrators will provide feedback or respond to the survey.
<i>District Administrators</i>	<ul style="list-style-type: none">• TCASE mid-winter• ESC visits (2)	80% of district SPED Directors and/or Superintendents and/or CAOs respond to survey and/or provide feedback.



Focus Group Sessions



Corrective Action 1 Plan Overview

to document the State's system of general supervision of Child Find 34 CFR §300.111 and provision of Free Appropriate Public Education 34 CFR §300.101

- Increase the size of the Review & Support Team in Special Education to 26. This structure allows for every district in Texas to receive a support visit at least once every six years, plus an annual desk audit.
- The Review & Support Team will not narrowly 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 development of the review process will be done with significant stakeholder consultation.



Corrective Action 3 Plan Overview

plan and timeline TEA will provide guidance that RTI, Section 504 and Dyslexia program are not used to delay or deny initial evaluation under IDEA; provide information on differences; and disseminate information to staff and parents of children suspected of disability

- TEA will release an RFP specific to the creation of a suite of resources intended to be shared with the parents of children suspected of having a disability. These resources will describe the differences between RTI, the State dyslexia program, Section 504, and the IDEA, and would be developed in conjunction with extensive stakeholder feedback.
- TEA will revise the *Texas Dyslexia Handbook* to clarify the difference between dyslexia and dyslexia-related services, IDEA, Section 504, and RTI, and ensure clear guidance in the field, especially as it relates to dyslexia and dyslexia-related disabilities being eligible for IDEA.
- TEA will create and execute on statewide professional development for all educators (general education, special education, and others), structured initially as a training institute for teachers around the state, and to include ongoing follow up.

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Corrective Action 2 Plan Overview

plan and timeline for ensuring each ISD complies with Child Find for children enrolled in the ISD who should have been referred under IDEA; and require IEP teams to consider whether additional services are needed for children previously suspected and later found eligible, taking into consideration supports and services previously provided

- TEA will contract with a third party to create and execute an outreach campaign to inform families and LEAs of their rights and responsibilities. This campaign will require LEAs to provide information to every family in the district, and will target specific districts or families based on key indicators.
- A call center will be expanded.



Corrective Action 4 Plan Overview

plan and timeline TEA will monitor ISD's implementation of IDEA requirements under Correction Actions 1-3

- TEA will create the Special Education Escalation Team in the Office of Academics (12 FTEs).
- This team will be the escalation pathway for the Special Education Review & Support Team (Corrective Action 1). Any district who receives a negative Special Education monitoring report will be referred to the Special Education Escalation Team, who will begin intensive technical assistance.
- Until the Escalation Team is in place, the School Improvement team will focus existing monitoring activities on currently identified high needs LEAs.
- TEA will also help ensure a variety of third party technical assistance providers are available to districts. TEA will centrally procure and negotiate pricing for those service providers so they are available as districts have needs.

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Corrective Action One

- Each ISD identifies, locates, and evaluates all children suspected of having a disability who need special education and related services, in accordance with section 612(a)(3) of the IDEA and its implementing regulation at 34 CFR §300.111,
- Makes FAPE available to all eligible children with disabilities in accordance with section 612(a)(1) of the IDEA and its implementing regulation at 34 CFR §300.101.



Context of Corrective Action One:

TEA recognizes

- It does not have the same staff or structures as other states related to monitoring to have effective supervision of more than 1,200 LEAs.
- It must significantly increase its monitoring capacity to ensure a focus on improvements for students
- There are 11.5 FTE responsible for monitoring staff on the School Improvement Team which is insufficient for effective support for more than 500,000 students in various stages of special education identification or service process

