



TEXAS EDUCATION AGENCY

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Robert Scott
Commissioner

June 20, 2011

Ray Braswell, Superintendent
Denton ISD
1307 N Locust St
Denton, Texas 76201

**Information
Only**

Subject: 2011 Local Educational Agency (LEA) Determination Process

Dear Dr. Braswell:

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 element:

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

Attached you will find the 2011 LEA Determination Report for your LEA. The TEA appreciates the efforts of LEAs achieving the Determination status of Meets Requirements for this year and past years. No further action is required of LEAs with the Determination status of Meets Requirements. LEAs with a Determination status of 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://www.tea.state.tx.us/special.ed/>.

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 maintenance of effort (MOE) under IDEA §613(a)(2)(C) for the 2011-12 fiscal year. Therefore, if the LEA's Determination status is Needs Assistance, Needs Intervention, or Needs Substantial Intervention, the LEA is not eligible to voluntarily reduce MOE for the 2011-2012 fiscal year based on the flexibility option of 34 CFR §300.205.

LEAs achieving the Determination status 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. The TEA will disseminate information to LEAs concerning any additional required actions related to a Determination level of Needs Assistance or lower.

The LEA Determination Process is not subject to public reporting by the TEA; however, LEAs are strongly encouraged to share this information with their community 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 IDEA Coordination at (512) 463-9414.

Sincerely,



Ann Smisko
Associate Commissioner for School Improvement and Educator Initiatives

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

Enclosure

2011 Local Education Agency (LEA) Determination Report

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. 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 maintenance of effort (MOE) under IDEA §613(a)(2)(C) for the 2011-12 fiscal year. Therefore, if the LEA's Determination status is Needs Assistance, Needs Intervention, or Needs Substantial Intervention, the LEA is not eligible to voluntarily reduce MOE for the 2011-2012 fiscal year based on the flexibility option of 34 CFR §300.205.

061901	Denton ISD	11
County-District	District Name	Region

2011 LEA Determination Status Needs Assistance

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

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

Crosswalk of Rating Scale to Determination Level

Determination Level	Total Rating Points
Meets Requirements	0 Points
Needs Assistance	1-2 Points
Needs Intervention	3 Points
Needs Substantial Intervention	4 or More Points

*For more information about the LEA Determination Process, visit:
<http://www.tea.state.tx.us/special.ed/> or contact the Division of IDEA Coordination at 512.463.9414.*