

Texas Part B FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>Status of Public Reporting on LEA Performance:</p> <p>While the State has publicly reported on the performance of each local educational agency located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA, those reports do not contain the required information. Specifically, while the State reported on Indicators 1, 2,3A, 3B, 3C, 4A, 5, 9, and 10, the State did not report on Indicators 8 and 13. The State did not provide FFY 2006 data on Indicators 11 and 12 and could therefore not publicly report on those indicators.</p>		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma. [Results Indicator]</p>	<p>The State revised the targets for this indicator and OSEP accepts those revisions. The revised targets are less rigorous than the previously established targets. The State indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The State’s FFY 2007 reported data for this indicator are 70.34%. These data represent slippage from the FFY 2006 data of 72.7%.</p> <p>The State did not meet its FFY 2007 target of 94.6%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school. [Results Indicator]</p>	<p>The State revised the targets for this indicator and OSEP accepts those revisions. The revised targets are less rigorous than the previously established targets. The State indicated that stakeholders were provided an opportunity to comment on the revised targets.</p> <p>The State’s FFY 2007 reported data for this indicator are 13.94%. These data represent slippage from the FFY 2006 data of 10.6%.</p> <p>The State did not meet its FFY 2007 target of 2.8%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: A. Percent of districts that have a disability subgroup that meets the State’s minimum “n” size meeting the State’s AYP objectives for progress for disability subgroup. [Results Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 42.18%. These data represent slippage from the FFY 2006 data of 93.6%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>

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<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 98.74% for reading and 98.89% for math.</p> <p>These data represent progress from the FFY 2006 data of 98.1% for reading and progress from the FFY 2006 data of 98.7% for math.</p> <p>The State met its FFY 2007 targets of 95%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 61.61% for reading and 50% for math.</p> <p>These data represent slippage from the FFY 2006 data of 70.8% for reading and slippage from the FFY 2006 data of 68.99% for math.</p> <p>The State met its FFY 2007 targets of 60% for reading and its target of 50% for math.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>[Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 1.06%. These data represent progress from the FFY 2006 data of 4.7%.</p> <p>The State did not meet its FFY 2007 target of 0%.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 1, 2009 a description of the results of the State's examination of data from FFY 2007 (2007-2008). In addition, the State was to describe the review, and, if appropriate, revision, of policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, the State must again describe the results of the State's examination of data from FFY 2007 (2007-</p>

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	<p>supports, and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies in FFY 2005 and FFY 2006, as required by 34 CFR §300.170(b). The State has provided this information. The State reported that noncompliance identified in FFY 2006 through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b) was corrected.</p>	<p>2008). In addition, the State must again describe the review, and if appropriate, revision of policies, procedures and practices relating to the development and implementation of the IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA for LEAs identified with significant discrepancies in FFY 2007, as required by 34 CFR §300.170(b).</p>					
<p>4. Rates of suspension and expulsion: B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity. [Results Indicator]</p>	<p>States were not required to report on this indicator for FFY 2007.</p>	<p>The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p>					
<p>5. Percent of children with IEPs aged 6 through 21: A. Removed from regular class less than 21% of the day; B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or</p>	<p>The State revised the targets for this indicator and OSEP accepts those revisions. The revised targets are more rigorous than the previously established targets. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The State's reported data for this indicator are:</p> <table border="1" data-bbox="550 1279 1467 1424"> <tr> <td></td> <td align="center">FFY 2006 Data</td> <td align="center">FFY 2007 Data</td> <td align="center">FFY 2007 Target</td> <td align="center">Progress</td> </tr> </table>		FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	<p>OSEP appreciates the State's efforts to improve performance.</p>
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress			

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hospital placements. [Results Indicator]	A. % Removed from regular class less than 21% of the day.	58.9	64.20	55.66	5.30%			
	B. % Removed from regular class greater than 60% of the day.	12.34	11.90	11.95	0.44%			
	C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.	1.22	1.20	1.27	0.02%			
	These data represent progress for 5A, 5B, and 5C from the FFY 2006 data. The State met all of its FFY 2007 targets for this indicator.							
6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings). [Results Indicator]	States were not required to report on this indicator for FFY 2007.					The State is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.		
7. Percent of preschool children with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and	The State provided improvement activities for this indicator covering the remaining years of the SPP. The State's FFY 2007 reported progress data for this indicator are:					The State reported the required progress data and improvement activities. The State must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.		
	07-08 Preschool Outcome Progress Data				Social Emotional	Knowledge & Skills	Appropriate Behavior	
	a. % of preschoolers who did not				1	1	2	

