Special Education

House Public Education

September 30, 2020

Together, we are committed to high expectations and strong systems that achieve equitable outcomes for every student with a disability.

Agenda

- Certain Highlights
- Corrective Action Response Status
- Strategic Plan Update

Certain Highlights

House Bill 3

86th Texas Legislature increased funding for students with disabilities in these three specific areas.

$970

per student to schools

Students with disabilities served in mainstream classes will generate an additional $970 per year.

$616

per student to schools

Students with Dyslexia will generate an additional $616 per year.

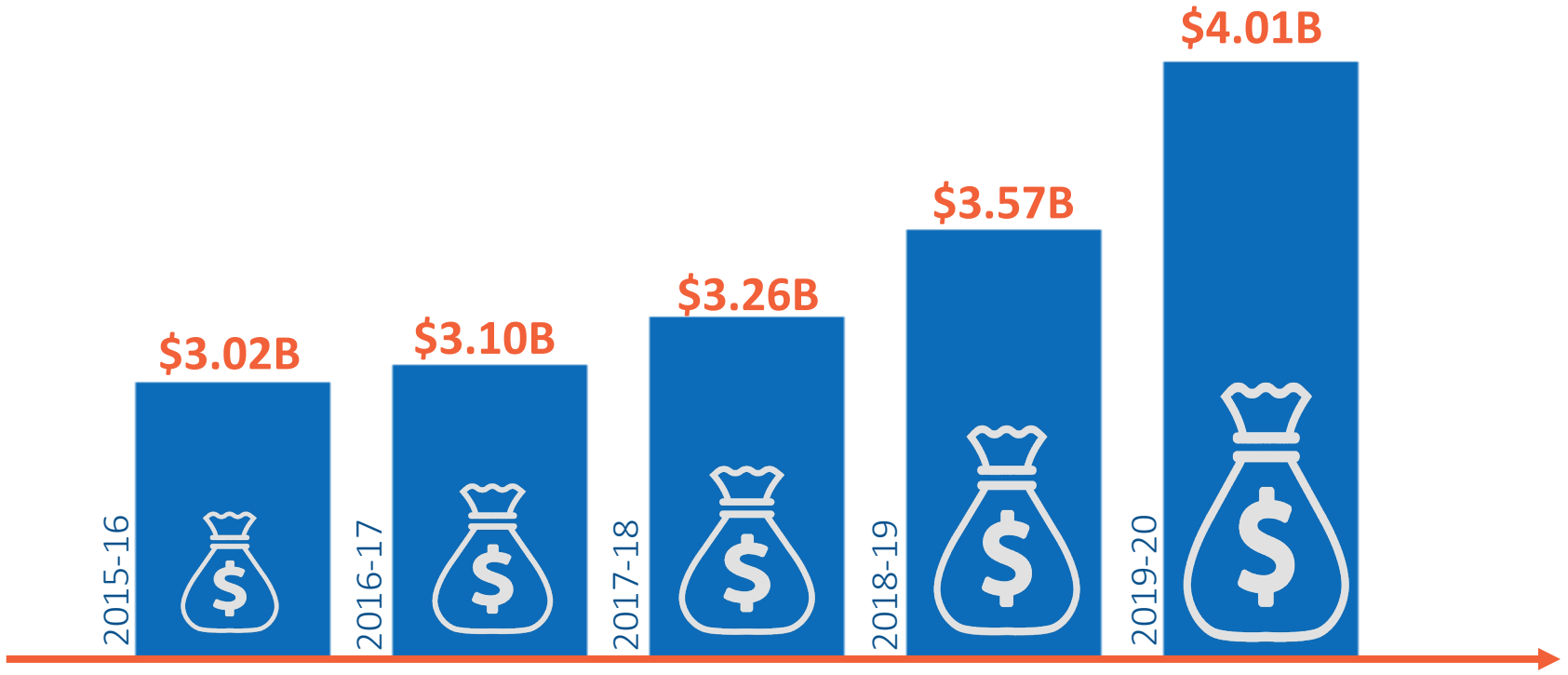
$2,000

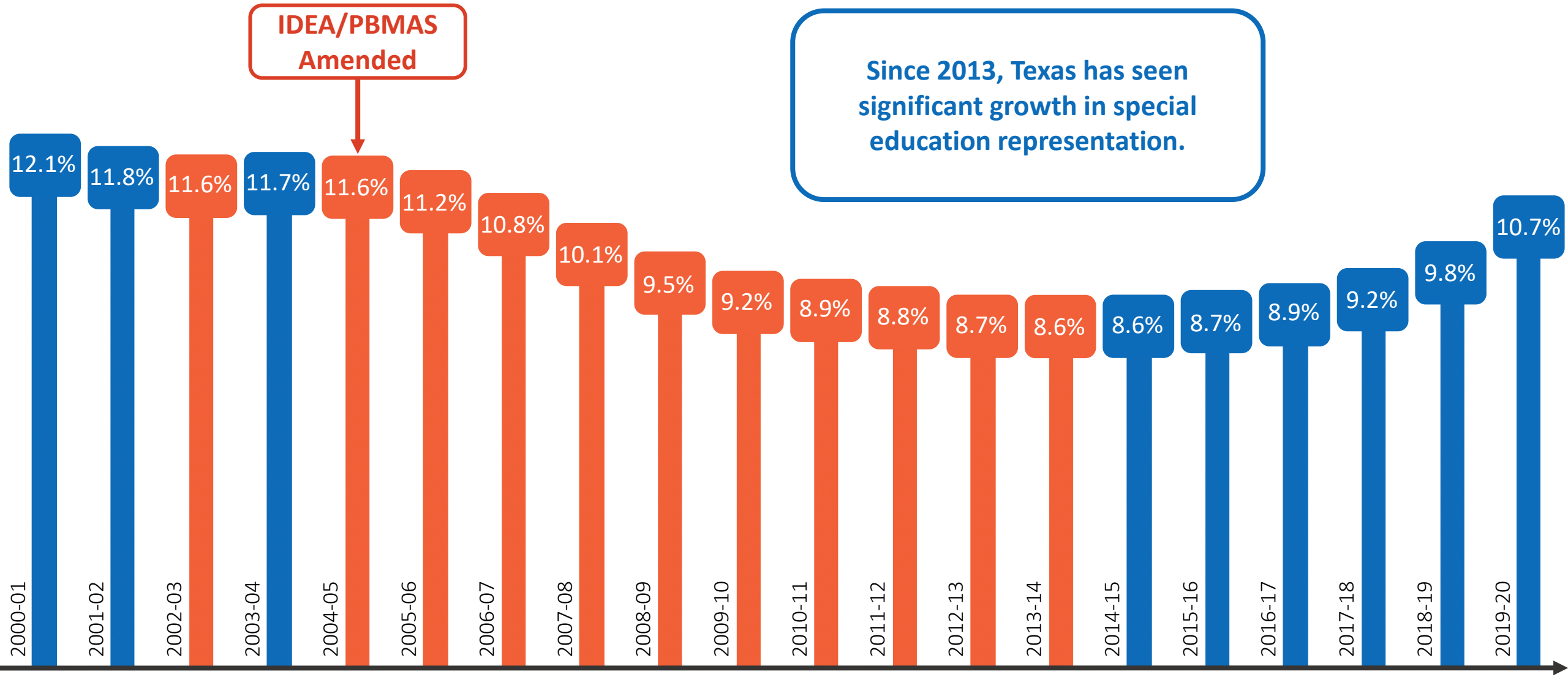
per student to schools

Students with disabilities who meet CCMR (College, Career, Military Ready) standards will generate an additional $2,000 per year.

