

2011 Local Education Agency Compliance Report
Department of Special Education
Prepared for Board of Trustees Meeting
December 13, 2011

Purpose of Report

To inform the Board of the District's special education compliance status associated with indicators 11, 12 and 13 in the State Performance Plan (SPP).

Board Goal

II. Teaching & Learning. . . In pursuit of excellence, the district will advocate and practice true accountability based on measurement of individual student progress over time, regardless of external mandates.

History

Annually the Texas Education Agency must inform the district of its status related to special education compliance for State Performance Plan (SPP) indicators 11, 12 and 13. The district, as in years past, was required to submit data to the TEA to determine compliance status for the three SPP indicators by August 31. Data submitted for SPP 11 included students referred for the first time and evaluated during the 2010-2011 school year. During the 2010-2011 school year 535 students district-wide were tested for initial evaluations. Fourteen of the 535 were considered noncompliant as a result of not meeting the timeline for evaluation. Indicator 12 data is based on referrals DISD receives from ECI (ReadyStart). DISD evaluated then developed and implemented an IEP for each of the eligible students by their third birthday; thereby meeting 100% compliance. The data submitted for SPP 13 was a random sampling of two high schools. Of the 38 folders reviewed four were found noncompliant due to ARD meeting timelines. Below is the district's special education compliance status for 2009 and 2010.

State Performance Plan (SPP) Indicator	2010 Compliance Status	2009 Compliance Status
Indicator 11 – Percent of children who are evaluated within 60 days of receiving parental consent for initial evaluation	94.9%	98%
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 birthday.	92.1%	82%
Indicator 13 – Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs.	100%	98%

Objectives

- Meet federal requirement of 100 % compliance for SPP 11 and 13.
- Maintain 100% compliance for SPP indicator 12.

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Status

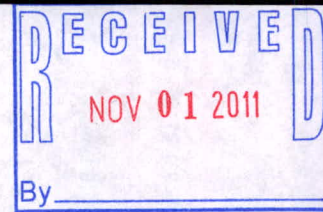
Based on a letter from the Texas Education Agency dated October 26, 2011, the special education compliance status for Denton ISD is noncompliant with indicators 11 and 13. DISD has meet compliance status for indicator 12.

State Performance Plan (SPP) Indicator	2011 Compliance Status
Indicator 11 – Percent of children who are evaluated within 60 days of receiving parental consent for initial evaluation	97.4%
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 birthday.	100%
Indicator 13 – Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs.	89.5%

Activities to Move to Compliance

The Executive Director, Special Education Supervisors and staff related to the noncompliance meet to create the required Corrective Action Plan for submission to the Texas Education Agency by December 16, 2011. Activities for SPP 11 include: staff development for case managers; informational meetings for support staff and principals; supervisor monitoring of referrals and timelines using various data systems and reports; and development and distribution of a “standard practice memo.” Beginning January 2012, campus special education staff will provide campus administrators with a list of outstanding referrals needing evaluation. Report will include deadline for evaluation as well as timeline for ARD meeting. Activities for SPP 13 include: staff development for high school diagnosticians; transition teachers at each high school; informational meeting for high school principals and high school special education coordinator will guide high school transition teachers through monthly random monitoring of folders for compliance status.

D. Roybal



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Action Required

October 26, 2011

Dr. Ray Braswell, Superintendent
Denton ISD
1307 N Locust St
Denton, TX 76201

Subject: 2011 Local Educational Agency (LEA) Compliance Report

Dear Dr. Braswell:

