


**Differentiated Monitoring and Support  
Cyclical Monitoring Overview**

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**Today's Objectives**

Develop an understanding of:

- Differentiated Monitoring and Support
- Cyclical Review Process and Components
- Potential District and Campus Impact
- Potential Corrective Actions
- Dyslexia Monitoring
- Resources



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**Differentiated Monitoring and Support (DMS)**



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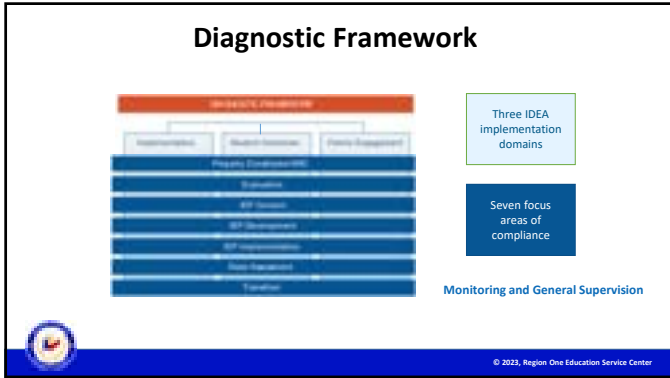
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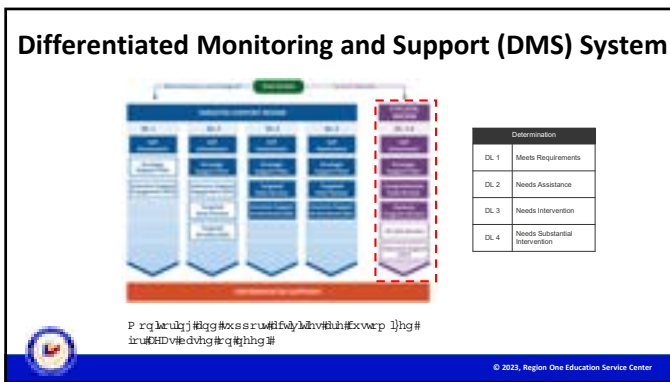
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### Results Driven Accountability Determination Levels

**Determination Level**

- Annual LEA Determination
- Establishes the level of support and review
- LEAs with a DL 3 or DL 4 based on previous year's RDA system require a cyclical on-site monitoring visit during cyclical year

**Campus Impact**

- Campus data contributes to district RDA data
- Domain 1: Academic Achievement
- Domain 2: Post-Secondary Readiness
- Domain 3: Disproportionate Analysis



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### Results Driven Accountability Domains

Domain I	Indicator #1 (I-IV)	SPED STAAR 3-8 Passing Rate
	Indicator #2	SPED Dyslexia STAAR 3-8 Reading Passing Rate
	Indicator #3 (I-IV)	SPED Year-After-Exit (YAE) STAAR 3-8 Passing Rate
	Indicator #4 (I-IV)	SPED STAAR EOC Passing Rate
	Indicator #5	SPED STAAR Alternate 2 Participation Rate
Domain II	Indicator #6	SPED Graduation Rate
	Indicator #7	SPED Annual Dropout Rate (Grades 7-12)



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### Results Driven Accountability Domains

Domain III	Indicator #8	SPED Dyslexia Representation (school-aged)
	Indicator #9	SPED Regular Early Childhood Program Rate (preschool-aged)
	Indicator #10	SPED Regular Class <80% Rate (school-aged)
	Indicator #11	SPED Regular Class <60% Rate (school-aged)
	Indicator #12	SPED Separate Settings Rate (school-aged)
	Indicator #13	SPED Representation (Ages 3-21)
	Indicator #14	SPED OSG and Expulsion <10 Days Rate (Ages 3-21)
	Indicator #15	SPED OSG and Expulsion >10 Days Rate (Ages 3-21)
	Indicator #16	SPED OS >30 Days Rate (Ages 3-21)
	Indicator #17	SPED OS >30 Days Rate (Ages 3-21)
Indicator #18	SPED Total Disciplinary Removals Rate (Ages 3-21)	



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DL 1	Meets Requirements
DL 2	Needs Assistance
DL 3	Needs Intervention
DL 4	Needs Substantial Intervention

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## Cyclical Review

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### Cyclical Review

Every LEA in the state participates in cyclical review of their special education program on a six-year rotating schedule.