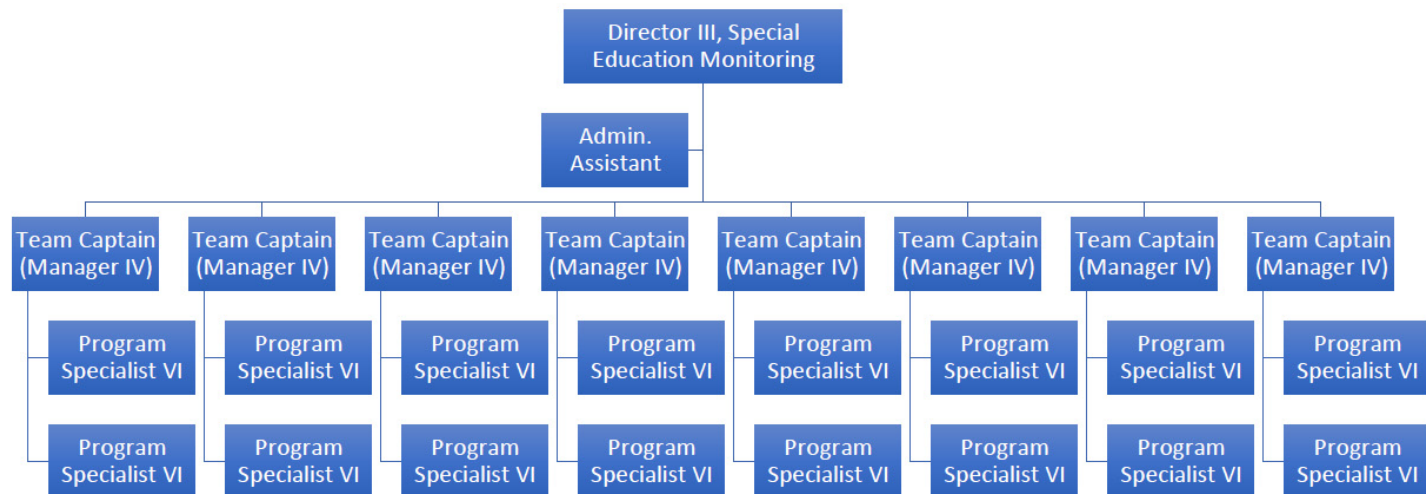


Plan for Corrective Action One:

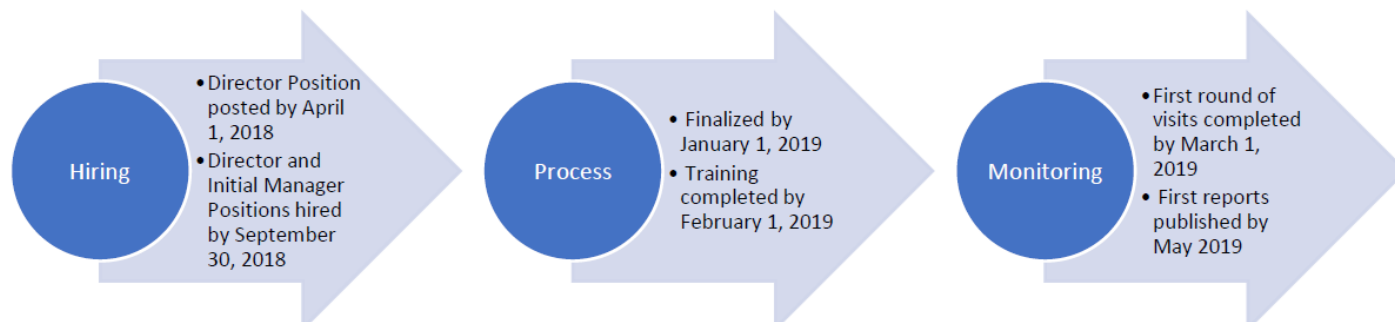
Address these needs TEA proposes

- To transition the Special Education monitoring duties from School Improvement to Special Populations as part of a new Review & Support Team—allowing for significantly increased capacity and expertise
- Increase the size of Review & Support team in Special Education to 25 to include an admin assistant. This creates 8 teams of 3 people
- Add an additional director
- Process Development with Facilitator





Timeline



Corrective Action One

Expected Outcomes

- 100% of LEAs will receive a Review & Support Team visit at least once every 6-years
- 100% of LEAs will have a published monitoring report by August 31, 2024
- 100% of LEAs will receive a desk audit on established metrics student outcomes, and process implementation at least once every 3-years

Estimated Cost

- \$2.2M for 26.5 additional Review & Support staff members (annually)
- \$0.1M: Cost of travel (~\$5,000 per person, annually)
- \$0.5M: Cost of Technical Assistance/Facilitation Vendor (one time)
- **TOTAL: \$2.3M annually, and \$0.5M one-time**



Corrective Action Two

- Identify, locate, and evaluate children enrolled in the ISD who should have been referred for an initial evaluation under the IDEA, and
- Require IEP Teams to consider, on an individual basis, whether additional services are needed for children previously suspected of having a disability who should have been referred for an initial evaluation and were later found eligible for special education and related services under the IDEA, taking into consideration supports and services previously provided to the child.