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<p>C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>	improve functioning.				
	b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	24	23	32	
	c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.	23	24	14	
	d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.	18	26	13	
	e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.	34	26	39	
	Total (approx. 100%)	100.00 %	100.00 %	100.00 %	
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. [Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 72.4%. These data represent progress from the FFY 2006 data of 69%. The State did not meet its FFY 2007 target of 73%.</p>				<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 0%. The State's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%. The State met its FFY 2007 target of 0%. The State reported that no LEAs were identified in FFY 2007 as having disproportionate representation of racial or ethnic groups in special education and related services that was the result of inappropriate identification.</p>				<p>OSEP appreciates the State's efforts regarding this indicator. The State reported that noncompliance identified in FFY 2006 with the requirements in 34 CFR §§300.173, 300.111, 300.201, and 300.301 through 300.311 was corrected.</p>

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	<p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009 valid and reliable data for FFY 2005 and FFY 2006, in addition to the data for FFY 2007. The State provided this information.</p> <p>Also, OSEP required the State in reporting on correction of noncompliance from FFY 2006 to distinguish which noncompliance was in LEAs identified under Indicator 9. The State provided this information.</p> <p>The State also reported that the two LEAs identified with noncompliance related to this indicator in FFY 2006 corrected that noncompliance.</p>	
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 0%.</p> <p>The State’s FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>The State met its FFY 2007 target of 0%.</p> <p>The State reported that no LEAs were identified in FFY 2007 as having disproportionate representation of racial or ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009 valid and reliable data for FFY 2005 and FFY 2006, in addition to the data for FFY 2007. The State has provided this information.</p> <p>Also, OSEP required the State in reporting on correction of noncompliance from FFY 2006 to distinguish which noncompliance was in LEAs identified under Indicator 10. The State has provided this information.</p> <p>The State also reported that the two LEAs identified with noncompliance related to this indicator in FFY 2006 corrected that noncompliance.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator.</p> <p>The State reported that noncompliance identified in FFY 2006 with the requirements in 34 CFR §§300.173, 300.111, 300.201, and 300.301 through 300.311 was corrected.</p>
<p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or</p>	<p>As required by OSEP’s June 6, 2008 FFY 2006 SPP/APR response table, the State was to include in the FFY 2007 APR, due February 2, 2009 required baseline data. The State provided the required baseline data. OSEP accepts</p>	<p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §300.301(c)(1),</p>

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<p>State-established timeline). [Compliance Indicator]</p>	<p>the revised SPP for this indicator. The State's FFY 2007 reported data for this indicator are 89.19%. OSEP was unable to determine whether there was progress or slippage because the State did not provide FFY 2006 data for this indicator. The State did not meet its FFY 2007 target of 100%.</p>	<p>including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR. The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has completed the initial evaluation, although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>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. [Compliance Indicator]</p>	<p>As required by OSEP's June 6, 2008 FFY 2006 SPP/APR response table, the State was to include in the FFY 2007 APR, due February 2, 2009, required baseline data and improvement activities. The State provided the required baseline data and improvement activities. OSEP accepts the revised SPP for this indicator. The State's FFY 2007 reported data for this indicator are 77%. OSEP was unable to determine whether there was progress or slippage because the State did not provide FFY 2006 data for this indicator. The State did not meet its FFY 2007 target of 100%.</p>	<p>The State must demonstrate, in the FFY 2008 APR due February 1, 2010, that the State is in compliance with the requirements in 34 CFR §300.124(b), including correction of the noncompliance the State reported under this indicator in the FFY 2007 APR. The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed and implemented the IEP,</p>