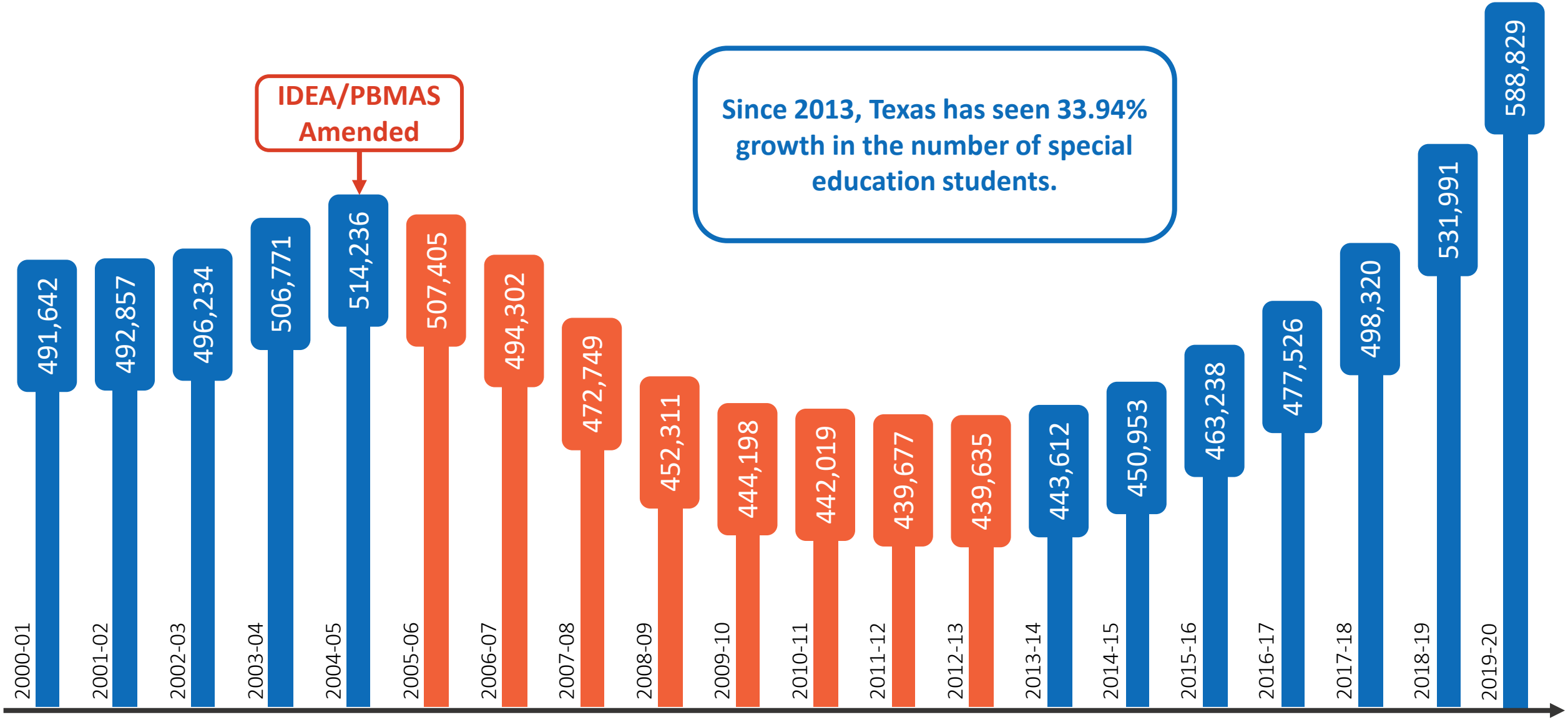
There has been an almost 1 billion dollar increase in Special Education Spending.

27% increase in Special Education Funding in four years.





SOURCE: U.S. Department of Education, National Center for Education Statistics. (2016). Digest of Education Statistics, 2015 (NCES 2016-014), Chapter 2. and http://nces.ed.gov/fastfacts/display.asp?id=64 (* represents not yet published)

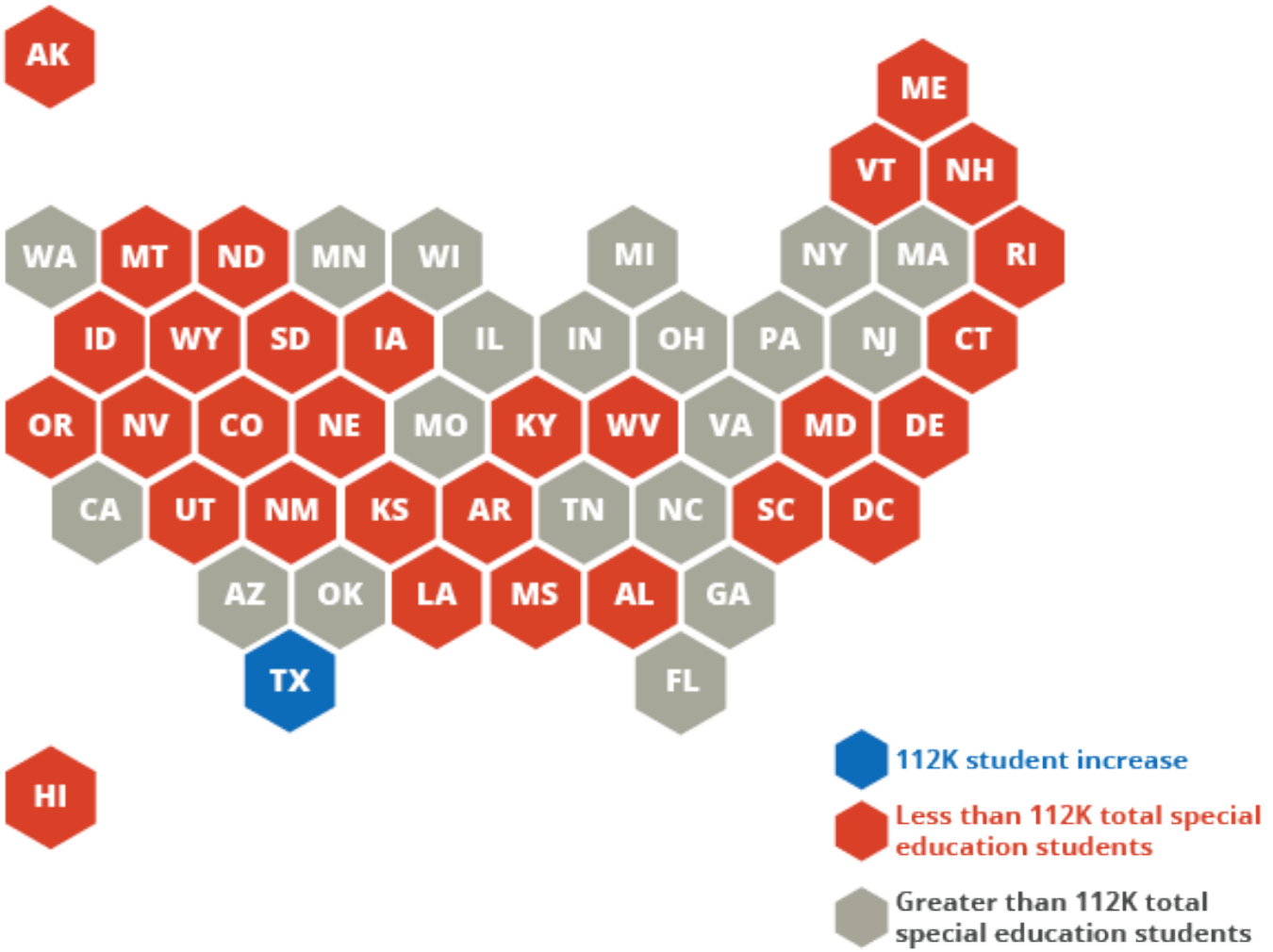


SOURCE: U.S. Department of Education, National Center for Education Statistics. (2016). Digest of Education Statistics, 2015 (NCES 2016-014), Chapter 2. and http://nces.ed.gov/fastfacts/display.asp?id=64