Context of Corrective Action Two:

- Some students in Texas who deserve special education services may have not received them
- It is the responsibility of TEA to develop and execute a process that: identifies, locates and evaluates children who were not evaluated and should have been
- Ensure they are assessed as quickly as possible; and determine if any compensatory services are required.

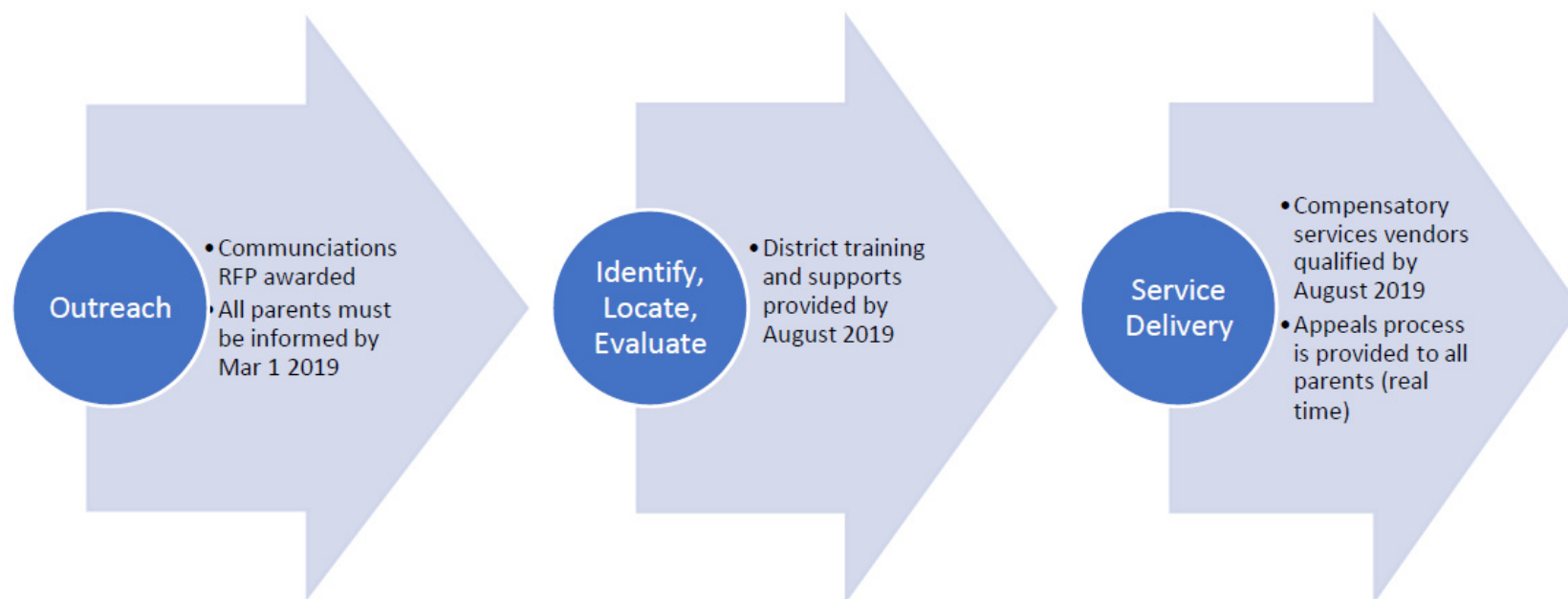


Plan for Corrective Action Two:

- *Outreach Campaign to Identify, Locate, and Evaluate:* TEA will contract with a third party to create and execute an outreach campaign to inform families and LEAs of their rights and responsibilities
- A call center will be expanded
- TEA will require every district and charter school to identify all students who were in:
 - Rtl for 6+ months,
 - only had a Section 504 plan, or
 - were exclusively in a dyslexia or dyslexia-related program.Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action plan and opportunity for a special education evaluation. The cost of identifying and conducting assessments for students suspected of having a disability has always been the responsibility of the district, which will continue
- TEA's Special Education team will update guidance for clarity and will lead a series of trainings for LEAs on conducting assessments for any parent or appropriate party who requests it
- *Compensatory Service Delivery:* For students who are found to have needed services and did not receive them, the LEA is responsible for providing compensatory services