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		<p>although late, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p> <p>If the State is unable to demonstrate compliance in the FFY 2008 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 67.36%. These data represent progress from the FFY 2006 data of 20%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State did not indicate the number of findings made based on the FFY 2006 data. The State indicated that it made findings based on the FFY 2006 data in FFY 2007 and that correction is on-going.</p>	<p>Although the State is not required to report data for this indicator in the FFY 2008 APR, the State must report on the timely correction of the noncompliance reported by the State under this indicator in the FFY 2007 APR, including the noncompliance findings made in FFY 2007 that were based on data from FFY 2006.</p> <p>The State must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each LEA with noncompliance reported by the State under this indicator in the FFY 2007 APR and each LEA with noncompliance findings made in FFY 2007 based on data from FFY 2006: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each youth, unless the youth is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.</p>
<p>14. Percent of youth who had IEPs,</p>	<p>As required by OSEP's June 6, 2008 FFY 2006 SPP/APR response table, the</p>	<p>The State is not required to report on this</p>

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<p>are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>State was to include in the FFY 2007 APR, due February 2, 2009, required valid and reliable data. The State provided the required baseline data and targets. OSEP accepts the revised SPP for this indicator.</p> <p>The State's FFY 2007 reported data for this indicator are 82%.</p> <p>OSEP was unable to determine whether there was progress or slippage because the State did not report valid and reliable FFY 2006 data for this indicator.</p> <p>The State met its FFY 2007 target of 82%.</p>	<p>indicator in the FFY 2008 APR, due February 1, 2010.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 87.76%. These data represent slippage from the FFY 2006 data of 91.1%.</p> <p>The State did not meet its FFY 2007 target of 100%.</p> <p>The State reported that 472 of 539 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the State reported that it required the affected LEAs' staff to work closely with a board of managers and TEA-appointed superintendent, special purpose conservators, a special purpose monitor, and a focused technical assistance team, and that it conducted on-site reviews in specific cases.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the State to include in the FFY 2007 APR, due February 2, 2009, data demonstrating that the State has corrected the remaining noncompliance identified in Indicator 15 from FFY 2004 and FFY 2005. The State reported that the remaining noncompliance from FFY 2004 was corrected, but that the remaining noncompliance from FFY 2005 has not been corrected. It reported that these LEAs are in escalated oversight.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2007, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e) and OSEP Memo 09-02.</p> <p>The State must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the State has corrected the remaining noncompliance the State reported under this indicator in the FFY 2006 and FFY 2005 APRs.</p> <p>The State's failure to correct longstanding noncompliance raises serious questions about the effectiveness of the State's general supervision systems. The State must take the steps necessary to ensure that it can report, in the FFY 2008 APR, due February 1, 2010, that it has corrected this</p>

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		<p>noncompliance.</p> <p>In reporting on correction of noncompliance identified in FFY 2007, and remaining noncompliance identified in FFY 2006 and FFY 2005, the State must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the State’s monitoring system, through the State’s data system and by the Department); and (2) verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 11, 12 and 13 in the FFY 2008 APR, due February 1, 2010, the State must report on correction of the noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, the State must use the Indicator 15 Worksheet.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. [Compliance Indicator]</p>	<p>The State’s FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The State met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of fully adjudicated due</p>	<p>The State’s FFY 2007 reported data for this indicator are 100%. These data</p>	<p>OSEP appreciates the State’s efforts in</p>

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<p>process hearing reqhe hearing officer at the request of either party. [Compliance Indicator]</p>	<p>remain unchanged from the FFY 2006 data of 100%. The State met its FFY 2007 target of 100%.</p>	<p>achieving compliance with the due process hearing timelines requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. [Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 29%. These data represent progress from the FFY 2006 data of 20.4%. The State met its FFY 2007 target of 23%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>19. Percent of mediations held that resulted in mediation agreements. [Results Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 78.35%. These data represent progress from the FFY 2006 data of 73.8%. The State met its FFY 2007 target of 76%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State's FFY 2007 reported data for this indicator are 95%. However, OSEP's calculation of the data for this indicator is 83.9%. These data represent progress from the FFY 2006 of 82.9%.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the State is in compliance with the timely and accurate data reporting requirements in for IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2008 APR, the State must use the Indicator 20 Data Rubric.</p>