The purpose of this letter is to notify your district of its status related to the special education compliance findings identified as a result of data collected and reviewed associated with Indicators 11, 12 and 13 in the State Performance Plan (SPP), in accordance with the Individuals with Disabilities Education Act (IDEA). By August 31, 2011, all districts and charter schools were required to submit data to the Texas Education Agency to determine compliance in regard to timely evaluations for students referred for special education services (SPP 11); timely and effective transition from IDEA Part-C early childhood intervention into IDEA Part-B early childhood special education (SPP 12); and secondary transition individualized education program (IEP) requirements (SPP 13) for the 2010-11 school year. The federally required state target for all three of these compliance indicators is 100%. In accordance with federal regulation and guidance from the U.S. Department of Education Office of Special Education Programs (OSEP), when findings of noncompliance with the requirements of the IDEA are identified, including through a state's data review process, the State must require districts to correct the noncompliance as soon as possible, but in no case later than one year, after the State's written notification to the LEA of the finding of noncompliance. This letter serves as official written notification of findings of compliance or noncompliance for the following SPP indicators:

Indicator 11

Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. (20 U.S.C. 1416(a)(3)(B))

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))

Indicator 13

Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. (20 U.S.C. 1416(a)(3)(B))

Status of Compliance and Corrective Action Required

The attached LEA compliance profile reflects your LEA's compliance with SPP indicators 11, 12, and 13 for the 2010-11 reporting year.

The State appreciates the efforts of LEAs that reported 100% compliance for this and past years. No corrective action is required if the district reported 100% compliance with an indicator.

LEAs that did not report 100% compliance must complete corrective actions for each of the indicators in which the state target of 100% was not met. A corrective action plan must be developed to include all indicators that reflect noncompliance. The corrective action plan (CAP) will indicate the specific steps the LEA will take to ensure the full correction of the noncompliance.

For an LEA that is in any stage of intervention for the 2011-2012 performance-based monitoring (PBM) system in the special education program, the LEA will include the correction of the SPP indicators within a CAP that will be submitted according to the timelines for submittal of intervention required activities. These dates may be found in the guidance documents for the various stages of intervention. The guidance documents are on the TEA website at <http://www.tea.state.tx.us/pmi>.

For an LEA that is **not** staged in any stage of PBM interventions for special education, a CAP will be developed to include any SPP indicator reflecting noncompliance. LEAs will submit the CAP to the agency by **December 16, 2011**.

The CAP form is on the TEA website at <http://www.tea.state.tx.us/pmi/>. The LEA will submit the plan by uploading the form to the Intervention Stage and Activity Manager (ISAM) application on the TEA Secure Environment (TEASE). Instructions for uploading the document in ISAM can be found on the TEA website at <http://www.tea.state.tx.us/pmi/>.

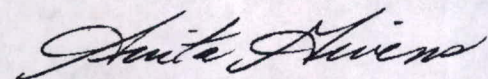
Activities planned to achieve the required corrections should address:

- possible review/revision of the LEA's operating guidelines;
- steps/procedures that will be taken to correct the noncompliance identified in the review of student-specific information;
- steps/procedures that will be put in place to ensure that the same errors will not occur in the future; and
- how the LEA will monitor itself to know if the noncompliance is being corrected and remains corrected.

As stated earlier in this letter, the LEA must address and correct an issue of noncompliance as soon as possible, but in no case longer than one calendar year from this notification. Follow-up verification of the corrective action will be implemented through the Program Monitoring and Interventions process.

Should you have any questions regarding the data collection process you may call the Division of Federal and State Education Policy at 512-463-9414. For questions related to the submittal of corrective action information, call the Division of Program Monitoring and Interventions at 512-463-5226.

Sincerely,



Anita Givens
Associate Commissioner
Standards and Programs

cc: LEA Special Education Director
Executive Director, Region 11 Education Service Center
Special Education Contact, Region 11 Education Service Center

Enclosure



TEXAS EDUCATION AGENCY

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Local Educational Agency (LEA) Compliance Profile (2010-11) State Performance Plan Indicators 11, 12, and 13

Region 11
 County District No. 061901
 District Name Denton ISD

Indicator 11

Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. (20 U.S.C. 1416(a)(3)(B))

Compliance percentage	Compliance Status
97.4%	Noncompliant

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))

Compliance percentage	Compliance Status
100.0%	Compliant

Indicator 13

Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. (20 U.S.C. 1416(a)(3)(B))

Compliance percentage	Compliance Status
89.5%	Noncompliant