

Response to Article Allegations

Statement from Article	TEA Response
1. "...unelected state officials have quietly devised a system that has kept thousands of disabled kids...out of special education."	<p>This statement is untrue. See TEA Response to Statement #4 (below), and November 2, 2016 TEA response to October 3, 2016.</p>
2. "...officials arbitrarily decided what percentage of students should get special education services — 8.5 percent."	<p>This statement is false. Like all indicators in the Performance-Based Monitoring Analysis System, the performance level (PL) ranges for the special education representation indicator were based on district-level, region-level, and state-level data that led to focus group and stakeholder recommendations for the entire PBMAS framework. See pages 7-9 of the <i>2004 PBMAS Manual</i> (http://tea.texas.gov/pbm/PBMASManuals.aspx).</p> <p>In 2004, after nine stakeholder meetings were held with diverse groups of individuals representing school districts, education service centers, professional organizations, advocacy groups, and others, these recommendations were proposed, and subsequently adopted, under the Texas Administrative Code (TAC).</p> <p>The special education representation indicator in PBMAS does not indicate what percentage of students <i>should</i> get special education services. It is an indicator designed to report <u>four</u> different ranges that capture the various rates of special education representation among districts: 0-8.5%; 8.6%-11.0%; 11.1%-15.0%; and 15.1%-100%.</p> <p>It is misleading to characterize any indicator in the PBMAS as having one "target," or one "standard." In fact, because there are four different PLs associated with each indicator, four different cut point ranges were established. For each indicator (and there are more than 100 in PBMAS), the process for establishing the cut point ranges was the same.</p> <p>All four cut point ranges for the PBMAS indicators were originally established based on either an "absolute" or "relative" standard. Absolute standards are tied to an absolute requirement or goal. All districts have the possibility of achieving the absolute standard over time. The four PBMAS cut point ranges for the assessment, dropout, and graduation rate indicators were all based on an absolute standard.</p> <p>Relative standards are not tied to an absolute requirement or goal, and there is not a state expectation that districts will achieve the relative standard over time. Relative standards are typically based on the distribution of data across the population being evaluated. In PBMAS, the four cut point ranges for certain assessment participation indicators, discipline indicators, and the special education representation indicators were based on a relative standard.</p> <p>Different approaches were used in establishing the initial four cut point ranges for indicators based on a relative standard. In some cases, the starting point for the four cut point ranges was based on the percentage of districts in a ranked distribution in relation to the state median. In other cases, such as the special education representation rate indicator, the starting point cut point ranges were established based on the number of standard deviations away from the</p>

	<p>state median. In all cases, the initial proposed cut points may have been adjusted slightly for ease of presentation or to accommodate indicators with small overall ranges (e.g. the special education representation rate and dropout rate indicators) versus those with large overall ranges (typically found with the student assessment indicators).</p> <p>The indicator does not set a goal or require districts to maintain an 8.5% representation rate. TEA has never fined, investigated, visited, or sanctioned a district based on special education representation rates greater than 8.5%. School districts have never reported to TEA that the special education representation indicator in PBMAS caused them to refrain from fulfilling their obligation under federal law to serve <u>all</u> eligible students that (1) have a disability as defined in federal regulation and state law/rule; and (2) as a result of the disability, need special education and related services.</p>
<p>3. "...they have forced school districts to comply by strictly auditing those serving too many kids."</p>	<p>TEA did not force districts to strictly comply with an 8.5% special education representation rate. TEA has utilized a staging system that incorporates multiple indicators and factors for interventions. A district assigned a stage of intervention engages in intervention activities that range from a simple data analysis to an onsite visit.</p> <p>In 2016, 638 of 1207 districts have more than 8.5% of students enrolled in special education as measured by the PBMAS special education representation indicator. In 2016, (100%) all districts staged in the special education program are staged because of other performance indicator issues and 0% are staged based on indicator 10. Stated differently, none of the examples cited in either of the articles were a result of indicator 10. All of them would have been flagged even if indicator 10 was removed from the system.</p>
<p>4. "Their efforts, which started in 2004 but have never been publicly announced or explained..."</p>	<p>PBMAS manuals, rule adoption, and reporting system are all available online and have been discussed in numerous forums. In addition to the original rule adoption process in 2004, each year's subsequent PBMAS was made available for public comments and requests for public hearings. Each rule adoption is announced through a listserv notification that currently includes nearly 16,000 subscribers, including all districts, all education service centers, professional and advocacy associations, and legislative staff. TEA's responses to comments received through that process are made available publicly each year. Additionally, each year's PBMAS Manual (containing detailed information on the development and implementation of the PBMAS), along with district, region, and state PBMAS reports have all been publicly posted on TEA's web site for years.</p> <p>For additional information see: http://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Commissioner_of_Education_Rules_-_Texas_Administrative_Code/ and http://tea.texas.gov/Student_Testing_and_Accountability/PBMAS/</p> <p>TEA's efforts to announce and explain the PBMAS include <u>very detailed information</u> in the original <i>2004 PBMAS Manual</i>, along with annual manuals after that.¹</p> <p>As noted in the <i>2004 PBMAS Manual</i>, TEA conducted a series of onsite and</p>