Cyclical reviews are intended to provide a comprehensive analysis of the LEA's special education program including a review of the LEA's special education policies and practices.

Cyclical reviews are not based on RDA determination level. (only onsite review)



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### Cyclical Monitoring Schedule Cycles 5 & 6

REGION 1

Cycle 5 Revisions 2023-2024		Cycle 6 Revisions 2024-2025	
Group 1	100-000 - TARRANT COUNTY COMPREHENSIVE ISD 104-000 - TARRANT COUNTY ISD	Group 1	100-000 - TARRANT COUNTY ISD 104-000 - TARRANT COUNTY ISD
Group 2	100-000 - TARRANT COUNTY COMPREHENSIVE ISD 104-000 - TARRANT COUNTY ISD	Group 2	100-000 - TARRANT COUNTY ISD 104-000 - TARRANT COUNTY ISD
Group 3	100-000 - TARRANT COUNTY COMPREHENSIVE ISD 104-000 - TARRANT COUNTY ISD	Group 3	100-000 - TARRANT COUNTY ISD 104-000 - TARRANT COUNTY ISD

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### Self-Assessment

The purpose of the Self-Assessment is to assist LEA leadership teams in evaluating and improving their special education program.

The Self-Assessment is intended to engage leadership teams through a proactive approach by addressing special education compliance and improving student performance.

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### Self-Assessment

- Annual District-Level Process
- Organized under three IDEA domains:
  - Implementation
  - Student Outcomes
  - Family Engagement
- Focus on performance domains for 23 compliance/strategy item:
  - Implementation
  - Professional Development
  - Communication

**Campus Impact**

- Stakeholder representation
- Campus Input/Campus Planning
- Continuous Improvement

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### Self-Assessment

1. District Leadership	100
2. Instructional Leadership	100
3. Student Learning	100
4. School Improvement	100
5. Resource Management	100
6. Risk Assessment/Response	100
7. Data Assessment/Response	100
8. Professional Development	100
9. School Climate/Environment	100
10. Safety/Security	100
11. Community Engagement	100
12. Financial Management	100
13. Facilities Management	100
14. Legal/Compliance	100
15. Governance	100
16. External Relations	100
17. Information Technology	100
18. Communications	100
19. Human Resources	100
20. Risk Management	100
21. Special Services	100
22. Student Support Services	100
23. Title I/II	100
24. Title III	100
25. Title IV	100
26. Title V	100
27. Title VI	100
28. Title VII	100
29. Title VIII	100
30. Title IX	100
31. Title X	100
32. Title XI	100
33. Title XII	100
34. Title XIII	100
35. Title XIV	100
36. Title XV	100
37. Title XVI	100
38. Title XVII	100
39. Title XVIII	100
40. Title XIX	100
41. Title XX	100
42. Title XXI	100
43. Title XXII	100
44. Title XXIII	100
45. Title XXIV	100
46. Title XXV	100
47. Title XXVI	100
48. Title XXVII	100
49. Title XXVIII	100
50. Title XXIX	100
51. Title XXX	100

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### Strategic Support Plan

The strategic support plan serves to address areas of low performance and program ineffectiveness identified.

Creating this plan is a local process and should include all relevant staff members. The plan also includes strategies and interventions to help ensure LEAs can effectively meet their annual improvement goals.

