

# Executive Summary

## Prepared for Board of Trustees Meeting

### November 13, 2007

## Special Education Report

## Residential Monitoring Corrective Action

---

### Purpose of Report

To share with the district's Board of Trustees the results of the department's on site monitoring visit from the Texas Education Agency (TEA) in April 2007. This information will be in the form of two documents:

- **Report of Noncompliance** (findings of the on-site monitoring team)
- **Corrective Action Plan (CAP)** (developed by the department and revised by the TEA monitoring team)

It is important to note that while the report of noncompliance identifies student specific issues, subsequent conversations with the TEA revealed the areas of noncompliance involved a total of 12 students, eight of whom are enrolled on the same campus. The integrity of services to students with disabilities is more often than not confirmed based on written documentation found in each student's eligibility file. Typically, records in the files are the results of an Admission, Review, and Dismissal (ARD) meeting. Given the need to engage in corrective action activities, special education supervisory staff responsibilities have been re-focused so as to identify inconsistencies in the archival process of student services and the implementation of those services in a more timely and proactive manner.

### Objectives

- To assure that students who reside in residential facilities receive equity in relation to other students with disabilities in Denton ISD
- To complete corrective action activities within a 12 month time frame from the date of approval of the corrective action plan by TEA (October 11, 2007)
- To assure that case managers are trained and sensitive to the procedures outlined in district resource tools regarding the ARD process
- To apply the same expected standards of case management on behalf of all students with disabilities

### Operational Impact

The design of the corrective action plan requires personnel dedicated to monitoring of student eligibility files, instructional service delivery, parent involvement, and commensurate school day specifically for students who live in residential facilities. Additionally, the TEA requires that districts maintain an online report known as Residential Facility (RF) Tracker. This RF tracker report requires input of all residential students' demographic information, the input of enrollment and withdrawal dates, input of teacher's demographics (this includes all general education and

**Executive Summary**  
**Prepared for Board of Trustees Meeting**  
**November 13, 2007**  
**Special Education Report**  
**Residential Monitoring Corrective Action**

---

special education teachers-including their highly qualified status-who work with this identified target group, as well as information related to service providers (employee/contract)).

Costs related to the completion of the Corrective Action Plan are:

Hiring of an Adapted Assistive Technology (ATT) specialist (\$48,000.00)

File auditor \$13,500.00 (contract professional @ \$300.00/day for 45 days)

RF Tracker clerk \$23,468.00(new position currently posted)

Total estimated costs: **\$84,968.00**

**Background**

The purpose of the monitoring visit (April 2007) is satisfy a complaint brought against the TEA. Below is a chronology of this complaint yielding the Angel G. Decree.

- 1994 by advocacy groups regarding child find for students living in residential facilities (specifically nursing homes).
- 1996 the courts found that the TEA did not offer sufficient leadership to districts regarding students who may be in nursing homes. TEA develops a monitoring system-requiring districts to complete a form as each student is enrolled, and maintain in the eligibility file
- 2000 US District court for Western District of TX rules for advocacy groups
- 2004 Court rules TEA's monitoring system is inadequate
- 2004 TEA proposes a decree know as the Angel G. Decree-assuring a more intense and separate monitoring system.
- 2005 the decree is filed, expires on December 31, 2010.
- 2006-2007 on site monitoring visits began
- Advocacy group representatives are actively involved in the monitoring as well as the development of Corrective Action Plans
- Denton's CAP was approved on October 11, 2007 and must be completed within one calendar year.

The agency (TEA) conducted a random visit during the week of April 24, 2007. This visit included focus meetings with administrators, service providers, facility staff, and parents/surrogate parents as well as a review of students' eligibility folders.

Findings were shared with representatives of the Advocacy groups to determine the depth and extent of corrections to be made by districts. While Denton ISD provides quality and equitable services for students who reside in residential facilities, this was not valued by the monitors or the representatives of the Advocacy groups. Local agencies will learn that the TEA is expected to find matters of noncompliance as the complainants (advocacy groups) desire that the TEA engages in better oversight of local agencies and how services for those in residential placements are provided.

**Executive Summary**  
**Prepared for Board of Trustees Meeting**  
**November 13, 2007**  
**Special Education Report**  
**Residential Monitoring Corrective Action**

---

During discussions regarding the report of non-compliance and the CAP, TEA's responses are: *'they have no flexibility and the agency is following the directives of the Advocacy groups as well as the agreements made in the development of the monitoring system and corrective action activities'.*

**Other Options**

- To hire an educational diagnostician specifically for case management of all students in residential facilities, thus promoting more consistency with documentation and reporting and collaboration with facility staff
- To collaborate with the City of Denton to be informed when individuals or companies are seeking permits for opening homes designed to provide housing for more than 4 individuals who are not related, thus allowing the district to better prepare to enroll students
- Address legislative leaders regarding the classification of the Juvenile Detention Center as a residential facility