¹ All PBMAS Manuals have been publicly posted on TEA's web site since 2004. <http://tea.texas.gov/pbm/PBMASManuals.aspx>

Texas Education Telecommunications Network (TETN) stakeholder meetings in 2004 to gather input on proposed indicators, performance criteria, and performance standards. During the period of May – August 2004, approximately nine stakeholder meetings were held with diverse groups of individuals representing school districts, education service centers, professional organizations, advocacy groups, and others. The focus of these meetings was to present the proposed 2004-2005 indicators for performance-based monitoring. Meeting participants provided input on ways to structure effective and meaningful measures to evaluate student performance and data quality.

Initial Stakeholder Meetings (list may not be exhaustive):

June 21, 2004 (two meetings: one AM, one PM)
June 23, 2004 (two meetings: one AM, one PM)
June 28, 2004
June 29, 2004 (two meetings: one AM, one PM)
June 30, 2004
August 20, 2004
August 23, 2004
August 24, 2004

PBM Focus Group Meetings (list may not be exhaustive):

January 31 – February 1, 2007
November 12, 2008
November 2, 2009
June 22, 2010
November 7, 2011

Each year's *PBMAS Manual* undergoes the public rule adoption process and is made available for a 30-day comment period.

Public Comment Periods

2004 PBMAS: April 1, 2005 – May 1, 2005
2005 PBMAS: September 16, 2005 – October 16, 2005
2006 PBMAS: July 28, 2006 – August 27, 2006
2007 PBMAS: June 8, 2007 – July 8, 2007
2008 PBMAS: May 16, 2008 – June 15, 2008
2009 PBMAS: June 19, 2009 – July 20, 2009
2010 PBMAS: May 14, 2010 – June 14, 2010
2011 PBMAS: May 27, 2011 – June 27, 2011
2012 PBMAS: June 1, 2012 – July 2, 2012
2013 PBMAS: June 7, 2013 – July 8, 2013
2014 PBMAS: May 2, 2014 – June 2, 2014
2015 PBMAS: May 22, 2015 – June 22, 2015
2016 PBMAS: May 20, 2016 – June 20, 2016

Commissioner's Rule Review Process (January through July 2010)

What was the purpose? To identify areas of concern, eliminate unnecessary interference with districts' ability to improve student performance, and improve districts' ability to operate efficiently and effectively.

What was included in the review? Commissioner Rules in 19 TAC Chapters 30, 53, 61, 62, 74-76, 89, 95, 97 (PBMAS is in this chapter), 100-103, 105, 1009, 129,

