

Michael Williams
Commissioner

October 15, 2014

Action Required

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

Subject: 2014 Local Educational Agency (LEA) Compliance Report

Dear Dr. Jamie Wilson,

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 29, 2014, 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 2013-14 school year. The federally required state target for all three of these compliance indicators is 100%. Districts reporting less than 100% compliance were given an opportunity for clarification in which data corrections could be submitted by September 15, 2014. 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))

*SB 816 – implementation date September 1, 2013

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 service 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 2013-14 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 all indicators.

LEAs that did not report, and whose subsequent clarification did not result in 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 2014-2015 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 submission 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** included in any stage of PBM interventions for special education, a CAP will be developed to include any SPP indicator reflecting noncompliance. LEAs must submit the CAP to the agency by **November 21, 2014**.

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 submission of corrective action information, call the Division of Program Monitoring and Interventions at (512) 463-5226.

Sincerely,



Monica Martinez
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

**Local Educational Agency (LEA) Compliance Profile (2013-14)
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))

*SB 816 – implementation date September 1, 2013

Compliance percentage	Compliance Status
98.7%	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%	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 service needs. (20 U.S.C. 1416(a)(3)(B))

Compliance percentage	Compliance Status
100%	Compliant



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Information Only

October 15, 2014

Subject: 2014 Local Educational Agency (LEA) Clarification Participation Addendum

Denton ISD
CDN - 061901

As a requirement of the State Performance Plan (SPP) and the Annual Performance Report (APR), the Texas Education Agency (TEA) is required to determine whether local education agencies (LEA) meet the State performance goals for FFY 2013 (SY 2013-2014) included in Texas' SPP. In order to determine if the goal was met, data submitted in the SPP data collection system is reviewed for each district. According to data submitted, Denton ISD appeared noncompliant and was given an opportunity for clarification. Thank you for submitting documentation to clarify your data for FFY 2013 (SY 2013-2014) Indicator(s) 11.

In accordance with OSEP Memorandum 09-02, the TEA must verify that the identified noncompliance (student level) has been corrected and that the specific regulatory requirements are being correctly implemented through a review of updated data. Denton ISD has not demonstrated that both the identified noncompliance (student level) has been corrected and that a review of additional clarification data reflects 100% compliance with implementation of the specific regulatory requirements.

According to the data and clarifications submitted to the TEA, it has been determined that Denton ISD is not 100% compliant, as required by IDEA for Indicator(s) 11, and is specifically reported in the enclosed Compliance Report. Any further action required pertaining to this or any other SPP Indicator is outlined in the enclosed 2014 Local Educational Agency (LEA) Compliance Report letter.