Timeline



Corrective Action Two

Expected Outcomes

- 100% of LEAs will receive materials that can be used to present their statutory and professional requirements to their local school boards, and materials to publish information on their websites
- 100% of LEAs will receive guidance and information related to their legal responsibilities under state and federal law, including the identification of all eligible students and subsequent compensatory service guidelines

Estimated Cost

- \$3M: Outreach Campaign
- \$25M Compensatory Services Fund (over a five-year period)
- **TOTAL: \$28M over 5 years**



Corrective Action Three

- Ensure supports provided to struggling learners in the general education environment through RTI, Section 504, and the State's dyslexia program are not used to delay or deny a child's right to an initial evaluation for special education and related services under the IDEA;
- ISDs are provided information to share with the parents of children suspected of having a disability that describes the differences between RTI, the State dyslexia program, Section 504, and the IDEA, including how and when school staff and parents of children suspected of having a disability may request interventions and/or services under these programs; and
- Disseminate such information to staff and the parents of children suspected of having a disability enrolled in the ISD's schools, consistent with 34 CFR §300.503(c).



Context of Corrective Action Three:

- To create resources to give to LEAs. The information will include differences between IDEA, Section 504, Response to Intervention (RtI) and dyslexia or dyslexia-related needs, services, and requirements.
- LEAs will be required to provide this information to parents, so parents can better differentiate the purposes of special education, Section 504, and RTI.
- Parents will be informed about the complete set of pathways that may be appropriate for students with dyslexia

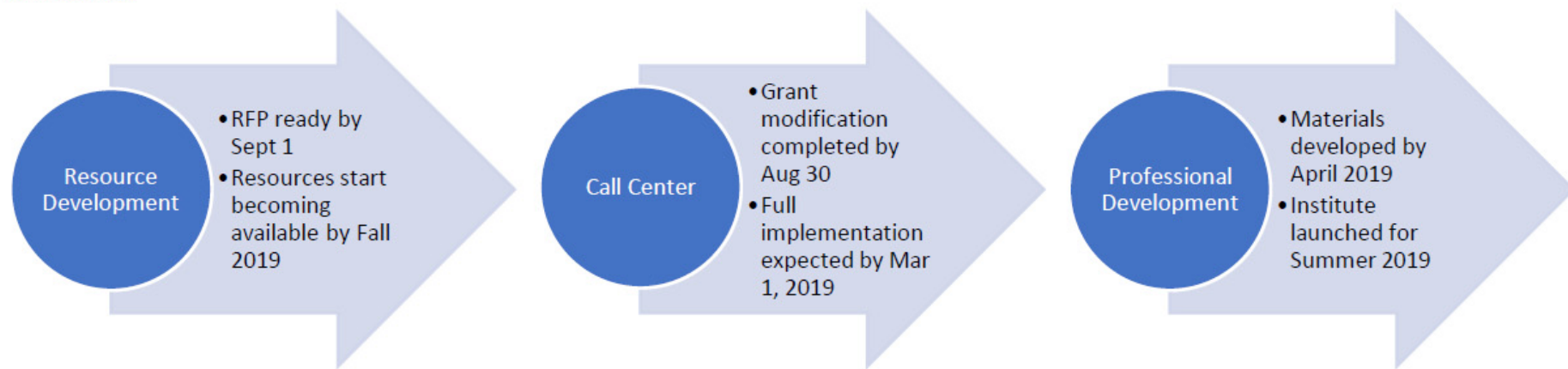


Plan for Corrective Action Three:

- Resource Development
- TEA will revise the *Texas Dyslexia Handbook* to clarify the difference between dyslexia and dyslexia-related services, IDEA, Section 504, and Rtl, and ensure clear guidance in the field, especially as it relates to dyslexia and dyslexia-related disabilities being eligible for IDEA.
- *Call Center*: As part of the current improvement plan to support state infrastructure and technical assistance in special education, and in coordination with the above resources to be developed, TEA will enhance and expand the grant program funding for a statewide call center.
- *Professional Development*: TEA will create and execute on statewide professional development for all educators (general education, special education, and others), structured initially as a training institute for teachers around the state, and to include ongoing follow up.
- *Dyslexia/504 Support*: As a note, the Special Education Division will include one staff member specifically dedicated to dyslexia/dyslexia-related guidance, support, and technical assistance



Timeline



Corrective Action Three

Expected Outcomes

- 100% of LEAs are provided the required guidance documents and resources.
- 100% of LEAs receive guidance to post this information on their web sites.
- Once developed, 80% of families feel the tool is easy to use, helpful, and supportive.