	<p>150, 153, 157, 161, and 176; along with corresponding TEA regulations and guidance related to Commissioner’s rules.</p> <p><i>What was the process?</i> Regional stakeholder meetings at each of the 20 ESCs, associations and professional organizations convened meetings to coordinate review from their members, webinars, and individual input from the public.</p> <p>TEA has provided many other opportunities for stakeholder input. Information about, and updates to, the PBMAS have been (and continue to be) shared regularly at various stakeholder meetings and with several groups, including the Continuing Advisory Committee for Special Education, The Texas Continuous Improvement Steering Committee for Special Education, The Texas Council of Administrators of Special Education, and the Texas Association of School Administrators. TEA has also provided information about the PBMAS to the State Auditor’s Office, the Texas Legislature, the Legislative Budget Board, and the USDE among others.</p>
<p>5. “.....saved the Texas Education Agency billions of dollars but denied vital supports to children...”</p>	<p>This is incorrect. Please see paragraph response #1 in the primary letter.</p> <p>School districts receive state funding for every student, with added funding for those served in special education. PBMAS is not part of the state's school finance system. Furthermore, the federal rules for maintenance of effort (MOE) require that states and school districts continue to fund special education year after year at the same or higher level than the previous period.</p>
<p>6. “The benchmark has limited access to special education for children with virtually every type of disability.”</p>	<p>There is no benchmark limit on the number of students identified for special education services for any type of disability. Decreases in disability categories are not evidence that students' access to special education was denied. It's not possible for us to confirm these numbers, as the reporter does not provide enough information about his data source. Also, the data on the <i>Houston Chronicle</i> website does not correctly represent all disability categories from data TEA would have provided, nor does it represent declines in all of the listed areas.</p> <p>TEA reports the number of students identified for special education services in the disability categories listed in IDEA. The attached report provides data reported from 2007-2008 through 2015-2016. This data does not support the article’s allegation that access to special education has been limited in virtually every type of disability. Instead, the data reflects increases in six disability categories (autism, deaf-blindness, multiple disabilities, visual impairment, multiple disabilities/intellectual disability, and other health impairment).</p>
<p>7. “[English Language Learner (ELL)] children currently make up 17.9 percent of all students in Texas but only 15.4 percent of those in special education. That 15 percent difference is triple the gap that existed when the monitoring system began.”</p>	<p>The statewide PBMAS data for 2006 (the first year that statewide reports were available) reflects that both the ELL representation rate and the SPED/ELL representation rate were 15.8%. The statewide PBMAS data for 2015 reflects that the ELL representation rate was 18.2% and the SPED/ELL representation rate was 15.8%. This 2.4% difference indicates some possible underrepresentation of LEP students in special education programs. However, it is important to note that the complexity in distinguishing between language acquisition issues versus special education issues has been heavily documented and continues to evolve over time.</p>
<p>8. “The best approximation may be 15.4 percent. That’s how many U.S. kids ages 2-8 whom doctors have diagnosed with a</p>	<p>The article referenced indicated that: “Overall, among U.S. children aged 2-8 years, 15.4% had at least one diagnosed MBDD [mental, behavioral, or developmental disorder], by parent report.” This included, per the article, a “parent report of whether they were ever told by a health care professional</p>

<p>mental, behavioral or developmental disorder, according to a March 2016 study by the federal Centers for Disease Control and Prevention.”</p>	<p>that the child had attention-deficit/hyperactivity disorder (ADHD), depression, anxiety problems, behavioral or conduct problems such as oppositional defiant disorder or conduct disorder, Tourette syndrome, autism spectrum disorder, learning disability, intellectual disability, developmental delay, or speech or other language problems.” http://www.cdc.gov/mmwr/volumes/65/wr/pdfs/mm6509.pdf). Many of the concerns listed above would qualify for special education services, while some would not. It is also entirely possible that children could mature out of the behaviors that are noted between the ages of 2-4. Using one of the examples in the article, a child with anxiety may require differentiation or adult motivation; however, anxiety itself does not automatically qualify the child for special education. The article does not list every condition that would qualify – though many of the examples used do not automatically qualify a child for special education (general concerns with conduct, depression, anxiety, etc.). As a result, the application of this article as a comparison point to the very specific and clear disabilities that would result in qualifying for special education is wholly misleading, inaccurate, and discouraging for families who are seeking to find the strongest and most applicable supports for their children.</p> <p>Further, while some disability categories require a doctor to participate in the eligibility determination process, other categories do not. School districts are required to serve all eligible students that 1) have a disability as defined in federal regulation and state law/rule; and 2) as a result of the disability, need special education and related services. However, not all students with a disability are eligible for special education services because the nature and severity of their disability does not create a need for special education and related services to receive an appropriate education. These students would receive protection from discrimination on the basis of their disability under Section 504 of the Rehabilitation Act of 1993. A district must serve all eligible students, so the percent of should reflect the effective implementation of IDEA. Further, it is important to clarify that mental, behavioral or developmental disorders do not specifically equate to a need for special education services and there is no way to directly compare percentages of parent-identified concerns with special education in the state given that the article did not articulate the breakdown of concerns, the percentages associated with it, or that the concerns would qualify for services. Generally speaking, the article was focused on the social needs of young children; this does not automatically transfer to academic needs in schools.</p>
<p>9. “Several said the agency was worried about money. On average, educating a special education child is twice as expensive, and the federal government pays only one-fifth of the extra costs, leaving the rest to states and school districts — a cost that totaled \$3 billion in Texas in 2002.”</p>	<p>See TEA Response to Statement #4 and November 2, 2016 TEA response to October 3, 2016 OSERS letter.</p>
<p>10. “There was always a concern about over-identification of special ed students and the costs associated with that,” said Ron McMichael, the</p>	<p>It is well-established that there are many non-financial costs associated with over-identification. This includes children being placed in classrooms with modified curriculum at levels that are less than that to which they are entitled.</p> <p>Further, there are certainly financial costs for providing services to students</p>

