

March 20, 2015

Dr. Jamie Wilson, Superintendent
Denton ISD
1307 N Locust St
Denton, TX 76201

**Information
Only**

Subject: School Year 2013-2014 Local Educational Agency (LEA) Determination Process

Dear Dr. Wilson:

Under the Individuals with Disabilities Education Act (IDEA) §616, States are required to make annual determinations about the performance of the LEAs using the categories of Meets Requirements, Needs Assistance, Needs Intervention, and Needs Substantial Intervention. As implied, these categories represent various intensities of required technical assistance and/or intervention. States are required to make a determination using these categories for every LEA within the state on an annual basis.

In making these determinations, states are required to consider the following federally required elements:

1. Performance on State Performance Plan (SPP) compliance indicators;
2. Submission of valid, reliable, and timely data;
3. Uncorrected noncompliance from other sources (complaints resolution, due process, and monitoring); and
4. Any financial audit findings

States may choose to include additional elements in making determinations. The Texas Education Agency (TEA) has incorporated the following state defined elements:

5. Performance-Based Monitoring (PBM) Stage of Intervention for the special education program area.

Attached you will find the School Year 2013-2014 LEA Determination Report for your LEA. TEA appreciates the efforts of LEAs that have achieved a determination of Meets Requirements for this year and in past years. No further action is required of LEAs with the determination of Meets Requirements. LEAs with a determination of Needs Assistance, Needs Intervention or Needs Substantial Intervention may appeal their determination. Additional information about the LEA Determination Process, including the appeals process, can be found on the TEA website at <http://tea.texas.gov/index2.aspx?id=2147491399>.

Eligibility to Reduce Maintenance of Effort (MOE)

Under IDEA §616(f) (34 CFR §300.608(a)), if, in making its annual determinations, the state educational agency (SEA) determines that any LEA is not meeting the requirements of Part B, including meeting compliance targets in the state's performance plan (SPP) Indicators 9, 10, 11, 12, and 13, the SEA must prohibit that LEA from reducing its MOE under IDEA §613(a)(2)(C) for the 2015-2016 fiscal year. If the LEA's determination is Needs Assistance, Needs Intervention, or Needs Substantial Intervention, the LEA is not eligible to voluntarily reduce MOE for the 2015-2016 fiscal year based on the flexibility option of 34 CFR §300.205.

If an LEA's federal IDEA-B allocation for the current year is greater than the allocation for the preceding year, the LEA may choose to reduce the level of its state and/or local expenditures below what was spent on special education services in the preceding year. **However, the voluntary reduction may only be taken if the LEA's determination is Meets Requirements and the LEA has not been identified as having significant disproportionality.** [34 CFR 300.205(c)] The amount of that voluntary reduction may not exceed 50% of the allocation increase in IDEA-B formula funding. Therefore, if the LEA's determination is Meets Requirements, and the LEA meets these additional fiscal requirements, found at http://tea.texas.gov/index4.aspx?id=25769803812&menu_id=951, the LEA is eligible to voluntarily reduce MOE for the 2015-2016 fiscal year based on the flexibility option of 34 CFR §300.205.

The LEA's determination is **Meets Requirements**, and therefore **may be eligible** to reduce MOE. LEAs are encouraged to retain a copy of this letter and the enclosed LEA Determination Report for audit purposes, if the LEA plans to reduce MOE. LEAs achieving the determination of Needs Assistance, Needs Intervention, or Needs Substantial Intervention must continue implementing activities associated with existing continuous improvement plans, including seeking technical assistance from regional education service centers and/or other technical assistance providers. TEA will disseminate information to LEAs concerning any additional required actions related to a determination other than Meets Requirements.

The LEA Determination Process is not subject to public reporting by the TEA; however, LEAs are strongly encouraged to share this information with their communities by including the information on the LEA's website, in a public notice in a local newspaper, or by communicating it through some other means. In addition, this information is subject to disclosure under the Public Information Act, Chapter 552 of the Government Code.

If you have any questions concerning the LEA Determination Process, please contact the Division of Federal and State Education Policy at (512) 463-9414.

Sincerely,



Monica Martinez
Associate Commissioner
Standards and Programs

cc: LEA Special Education Director
ESC Executive Director
ESC Special Education Director

Enclosure

School Year 2013-2014 Local Educational Agency (LEA) Determination Report

Under §616 of the Individuals with Disabilities Education Act (IDEA), States are required to make annual determinations about the performance of the LEAs using the categories of Meets Requirements, Needs Assistance, Needs Intervention, and Needs Substantial Intervention. Under §616(f) (34 CFR §300.608(a)), if, in making its annual determinations, the state educational agency (SEA) determines that any LEA is not meeting the requirements of Part B, including meeting compliance targets in the state's performance plan (SPP) Indicators 9, 10, 11, 12, and 13, the SEA must prohibit that LEA from reducing its maintenance of effort (MOE) under IDEA §613(a)(2)(C) for the 2015-2016 fiscal year. Therefore, if the LEA's determination is Needs Assistance, Needs Intervention, or Needs Substantial Intervention, the LEA is not eligible to voluntarily reduce MOE for the 2015-2016 fiscal year based on the flexibility option of 34 CFR §300.205.

061901	Denton ISD	11
County-District	District Name	Region

2014 LEA Determination: Meets Requirements

LEA eligibility to voluntarily reduce MOE: may be eligible

The following areas were reviewed in making the LEA's determination:

Determination Elements	Performance Level Indicator
1. State Performance Plan (SPP) Compliance Indicators	0
2. Valid, Reliable, and Timely Data	0
3. Status of Uncorrected Noncompliance	0
4. Financial Audits	0
5. Program Effectiveness	0

Determination Crosswalk

Total Performance Level	Determination
No "2"s or "3"s	Meets Requirements
One or more "2"s but No "3"s	Needs Assistance
One "3"	Needs Intervention
More than one "3"	Needs Substantial Intervention

*For more information about the LEA Determination Process, visit:
<http://tea.texas.gov/index2.aspx?id=2147491399> or contact the TEA Division of Federal and State
 Education Policy at 512.463.9414*