Context on the growth in special education enrollment in Texas

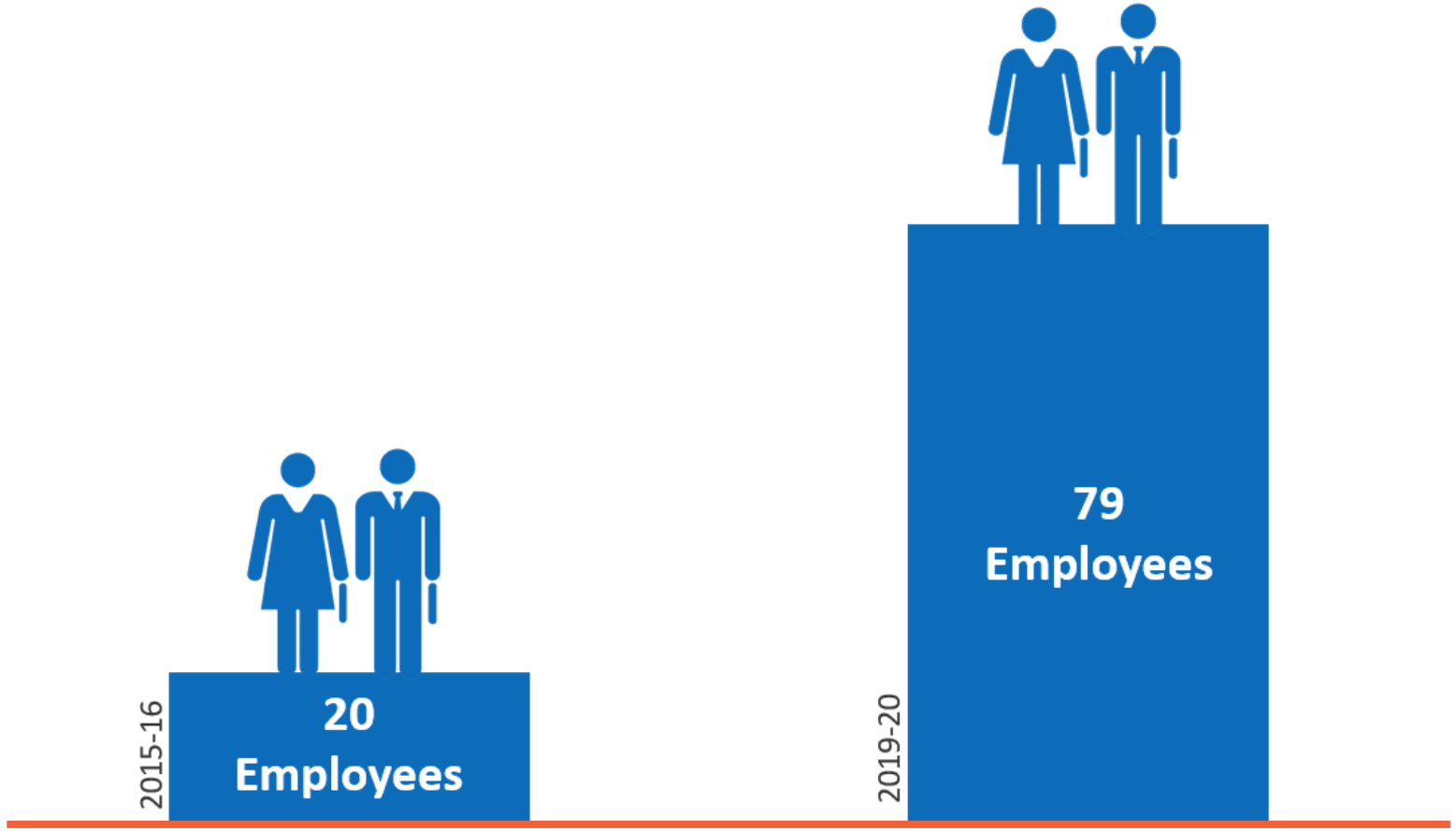
Texas has identified an additional 112,000 students for special education in the past 4 years.

These additional students receiving services in Texas represent more than 30 other states' total special education populations.

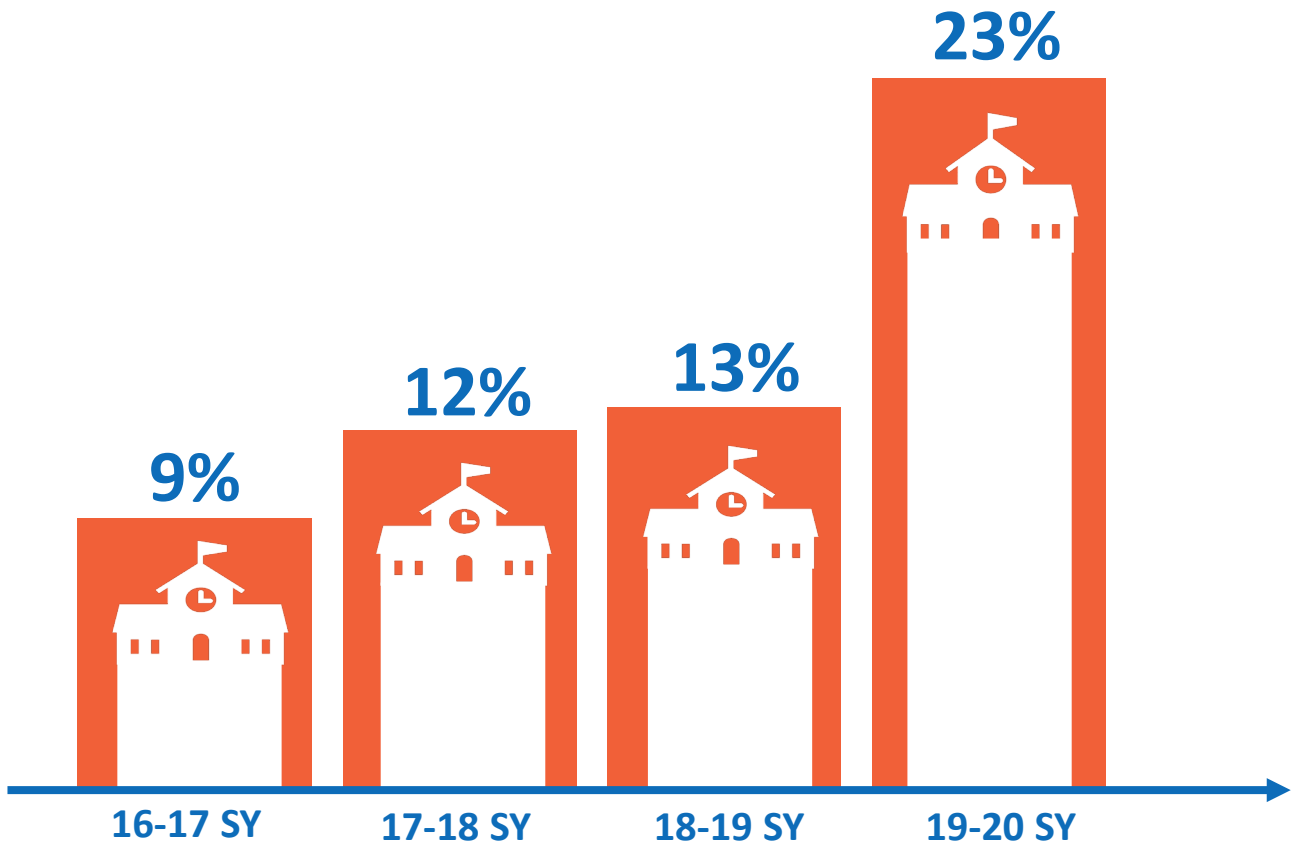


Student enrollment numbers from 2017-18. https://nces.ed.gov/programs/digest/d18/tables/dt18_204.70.asp

TEA has almost quadrupled the number of employees supporting our special education students.