<p>deputy commissioner for finance at the time.”</p>	<p>who don't need them. In one of the examples cited in the article, for example, TEA was working with a district who was placing English Learners into special education for low performance, processing issues, etc. Special education provides many significant supports for eligible children, some of whom are also English Learners; however, special education services provided to non-English speaking students erroneously identified for special education will not improve their ability to speak English. The technical assistance and supports that can be provided to districts to support more accurate identification of qualified students, and providing supports that best meet individual children's needs so they can meet their potential is the ultimate goal and purpose in our work.</p> <p>IDEA specifically requires TEA to monitor school districts for inappropriate over-identification. Furthermore, the use of IDEA funds on students who do not meet the eligibility requirements in 34 CFR §300.8 is not permissible.</p> <p>TEA did not have the opportunity to ask Dr. McMichael for broader context to his comments, as he left the agency over 12 years ago.</p>
<p>11. “Districts that scored poorly on the PBMAS could be fined, visited by regulators, compelled to complete "Corrective Action Plans" or taken over entirely, the system manual said.”</p>	<p>This statement is partially false. Districts cannot be fined because of PBMAS nor can they be taken over because of PBMAS. They are required to craft corrective action plans, only when IDEA violations are identified, by either the district or the TEA. PBMAS can lead to site visits for programmatic monitoring and can lead to continuous improvement plan/targeted improvement plan.</p> <p>Separately, PBMAS indicators focus on student performance and program effectiveness, not compliance. Districts engage in data collection and analysis to identify areas for program improvement. An on-site review may occur based on multiple risk factors reflecting substantial, imminent, or ongoing risks.</p>
<p>12. “But the TEA did not consult the federal government, Texas Legislature or State Board of Education before implementing the policy, records show.”</p>	<p>See TEA Response to Statement #4 and November 2, 2016 OSERS response letter.</p>
<p>13. “The agency said in its statement that it convened focus groups while creating the PBMAS. But it was unable to produce any documentation of that.”</p>	<p>See TEA Response to Statement #4 and November 2, 2016 OSERS response letter.</p>
<p>14. “The TEA also was unable to produce any records about why 8.5 percent was chosen as the target. It acknowledged in its statement that there is no research that establishes 8.5 percent as ideal.”</p>	<p>See TEA Response to Statement #2.</p>
<p>15. “Four agency officials set the benchmark, former employees said: special education director Eugene Lenz; his deputies, Laura Taylor and Kathy Clayton; and accountability chief Criss Cloudt.”</p>	<p>This statement is partially false. Ms. Clayton was not one of the employees who was tasked with developing PBMAS.</p>
<p>16. “Districts that have resisted the</p>	<p>The articles make many incorrect references to “corrective action plans” and</p>

<p>target have been forced to act by the state, which requires some districts with high special education rates to write 'Corrective Action Plans' detailing how they will reduce their enrollments."</p>	<p>includes hyperlinks to several of these plans. The plans discussed in the article are actually "continuous improvement plans," not corrective action plans. Continuous improvement plans (now referred to as "targeted improvement plans" under the TAIS process) are plans that schools and/or districts create to develop strategies for addressing the students' need that they identify as significant and/or important. Corrective action plans are only required when IDEA violations are identified, by either the district or the TEA. PBMAS indicators focus on student performance and program effectiveness, not compliance.</p>
<p>17. "Many kids in Section 504 in Texas have dyslexia. State officials have said that's appropriate because of the mildness of the disability. But many experts disagreed, saying kids with dyslexia need special education to be able to read."</p>	<p>In 1995, the state legislature established provisions for the screening and treatment of for dyslexia and related disorders. Texas was among the first states to establish such a program. For students with dyslexia who require specially designed instruction, they are enrolled in special education, but others receive their services through the state program. Before the state program was created, the only options for these students were to be served in special education or not served at all.</p>
<p>18. "The TEA said in its statement that it has sought public input about the PBMAS. But the only place it has done that has been in the Texas Register, a little-known state agency journal. A typical entry appeared on Page 5,579 of the July 18, 2014 edition."</p>	<p>See TEA Responses to Statements #2 and #4.</p>
<p>19. "[Texas special education students] are five times more likely to be expelled to a disciplinary school..."</p>	<p>Although the reporter does not cite his data source, TEA agrees that this is a clear example of the concerns associated with improperly identifying and/or over-identifying a student for special education. TEA is well aware of the need to monitor disproportionate disciplinary placements of students with disabilities. Since its inception in 2004, the PBMAS has included indicators specifically designed to monitor those placements (http://tea.texas.gov/pbm/PBMASManuals.aspx.) Information about discipline placements is also available on TEA's web site (http://tea.texas.gov/Reports_and_Data/Student_Data/Discipline_Data_Products/Discipline_Data_Products_Overview/)</p>
<p>20. "For months, the TEA has refused to release any records or correspondence about the enforcement efforts other than some Corrective Action Plans submitted by some school districts in the past few years. Agency lawyers have argued that all other records are exempt because they were part of audits, and Attorney General Ken Paxton's office has agreed."</p>	<p>In compliance with the determination from the Attorney General's office, the requested targeted improvement plans will be released from the 2015-2016 school year once the submissions for the 2016-2017 have been submitted.</p>
<p>21. "It is impossible to know what has happened to the discharged students because Texas does not meaningfully</p>	<p>This statement is false. Since 2005, the PBMAS has included an indicator that evaluates the student assessment passing rates, by subject area, of special education students in the year following their dismissal from special education services. As noted on PBMAS State Reports over the last decade, these</p>