Estimated Cost

- \$0.15M: Dyslexia/Dyslexia-related and 504 Support FTEs
- \$1.5M: Call Center
- \$2.5M: Resource development (one-time)
- \$23M: Professional Development (\$15M one time and \$2M per year after that)

TOTAL: \$3.65M per year and \$17.5M one-time



Corrective Action Four

- TEA will monitor ISDs' implementation of the IDEA requirements when struggling learners are suspected of having a disability and needing special education and related services under the IDEA are receiving services and supports through RTI, Section 504, and the State's dyslexia program.



Context of Corrective Action Four:

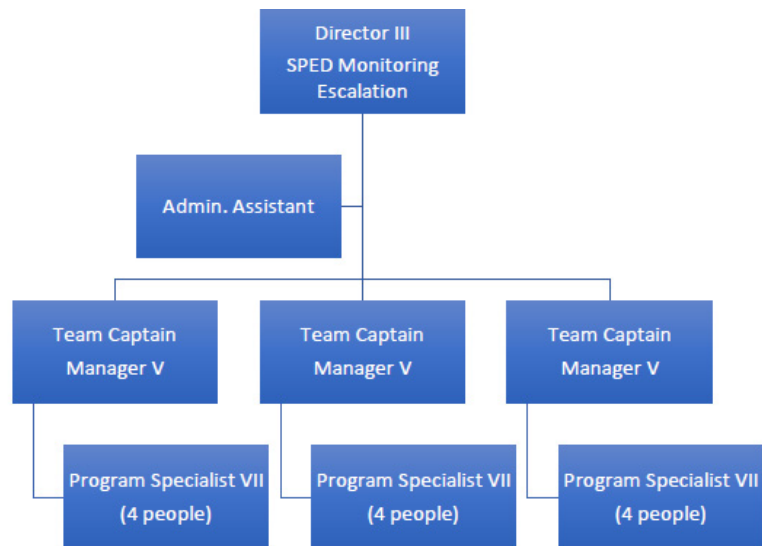
- There are districts with more specific needs for support to improve their current special education practices and processes, as outlined in the USDE report
 - These districts require direct technical assistance beyond what would be provided with normal Review and Support Team activities
 - TEA proposes the launch of a Special Education Escalation Team – a team devoted to LEAs with more specific needs



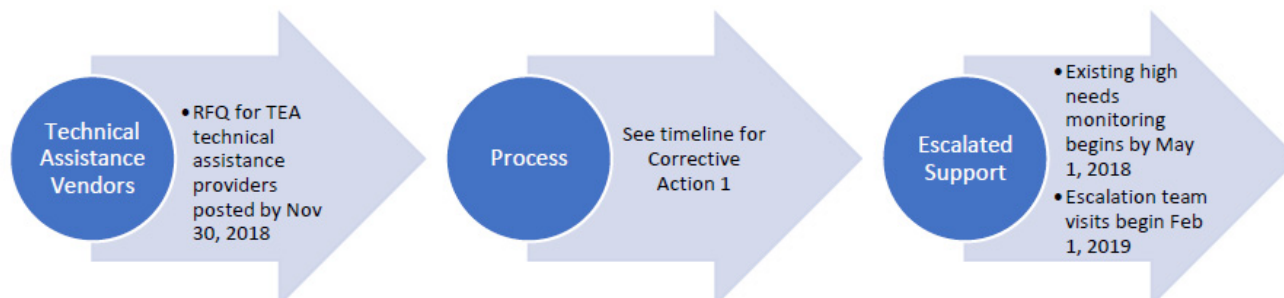
Plan for Corrective Action Four:

- *Escalation Team:* TEA will create the Special Education Escalation Team in the Office of Academics. The team will consist of 12 field specialists, plus 3 supervisors and one administrative assistant, and a director of the unit.
- An additional director will have shared oversight duties split between both this Escalation Team and the Review & Support Team as described in Corrective Action 1.
- In the first three years, TEA expects the majority of the Escalation Team's work will focus on those districts with the most clear or self-reported gap between students who are identified with special needs and those who should have been previously identified. This team will spend a significant amount of time in these high-needs and prioritized districts, until the point at which the critical and urgent issues have been addressed. These districts will remain on a more frequent monitoring schedule until they meet expectations.
- This team will also be the escalation pathway for the Special Education Review & Support Team. Any district who receives a negative Special Education monitoring report will be referred to the Special Education Escalation Team, who will begin intensive technical assistance.
- Until the Escalation Team is in place, the School Improvement team will focus existing monitoring activities on currently identified high needs LEAs
- *Technical Assistance Vendors:* TEA will also help ensure a variety of third party technical assistance providers are available to districts. TEA will centrally procure and negotiate pricing for those service providers so they are available as districts have needs.





Timeline



Corrective Action Four

Expected Outcomes

- 100% of LEAs demonstrating SPED identification gaps will receive Escalation Team support by August 31, 2021
- 80% of LEAs receiving Escalation Team support will have a cleared, approved monitoring report within three years of identification

Estimated Cost

- \$1.4M: Cost of 17.5 escalation team members (annually)
- \$0.1M: Cost of travel (\$5,000 per person, annually)
- \$1.5M: Cost of the Technical Assistance Vendors (one-time)

TOTAL: \$1.5M annually and \$1.5M one-time



Additional Actions

TEA will begin implementation of the following to drive additional progress for special education students

- Given TEA's prior actions to expand its special education support team by 39 FTEs statewide, TEA will begin staff training across the agency so all TEA staff provide consistent responses to stakeholders. These trainings will occur quarterly
- TEA will explore possible changes to teacher certification and credentialing as it relates to requiring a demonstrated proficiency in areas related to special education
- TEA is restructuring grant agreements with Educational Service Centers (ESCs) to be outcomes-oriented. Further, as part of the grant requirements, there will be close document review and approval of all ESC materials to ensure guidance in the field remains clear
- TEA is moving forward with the posting and hiring of a Special Education Director



Implications

- Performance-Based Monitoring Analysis System 8.5% SPED Representation Indicator Removed
- Intervention Programs Should Not Delay SPED Referral Process
- Parental Request for Evaluation for Special Education Eligibility Clarified
- Comprehensive TEA Monitoring Practices



Moving Forward...We need to begin to

TRANSFORM OUR TEACHING PRACTICES TO ENHANCE STUDENT EXPERIENCES & LEARNING



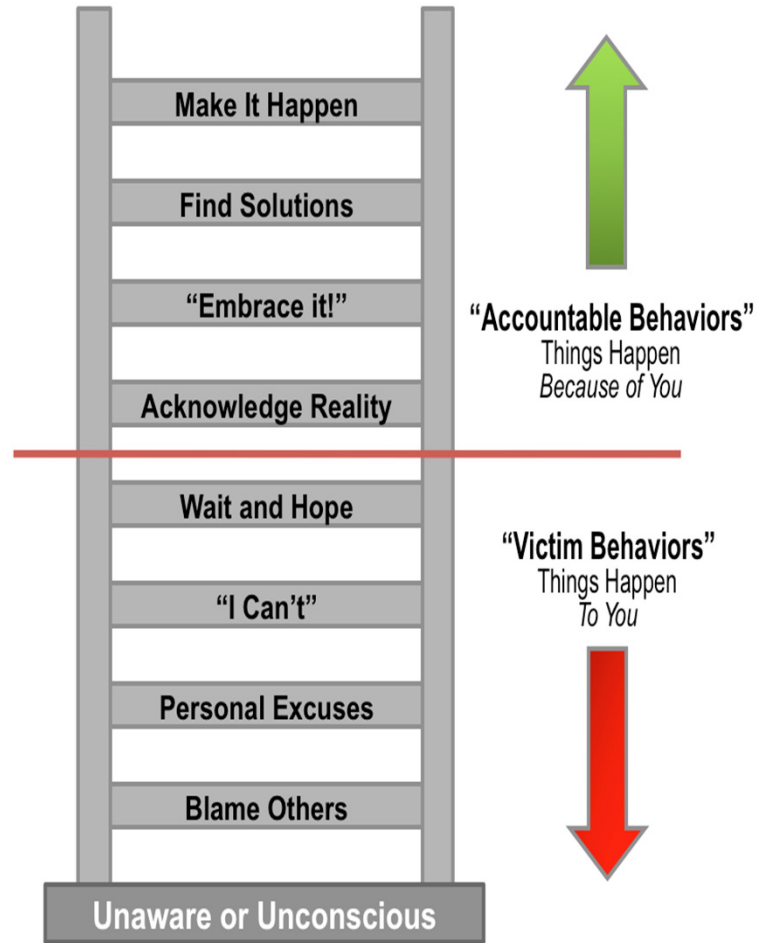
8 Step Process for Leading Change: Kotter's 8 Stages of Change