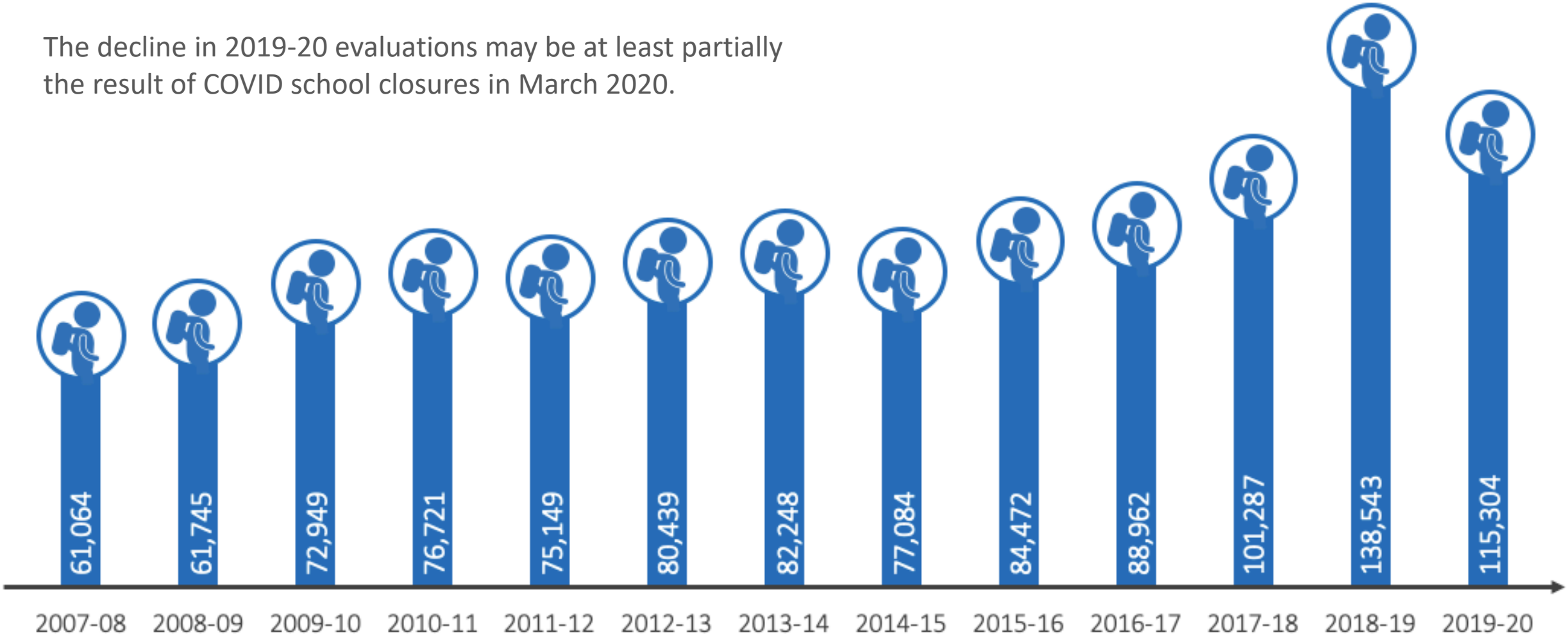


277 Districts/Charters were monitored in 2019-2020, up from 108 in 2016-2017.



Special Education Evaluations Serve as a Leading Indicator for Total Special Education Representation

The decline in 2019-20 evaluations may be at least partially the result of COVID school closures in March 2020.



Corrective Action Response Status

TEA has completed 100% of the Corrective Action Response to OSEP

Overall Corrective Action Response Progress

100%

15/15

CAR-1

100%

7/7

Documentation for **Child Find**

CAR-2

100%

3/3

Plan & Timeline for **Child Find**

CAR-3

100%

3/3

Plan & Timeline for **Guidance** for Parents & Teachers

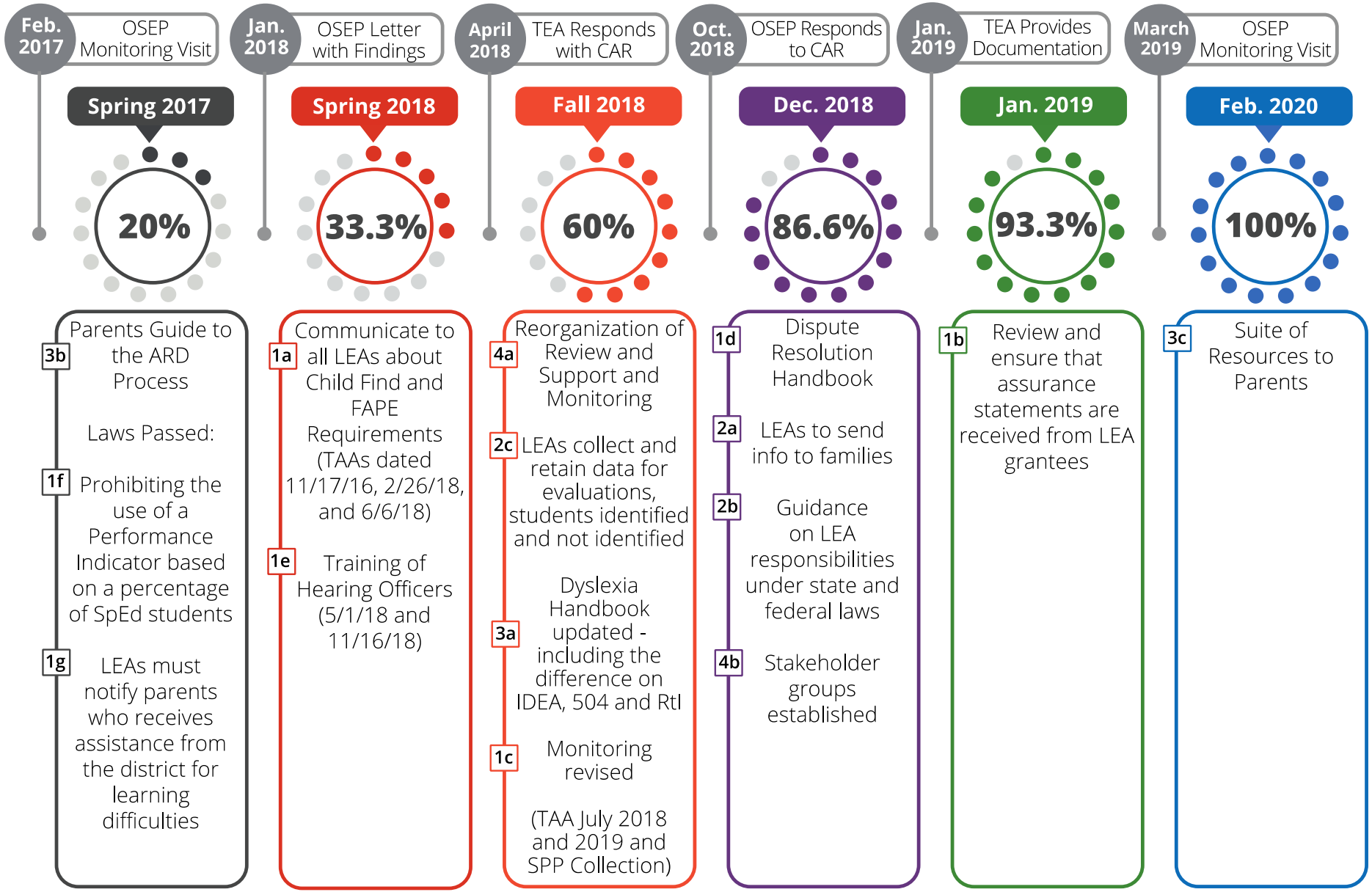
CAR-4

100%

2/2

Plan & Timeline for **Monitoring**

Progress on the Correction Action Response

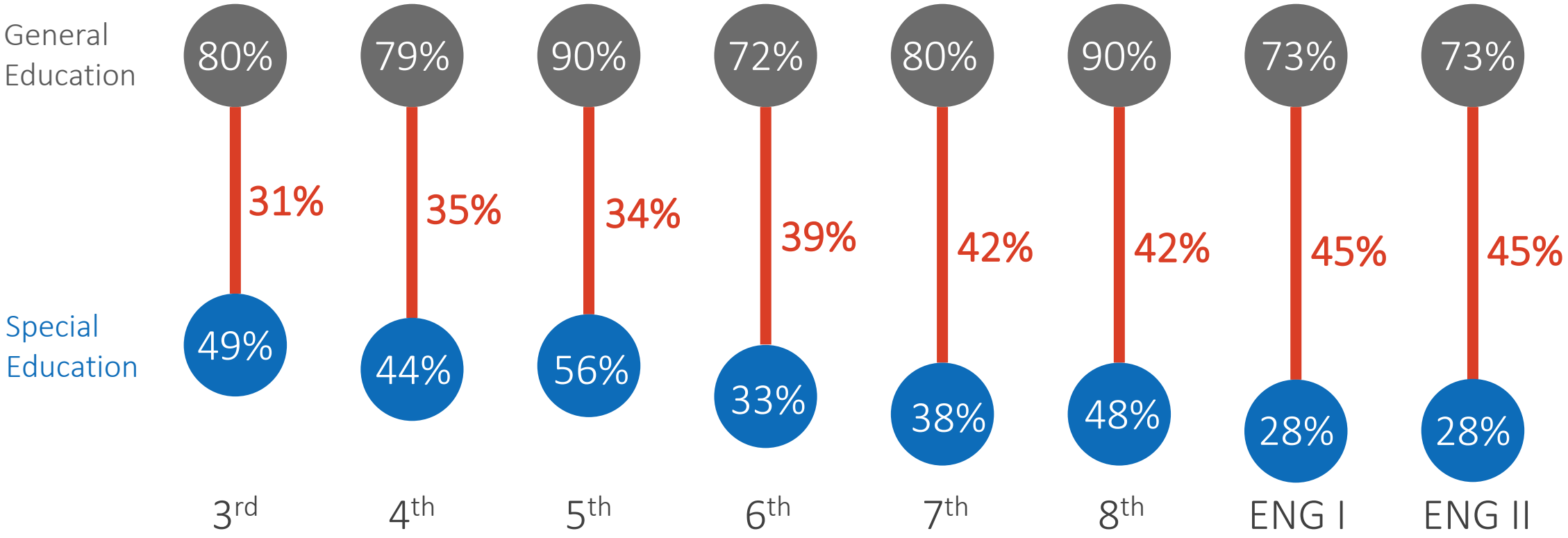


Strategic Plan Update

The federal government required a corrective action plan to ensure compliance with IDEA.