track what happens to children who leave special education.”	students have consistently demonstrated strong performance across subject areas (http://tea.texas.gov/pbm/stateReports.aspx). In the 2016 PBMAS, the state STAAR 3-8 passing rate for these “year-after-exit” students is 76.5% (mathematics), 72.2% (reading), 72.5% (science), 59.1% (social studies), and 61.4% (writing).
22. “The PBMAS system monitors the percentage of students who pass state tests in the year after they exit services, but that metric is flawed because it does not require schools to say how many kids took modified tests or did not participate at all.”	This statement is false. Students who are no longer receiving special education services are not eligible to take the modified assessment. TEA monitors test participation rates, including rates of students served in special education, through its Student Assessment Data Validation system (http://tea.texas.gov/Student_Testing_and_Accountability/DVM/). Please see above for testing data.

Marlin ISD

Statement from Article	TEA Response
“In Marlin ISD, near Temple, for example, district leaders promised the state in a Corrective Action Plan that they would reduce their special education numbers by creating a brochure telling parents about assistance available outside of special education.”	The plan at issue is a continuous improvement plan, not a corrective action plan. Marlin ISD notified TEA of the brochure that was created for parents, but specifically stated its purpose was to outline the benefits of Response to Intervention and the non-special education supports and interventions available to parents before referral to special education. Further, this specific example outlines that there are benefits to RtI that could positively impact children. This would be an identified solution on how to provide supports to students while the special education identification process is occurring, but not as a replacement to special education.

Laredo ISD

Statement from Article	TEA Response
“A few days before school began in 2007, district administrators in the Laredo ISD called an emergency staff meeting. The Texas Education Agency had determined that they had too many students in special education, the administrators announced...”	This is inaccurate. See November 2, 2016 TEA response to October 3, 2016
“More than 700 children were forced out of special education and moved back into regular education. Only 78 new students entered services.”	TEA’s PBMAS data does not show that Laredo ISD exited more than 700 students from its special education program during the 2007-2008 school year. Instead, the data reflects that Laredo ISD had 278 fewer students in special education during the 2007-2008 school year than it had the previous school year. Specifically, for the 2006-2007 school year, Laredo ISD reported 2,741 students enrolled in special education, and for the 2007-2008 school year, it reported 2,463 students enrolled in special education. Importantly, not all of the 278 would have been exited from special education. Some would have graduated or left school for other reasons (transfer out to another district, state, or country, drop out, private school, home school, etc.). Our best approximation is only 66 or so of that 278 were exited in Grades 3-11. This approximation is based on the number of students in the year-after-exit