- (1). **Create a sense of urgency** Articulate a powerful rationale and case for change
- (2). **Build a strong coalition** Create a team with power & influence to lead the change effort
- (3). **Create a vision** To guide direction of the change
- (4). **Communicate the vision** Use every possible way to communicate the vision
- (5). **Empower others** Remove obstacles to the change
- (6). **Plan and Create short-term wins** Plan visible quick wins and recognize and reward employees
- (7). **Consolidate gains and produce more change** Use credibility gained from early 'wins' to bring other structures & processes into alignment with the change vision. Get the people who can and will implement these new changes, and re-invigorate the process with new projects and themes.
- (8). **Anchor new approaches in the corporate culture** Create better performance through customer and productivity-oriented behavior, better leadership and more effective management. Articulate the links between the new behavior and organizational success. Develop ways to ensure further leadership development and succession.





Raising the bar



And...by Setting Goals & Objectives

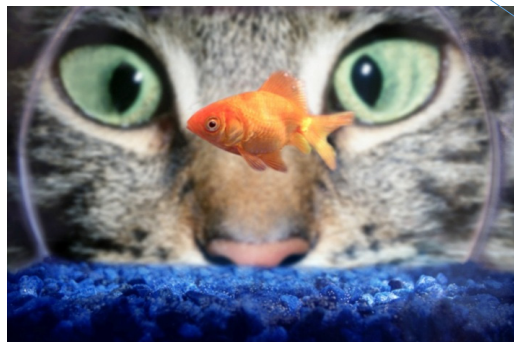
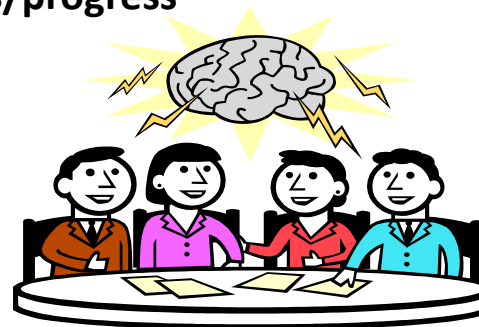
- Examine Current School of thought
- Make Special Education a Priority
- Transform Instructional Practices
- Highlight Interventions & Strategies
- Define Organizational Model



➤ Review/analyze data



➤ Brainstorm alternatives and/or interventions to improve student success/progress



➤ Monitor the quality & delivery of services



➤ Get connected, be a resource, be their voice

REMEMBER ME?
Can you please just
teach me?

AT RISK

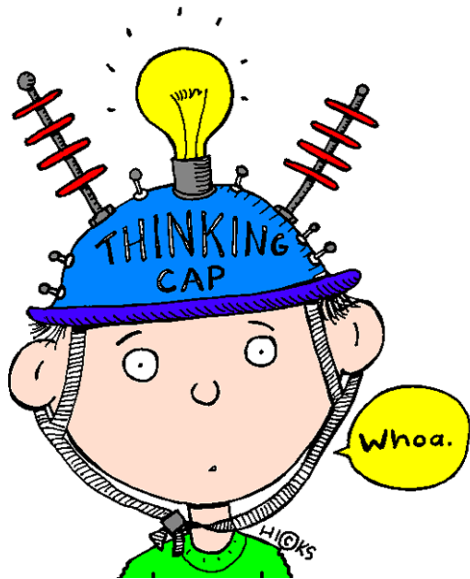
**ECONOMICALLY
DISADVANTAGED**

Bilingual

SPECIAL EDUCATION



Regardless of labels attached to students, we must retain the following:



- Same commitments
- Same concepts
- Same expectations

THE ABOVE MUST BE AGREED UPON AS A COMMON GOAL BY ALL STAKEHOLDERS

Know your impact

Power to Impact

Innovative instruction

Measurable goals

Performance

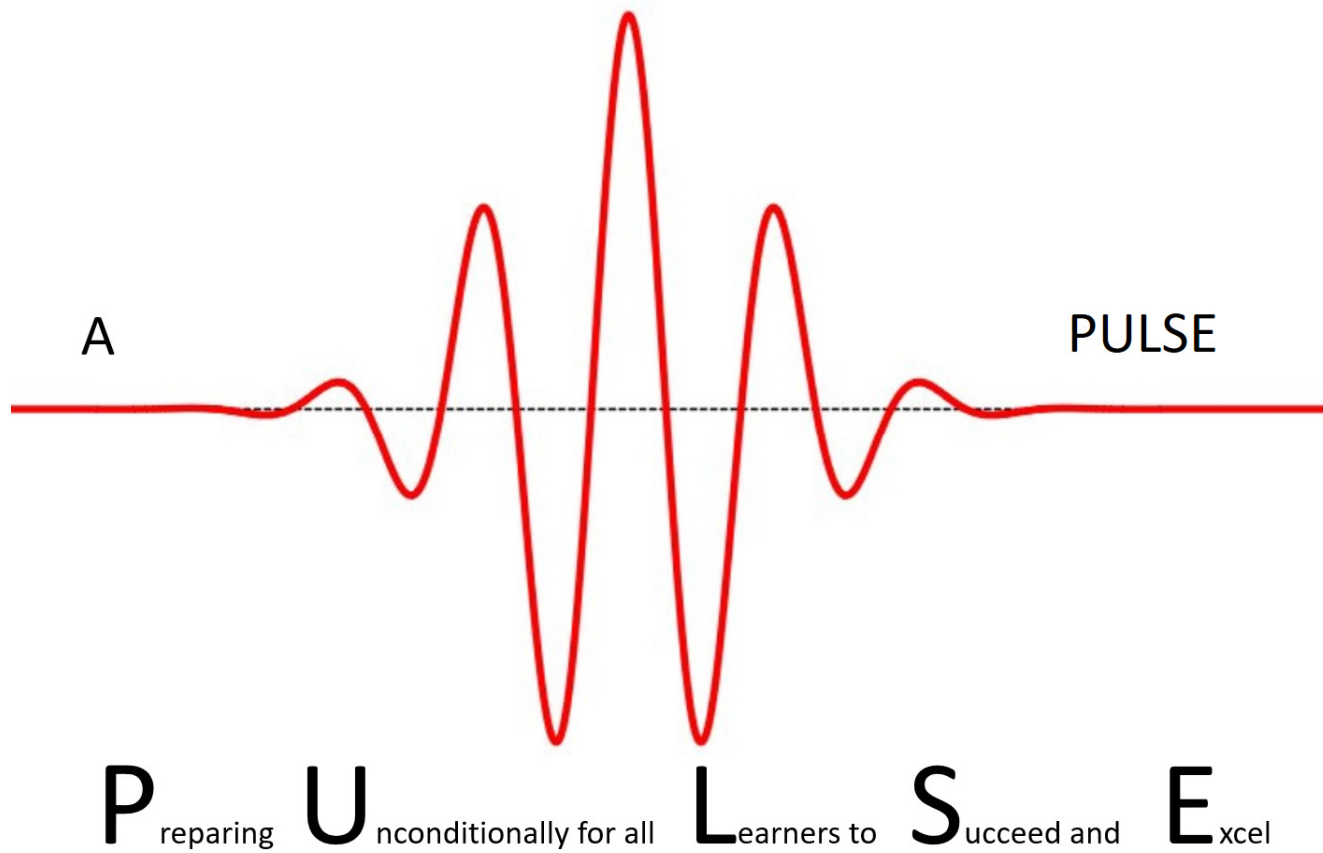
Active participation of students, parents and teachers

Consistent **C**ollaboration

Transformation of teaching & learning



This IMPACT will increase College and Career Readiness for all students



THANK YOU

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