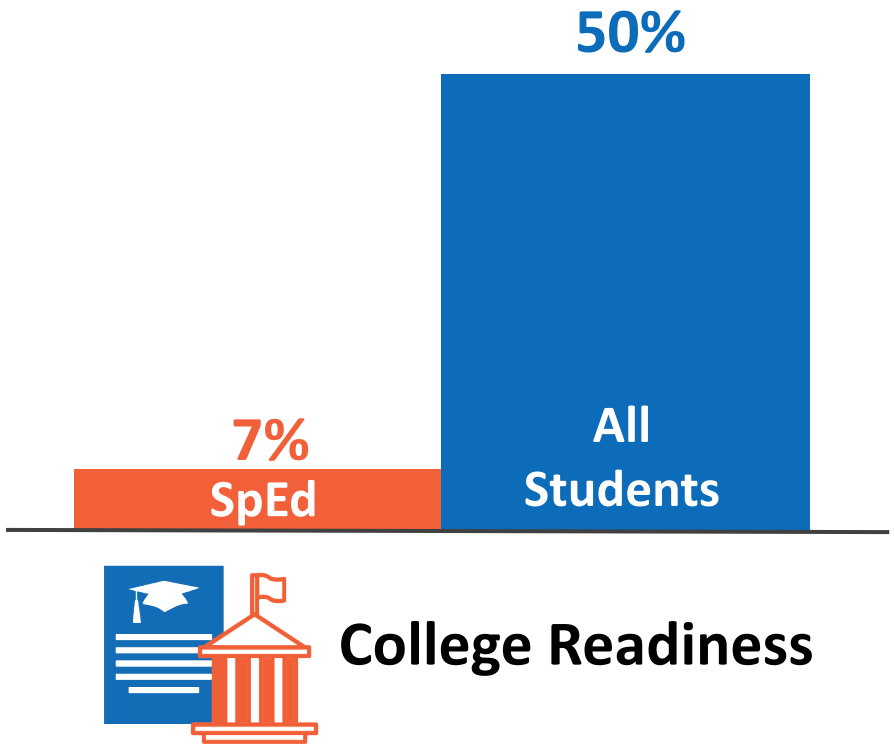
TEA developed a strategic plan for special education to focus on improving student outcomes, beyond just improving compliance.

Gaps between **special education** and **general education** students grow throughout their schooling.

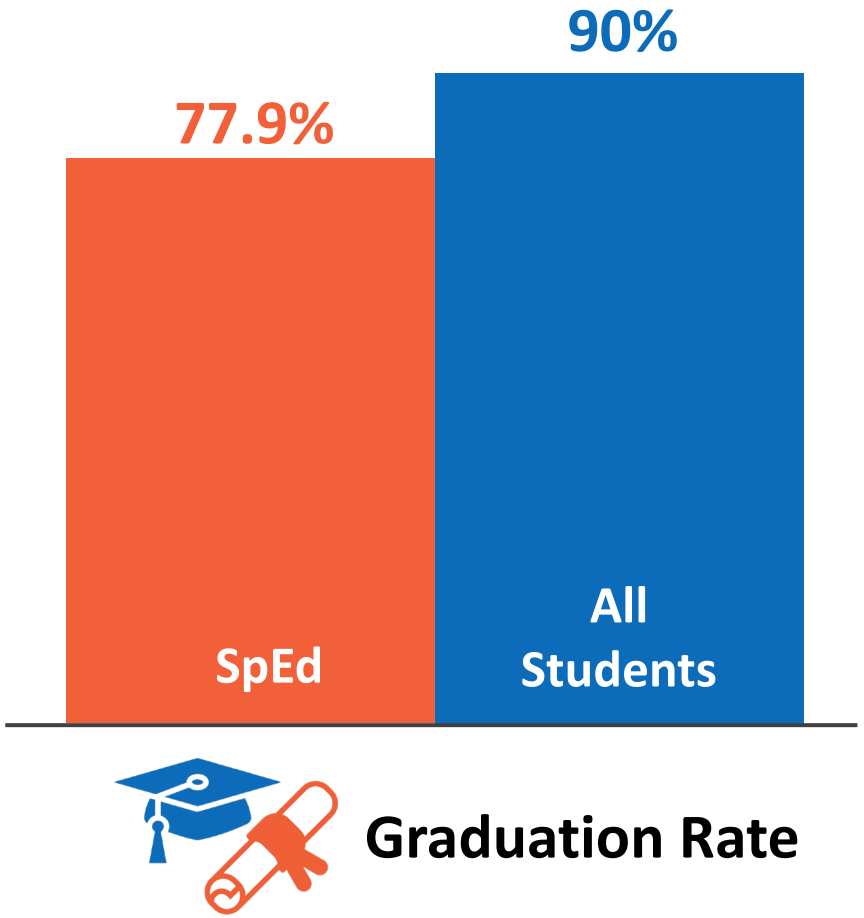


This chart notes the trend in reading scores, for the percent of students approaching grade level during 2018-2019 SY.

Students with a Disability have lower rates of College Readiness and lower graduation rates than their peers.