	<p>indicator for math and reading (the only two subjects tested in all grades 3-11).</p> <p>Additionally, Laredo ISD reported data related to its requirement under federal law specific to child find activities. In 2007-2008, the district reported referring 99 students for special education evaluations. Of those, 78 were initially determined eligible for special education services (a 79% eligibility rate). It is important to note however, students who transfer into the district from another district in the state with an existing individualized education program and placed in special education are not included in this number. Subsequent years show Laredo ISD determined eligible 97 of 112 students in 2008-2009 (87%), and 237 of 264 students in 2009-2010 (90%). This trend continued through school year 2011-2012 peaking at 376 of 433 (87%) students determined eligible before decreasing and becoming somewhat stable over the next four school years. Current data in 2015-2016 shows 232 of 300 students (77%) were determined eligible for special education services and similar to the current overall state eligibility rate of 78% among referred students.</p>
<p>“Documents show, however, that the TEA came down hard on Laredo ISD in 2007 [for having a special education representation rate above 8.5%]. The agency sent a team of regulators to Laredo and ultimately made the district hire consultants to fix several issues, including ‘potential over-identification,’ because it was providing special education to 11 percent of students...”</p>	<p>TEA conducted an on-site monitoring visit due to ongoing issues related to the district’s special education program, none of which related to the special education representation indicators in PBMAS. See November 2, 2016 TEA response to October 3, 2016 OSERS letter.</p>
<p>The regulators noted problems with a few individual special education student plans and identified four systemic "issues/trends": low participation and passing rates on state tests; a lack of inclusive practices; insufficient monitoring of student progress; and "potential over-identification," particularly among non-English speakers.</p>	<p>The January 5, 2007 Laredo ISD notification letter documented that, because of the continued noncompliance identified for the district—which was not related to the special education representation indicator—the district would remain at a stage 4 intervention level in the special education program area and would receive an on-site monitoring visit. See TEA response to October 3, 2016 OSERS letter.</p>
<p>“In Laredo ISD in the mid-2000's, so-called English Language Learners did receive special education services at a higher rate than English speakers – a situation that was not the case in the rest of the state. But, their special education percentage was only slightly higher than the national average of 13 percent.”</p>	<p>Data on Laredo ISD’s special education representation rate for English Language Learners (ELLs) from 2004 to 2016 is publicly available https://rptsvr1.tea.texas.gov/pbm/distrpts.html. As shown on the district’s 2004-2005 PBMAS Report, ELLs comprised 62.07% of the district’s enrollment and 80.94% of its special education enrollment.</p>
<p>Laredo ISD does not give state tests to most children who exit special</p>	<p>These statements appear to be incorrect. It is unclear where these ‘statistics’ are being generated</p>

<p>education, statistics show. In the 2008-2009 school year – the year after more than 700 students left special education – only 78 kids in grades 3-8 took the state math test, according to the TEA. Forty-five passed. Only 15 children took the state social studies test. Eight passed.</p>	<p>The 2008-2009 Academic Indicator Excellence System (AEIS) report for Laredo ISD indicates that the district had an overall test participation rate of 96.3% for all students in Grades 3-11 in 2009 and a 96.4% test participation rate for all students in Grades 3-11 in 2008. The district submitted 1,766 special education answer documents (Grades 3-11) in 2009, which represents a 98.0% test participation rate for students served in special education. The district submitted 1,978 special education answer documents (Grade 3-11) in 2008, which represents a 98.8% test participation rate for students served in special education: https://rptsvr1.tea.texas.gov/perfreport/aeis/2009/index.html</p> <p>In the 2008 PBMAS, the TAKS 3-11 passing rate for these “year-after-exit” students in Laredo ISD was 53.1% (mathematics—64 tested); 65.2% (reading/ELA—66 tested); 50.0% (science—24 tested); 89.5% (social studies—19 tested); and 76.9% (writing—13 tested). In the 2009 PBMAS, the TAKS 3-11 passing rate for these “year-after-exit” students in Laredo ISD was 57.7% (mathematics—78 tested); 65.4% (reading/ELA—78 tested); 44.4% (science—29 tested); 78.3% (social studies—15 tested); and 88.9% (writing—18 tested). <i>(These are the two PBMAS years that are closest to the time period the article cites. Additionally, these numbers and rates are based on the PBMAS Special Education Year-After-Exit Rate indicator and its applicable criteria.)</i></p>
---	--

Alief ISD

Statement from Article	TEA Response
<p>A former special education chair in Alief ISD was repeatedly told the district “was under TEA sanctions for having too many special education kids.”</p>	<p>No sanctions have been applied to Alief ISD related to the overall representation of special education students in the district. Alief has been required to engage in interventions related to African-American overrepresentation in special education. The district conducted an analysis of its data, which it subsequently used to develop local interventions, as appropriate. The “sanctions” consisted of one email from one TEA staff member asking for an update, which no TEA staff member ever reviews, as it is a local process.</p>