College Readiness



Graduation Rate

Graduating Class of 2018

Special Education Strategic Plan

Monitoring

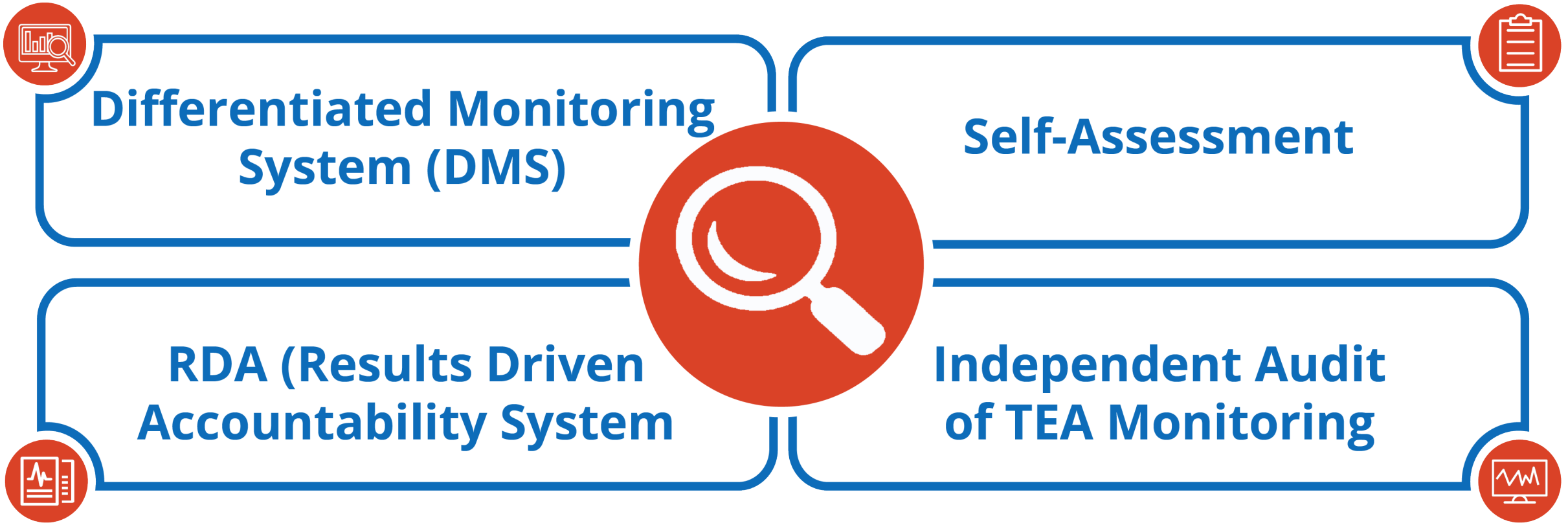
Training, Support & Development

School, Family, and Community Engagement

Identification & Evaluation

Technical Assistance

Monitoring

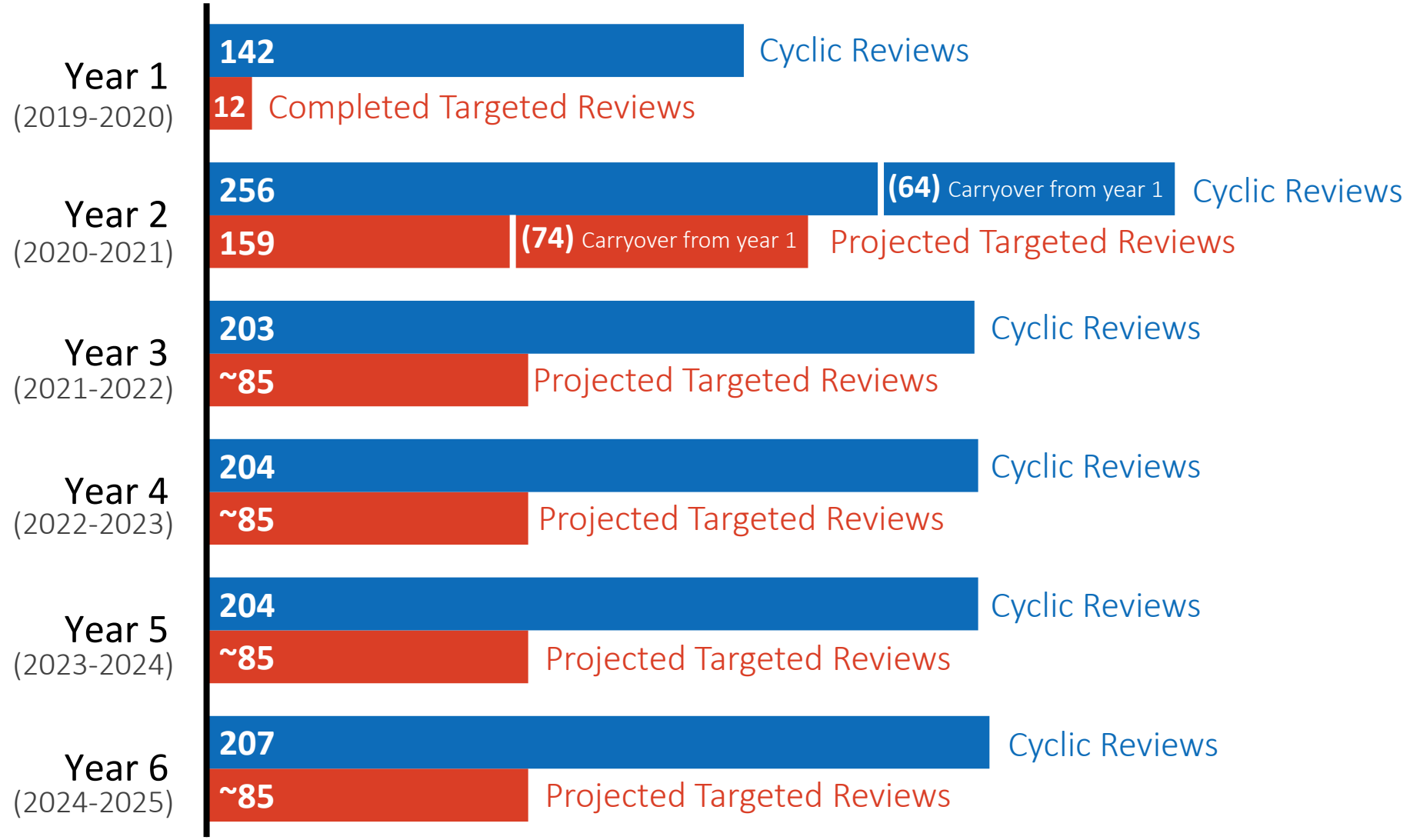


Strengthen support and supervision to schools.

Monitoring Cyclical and Targeted

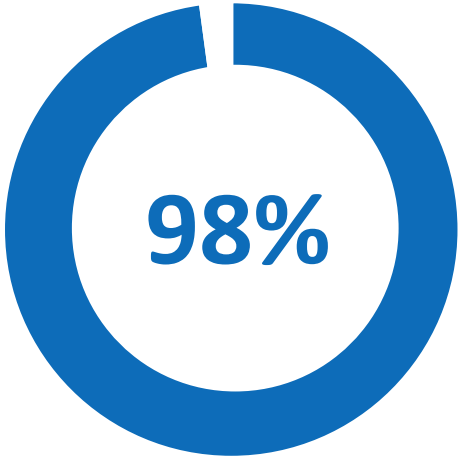
Approximately **23%** LEAs Monitored Annually

Schools represented in the blue bars would not have been monitored under the prior monitoring system.



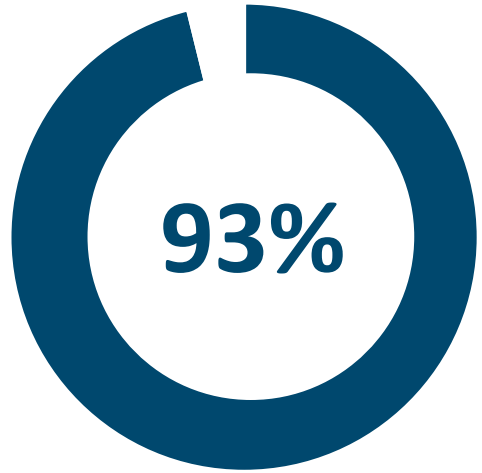
Monitoring

New Monitoring Process - Post Pilot Feedback



Of participants were **very satisfied or satisfied** with their experience.

Of participants stated the new monitoring process would **improve outcomes** for students with disabilities.

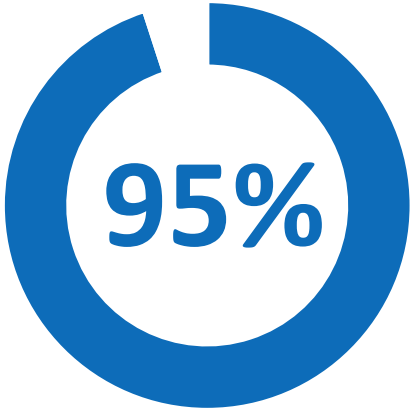


Of participants stated the new self-assessment was **user-friendly**.

Monitoring

New Monitoring Process - Post Pilot Feedback

Stated TEA R&S Staff was **knowledgeable concerning the monitoring process**



Stated TEA R&S Staff was **knowledgeable about special education rules and regulations**

> This is a huge change. They **worked as partners** rather than setting themselves up in a combative position. We would **welcome them back anytime**…in my 25 years working in low SES districts and being through a variety of monitoring visits, this is the first one that felt like a **partnership**.

Training, Support & Development

Improve practice of teachers, principals, and systems to support students with special needs.

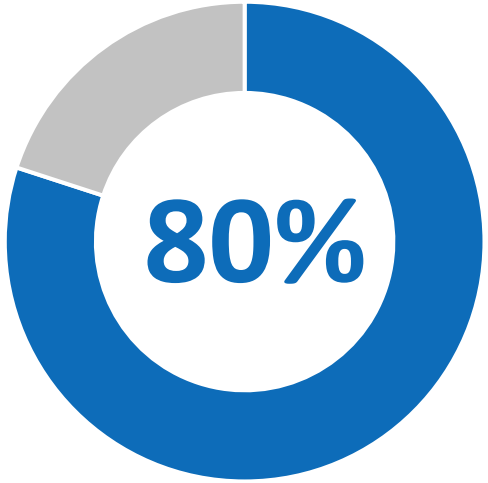
Training, Support & Development
SpEd Academies

All Teachers Need Specialized Training in Special Education

Teacher
SpEd Academies

Under Development

Most students receiving special education services are spending

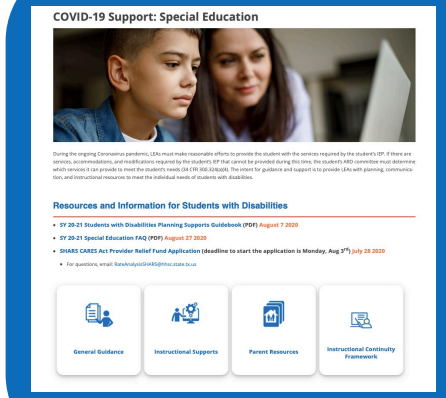


or more of their academic day in the **general education setting.**

Technical Assistance Networks

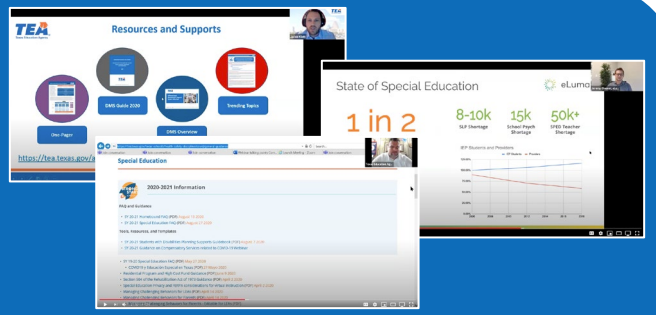
- Child Find, Evaluation, ARD Supports
- Inclusion in Texas
- Texas Statewide Leadership for Autism Training (TSLAT)
- Tiered Interventions using Evidence-based Research (TIER)
- Texas Complex Access Network (Texas CAN)
- Texas Sensory Support Network (TxSSN)
- Small and Rural Schools Network (SRSN)
- Student-Centered Transitions Network (SCTN)
- Multiple Exceptionalities and Multiple Needs (MEMN)

Training, Support & Development
Technical Assistance Resources

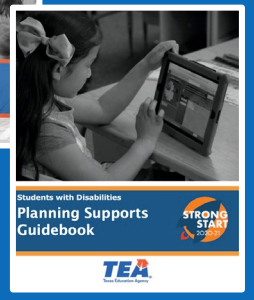


COVID Resources Website

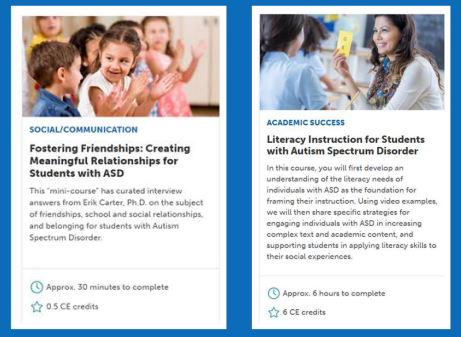
COVID Specific Training Videos



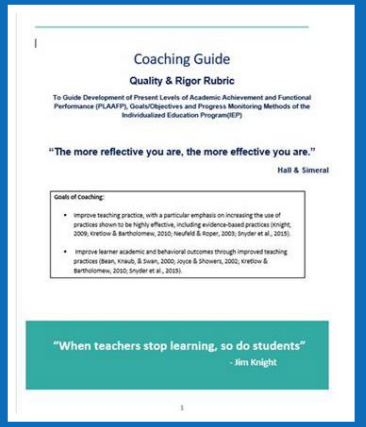
SPED Directors Webinars



Technical Assistance Guides



Online Training Courses



Coaching Guides

Student & Family Engagement

Web and Phone Support

Family Resources

Student, Family, & Community Engagement Network

Ensure families are knowledgeable and able to engage in the educational decisions for their children.

School, Family, and Community Engagement

Web & Phone Support for Stakeholders:

- Phone Support
- Chat Support

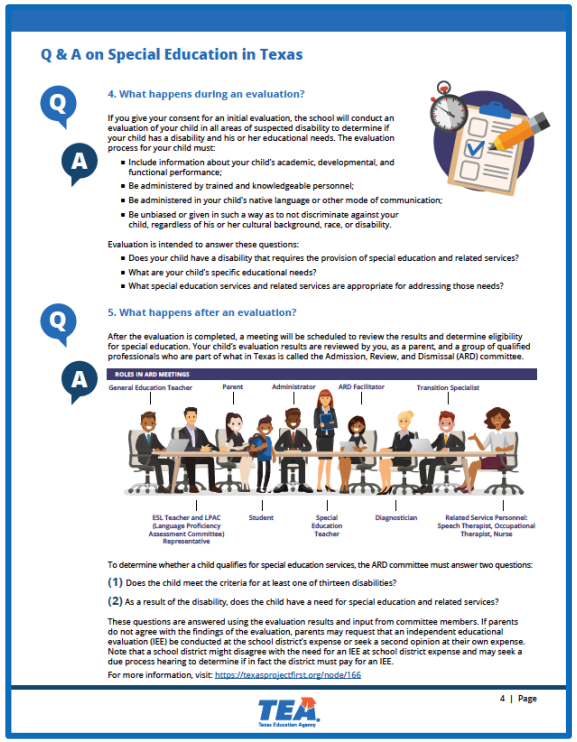
Portal for Stakeholders:

- Personalized Profile
- Calendar of All Stakeholder Events
- Mini Trainings
- Resources
- Information on Focus Groups and Committees

School, Family, and Community Engagement

Types of Family Resources

Sample Documents/One-Pagers:



Q & A on Special Education in Texas

4. What happens during an evaluation?

If you give your consent for an initial evaluation, the school will conduct an evaluation of your child in all areas of suspected disability to determine if your child has a disability and his or her educational needs. The evaluation process for your child must:

- Include information about your child's academic, developmental, and functional performance;
- Be administered by trained and knowledgeable personnel;
- Be administered in your child's native language or other mode of communication;
- Be unbiased or given in such a way as to not discriminate against your child, regardless of his or her cultural background, race, or disability.

Evaluation is intended to answer these questions:

- Does your child have a disability that requires the provision of special education and related services?
- What are your child's specific educational needs?
- What special education services and related services are appropriate for addressing those needs?

5. What happens after an evaluation?

After the evaluation is completed, a meeting will be scheduled to review the results and determine eligibility for special education. Your child's evaluation results are reviewed by you, as a parent, and a group of qualified professionals who are part of what in Texas is called the Admission, Review, and Dismissal (ARD) committee.

ROLES IN ARD MEETINGS

General Education Teacher · Parent · Administrator · ARD Facilitator · Transition Specialist

ESL Teacher and LPAC (Language Proficiency Assessment Committee) Representative · Student · Special Education Teacher · Diagnostician · Related Service Personnel: Speech Therapist, Occupational Therapist, Nurse

To determine whether a child qualifies for special education services, the ARD committee must answer two questions:

(1) Does the child meet the criteria for at least one of thirteen disabilities?

(2) As a result of the disability, does the child have a need for special education and related services?

These questions are answered using the evaluation results and input from committee members. If parents do not agree with the findings of the evaluation, parents may request that an independent educational evaluation (IEE) be conducted at the school district's expense or seek a second opinion at their own expense. Note that a school district might disagree with the need for an IEE at school district expense and may seek a due process hearing to determine if in fact the district must pay for an IEE.

For more information, visit: https://texasprojectfirst.org/node/166

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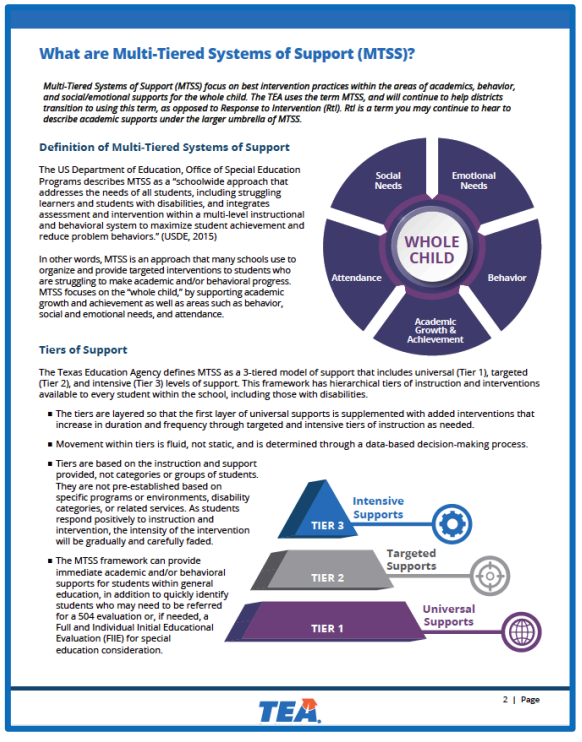
Question and Answer Document



What are Multi-Tiered Systems of Support (MTSS)?

Multi-Tiered Systems of Support (MTSS) focus on best intervention practices within the areas of academics, behavior, and social/emotional supports for the whole child. The TEA uses the term MTSS, and will continue to help districts transition to using this term, as opposed to Response to Intervention (RtI). RtI is a term you may continue to hear to describe academic supports under the larger umbrella of MTSS.

Definition of Multi-Tiered Systems of Support

The US Department of Education, Office of Special Education Programs describes MTSS as a "schoolwide approach that addresses the needs of all students, including struggling learners and students with disabilities, and integrates assessment and intervention within a multi-level instructional and behavioral system to maximize student achievement and reduce problem behaviors." (USDE, 2015)

In other words, MTSS is an approach that many schools use to organize and provide targeted interventions to students who are struggling to make academic and/or behavioral progress. MTSS focuses on the "whole child," by supporting academic growth and achievement as well as areas such as behavior, social and emotional needs, and attendance.

Social Needs · Emotional Needs · WHOLE CHILD · Attendance · Behavior · Academic Growth & Achievement

Tiers of Support

The Texas Education Agency defines MTSS as a 3-tiered model of support that includes universal (Tier 1), targeted (Tier 2), and intensive (Tier 3) levels of support. This framework has hierarchical tiers of instruction and interventions available to every student within the school, including those with disabilities.

- The tiers are layered so that the first layer of universal supports is supplemented with added interventions that increase in duration and frequency through targeted and intensive tiers of instruction as needed.
- Movement within tiers is fluid, not static, and is determined through a data-based decision-making process.
- Tiers are based on the instruction and support provided, not categories or groups of students. They are not pre-established based on specific programs or environments, disability categories, or related services. As students respond positively to instruction and intervention, the intensity of the intervention will be gradually and carefully faded.
- The MTSS framework can provide immediate academic and/or behavioral supports for students within general education, in addition to quickly identify students who may need to be referred for a 504 evaluation or, if needed, a Full and Individual Initial Educational Evaluation (FIIE) for special education consideration.

TIER 3 — Intensive Supports · TIER 2 — Targeted Supports · TIER 1 — Universal Supports

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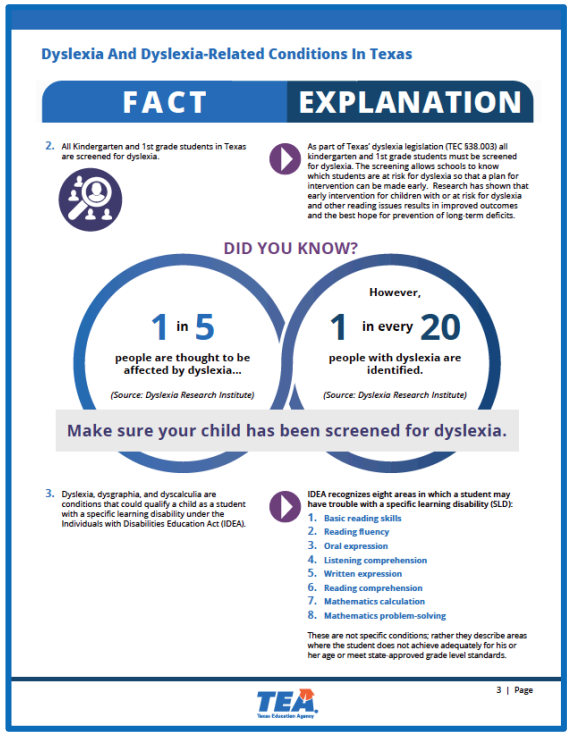
Common Definitions Document



Dyslexia And Dyslexia-Related Conditions In Texas

FACT	EXPLANATION
2. All Kindergarten and 1st grade students in Texas are screened for dyslexia.	As part of Texas' dyslexia legislation (TEC §38.003) all kindergarten and 1st grade students must be screened for dyslexia. The screening allows schools to know which students are at risk for dyslexia so that a plan for intervention can be made early. Research has shown that early intervention for children with or at risk for dyslexia and other reading issues results in improved outcomes and the best hope for prevention of long term deficits.

DID YOU KNOW?

1 in 5 people are thought to be affected by dyslexia... (Source: Dyslexia Research Institute)

However, **1 in every 20** people with dyslexia are identified. (Source: Dyslexia Research Institute)

Make sure your child has been screened for dyslexia.

3. Dyslexia, dysgraphia, and dyscalculia are conditions that could qualify a child as a student with a specific learning disability under the Individuals with Disabilities Education Act (IDEA).

IDEA recognizes eight areas in which a student may have trouble with a specific learning disability (SLD):

1. Basic reading skills
2. Reading fluency
3. Oral expression
4. Listening comprehension
5. Written expression
6. Reading comprehension
7. Mathematics calculation
8. Mathematics problem-solving

These are not specific conditions; rather they describe areas where the student does not achieve adequately for his or her age or meet state approved grade level standards.

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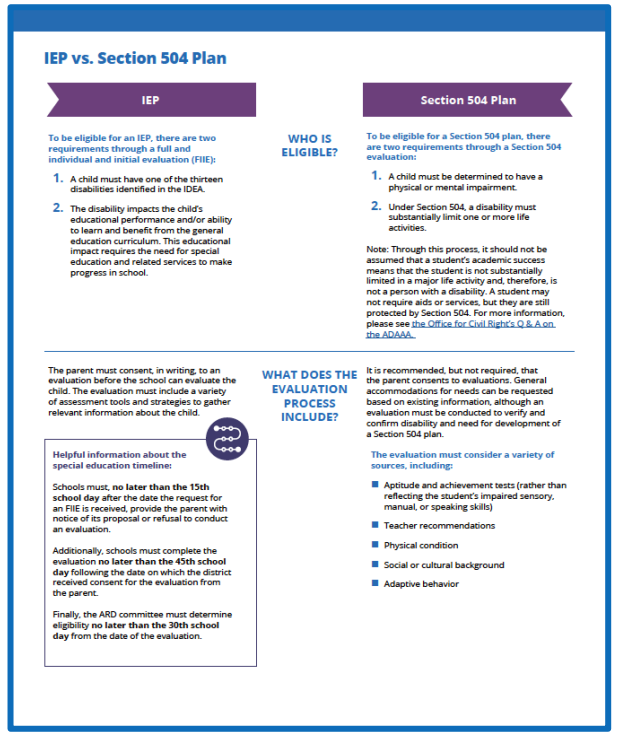
Overview Document



IEP vs. Section 504 Plan

IEP		Section 504 Plan
To be eligible for an IEP, there are two requirements through a full and individual and initial evaluation (FIIE): 1. A child must have one of the thirteen disabilities identified in the IDEA. 2. The disability impacts the child's educational performance and/or ability to learn and benefit from the general education curriculum. This educational impact requires the need for special education and related services to make progress in school.	**WHO IS ELIGIBLE?**	To be eligible for a Section 504 plan, there are two requirements through a Section 504 evaluation: 1. A child must be determined to have a physical or mental impairment. 2. Under Section 504, a disability must substantially limit one or more life activities. Note: Through this process, it should not be assumed that a student's academic success means that the student is not substantially limited in a major life activity and, therefore, is not a person with a disability. A student may not require aids or services, but they are still protected by Section 504. For more information, please see the Office for Civil Right's Q & A on the ADAAA.
The parent must consent, in writing, to an evaluation before the school can evaluate the child. The evaluation must include a variety of assessment tools and strategies to gather relevant information about the child. Helpful information about the special education timeline: Schools must, **no later than the 15th school day** after the date the request for an FIIE is received, provide the parent with notice of its proposal or refusal to conduct an evaluation. Additionally, schools must complete the evaluation **no later than the 45th school day** following the date on which the district received consent for the evaluation from the parent. Finally, the ARD committee must determine eligibility **no later than the 30th school day** from the date of the evaluation.	**WHAT DOES THE EVALUATION PROCESS INCLUDE?**	It is recommended, but not required, that the parent consents to evaluations. General accommodations for needs can be requested based on existing information, although an evaluation must be conducted to verify and confirm disability and need for development of a Section 504 plan. The evaluation must consider a variety of sources, including: ■ Aptitude and achievement tests (rather than reflecting the student's impaired sensory, manual, or speaking skills) ■ Teacher recommendations ■ Physical condition ■ Social or cultural background ■ Adaptive behavior

Comparison Document