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### Strategic Support Plan (SSP)

- District-Level Process
- Continuous Improvement process tool
  - ◆ Mercedes ISD was required to submit an SSP to TEA for the 2022-2023 school year
  - ◆ RDA Determinations levels prompt requirements for submission (DL2-DL4)

**Campus Impact**

- Possible team representation
- Campus contribution to the root cause of high Performance Levels (PLs) on RDA
- Campus Input/Campus Planning
- Campus/District Improvement Plans

Strategic Support Plans

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**RDA Intervention Requirement s- SPED**

**Special Education (SPED) Determination Level (DL)**

- Determination Level 1 - Waiver Requirements**
  - Approved L2019 and 2022
  - Engage in continuous improvement
  - Submit L200 to the TEA
- Determination Level 2 - Waiver Assistance**
  - Approved L2019 and 2022
  - Engage in continuous improvement
  - Submit L200 to the TEA
- Determination Level 3 - Ready Intervention**
  - Approved L2019 and 2022
  - Engage in continuous improvement
  - Submit L200 to the TEA
- Determination Level 4 - Ready Substantial Improvement**
  - Approved L2019 and 2022
  - Engage in continuous improvement
  - Submit L200 to the TEA



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**Comprehensive Desk Review**

The purpose of the desk review is to ensure LEA compliance with federal and state special education requirements through a review of LEA policies and individual student records.

The number of student files selected for review is determined by the number of students with disabilities enrolled in the LEA based on PEIMS data. The LEA will provide documentation for a select sample of students to the TEA Review and Support team through a secure platform.

Additionally, a survey may be sent to the parents/families, general and special educators to gather stakeholder input.



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**Comprehensive Desk Review**



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### Cyclical Reviews: On-Site Reviews

- Determined using prior academic year's Determination Level data (DL 3, DL 4)
- Typically completed in three to four days
- Gather additional data as part of comprehensive program review
- Stakeholder interviews
- Student observations
- Focus on special education program implementation
- Entrance and exit conferences

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### Cyclical Monitoring Components & Campus Impact

#### Comprehensive Desk Review

- District-Level data review
- Policy and procedure review
- Folder/Student document review (TEA Selected)
- Surveys (staff and parents)

#### Campus Impact

- Campus data included in review
- Alignment between policy, procedure, and practices at the campus level reviewed
- Campus correction of non-compliance if determined.

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### Cyclical Components & Administrator Impact

**Policy & Procedure Review**

Where can I locate our LEA policies and special education operating procedures?

Who is my contact to provide implementation guidance and/or feedback?

**Pre-Monitoring Phone Call**

What is my role in the process of reviewing RDA data, conducting root cause analysis, self-assessment, and plan development/implementations?

How can I support the Pre-Monitoring phone call to discuss development and implementation efforts on my campus?

**Desk Review**

What components of our campus IEPs are reviewed for compliance with federal/state guidelines?

How can I demonstrate that development and implementation efforts on my campus align with our LEA policies and procedures?

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### Cyclical Components & Administrative Impact

<p><b>Stakeholder Survey</b></p> <p>Who is required to receive the stakeholder survey within our LEA? What is the plan for distribution to encourage participation?</p> <p>Who is my contact if there are any questions related to the stakeholder survey?</p>	<p><b>Cyclical Monitoring Report</b></p> <p>How does TEA report cyclical monitoring findings and where can I access the information?</p> <p>What role can I play in supporting corrective action if non-compliance is identified?</p>	<p><b>On-Site Visits</b></p> <p>How is my campus performance/discipline and placement data contributing to the overall district RDA data?</p> <p>How will we know if we are going to receive a visit and how can we prepare?</p>
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### Desk Review Documentation Requests

- Examples include:
- Current Full and Individual Evaluation(FIE/Review of Existing Evaluation Data (REED)
  - Current Individualized Education Program (IEP) including all supplements
  - Determination of statewide student assessment, participation requirements, and accommodations
  - IEP documentation of intensive program of instruction or accelerated instruction program
  - Foster parent training documentation
  - Parent Request for Evaluation
  - Proof of attempted parent contact to schedule Annual Review and Dismissal (ARD) Committee meetings
  - Receipt of Procedural Safeguards
  - Restraint Documentation
  - Staff Certifications
  - State Assessment results
  - Student referral documentation (e.g. parent information, classroom observations, intervention documentation, Home Language Survey, Prior Written Notices)
  - Special Education progress reports



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### Desk Review Documentation Requests


**Document List A**

If the student has a current enrollment, please submit the additional documents listed below:

- History of previous enrollment including:
  - Previous enrollment and enrollment of leaving
  - Evidence of leaving
  - Evidence of enrollment again?
- History of enrollment
- Documentation for enrollment of student in another jurisdiction or state
- Enrollment
- Enrollment record and enrollment of student

**Review of Previous Enrollment**

- Review of Enrollment?
- Current enrollment record and enrollment of student in another jurisdiction
- Enrollment record of leaving jurisdiction
- History of enrollment in another jurisdiction
- Enrollment
- Why enrollment in this state?
- Why leave this jurisdiction?
- How does the Registrar determine enrollment for other jurisdictions?
- How does the Registrar determine enrollment for other jurisdictions?



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### Desk Review Documentation Requests


**Document List B**

- Current enrollment record
- Enrollment Services Application (ESA)?
- Evidence of enrollment for ESA?
- Registration information?
- History of enrollment of student in another jurisdiction?
- History of enrollment of student in another jurisdiction?
- History of enrollment of student in another jurisdiction?
- Enrollment record and enrollment of student
- Enrollment record and enrollment of student
- Enrollment
- Enrollment for a student in another jurisdiction
- Enrollment for a student in another jurisdiction for the Registrar (enrollment record for the Registrar)

**Document List C**

If the student is a dual resident of two states, please submit the additional documents listed below:

- Enrollment record and enrollment of student



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### Desk Review Documentation Requests

**Document List C**

If the student has a current enrollment, please submit the additional documents listed below:

- Evidence of the date of transcription (SAT or ACT) or enrollment in another jurisdiction?
- Transcription
- Review of Transcription of Student's Enrollment?
- Enrollment Services Application (ESA)?
- Enrollment record and enrollment of student



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### Monitoring Reports

- A report of findings will be provided to the LEA and made available to the public.
- The report will provide:
  - A summary of monitoring activities
  - Identified program strengths
  - Program growth areas
  - A suggested plan for technical assistance and support



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### Pre-Finding Corrections

LEAs with both pre-finding correction of noncompliance for *two or fewer students* (i.e., individual level) and verification of Prongs 1 and 2 by the pre-finding correction deadline do not require a CAP.

However, LEAs with an individual level of noncompliance for *two or fewer students that has not been corrected by the pre-finding correction deadline* or LEAs with a systemic level of noncompliance (i.e., more than two students) require a CAP.



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### Rules of Compliance

The following rules determine an LEA's overall compliance status:

LEAs with at least *one finding of noncompliance* from the folder review, onsite review, policy review, or self-reported noncompliance are assigned an overall compliance status of **"Noncompliant"** and require a **Corrective Action Plan (CAP)**.

LEAs with *no findings of noncompliance* from the folder review, on-site review, policy review, or self-reported noncompliance, but at least *one pre-finding correction* of noncompliance are assigned an overall compliance status of **"Pre-finding Corrected"** and have **"No Action Required"** (LEA does not require a CAP).

LEAs with *no findings of noncompliance or pre-finding correction* from the folder review, on-site review, or self-reported noncompliance are assigned an overall compliance status of **"Compliant"** and have **"No Action Required"** (LEA does not require a CAP).



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## Compliance Review

The compliance review section includes a summary of student compliance by priority area of the policy review and the folder review.

Table 1. Summary of the Desk Review (Policy Review and Folder Review) by Priority Area

Priority Area	Policy Review	Folder Review
Child Find/Interventions	100% (14 of 14)	100% (24 of 24)
IEP Development	100% (11 of 11)	100% (21 of 21)
IEP Content	100% (11 of 11)	100% (24 of 24)
IEP Implementation	100% (14 of 14)	100% (24 of 24)
Properly Constituted IEP	100% (11 of 11)	100% (24 of 24)
State Assessment	100% (4 of 4)	100% (24 of 24)
Transition	100% (3 of 3)	100% (3 of 3)

**Note:** Noncompliant student folders had at least one finding of noncompliance for the priority area.



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## Findings of Non-Compliance

Formal identification of noncompliance occurs when the TEA issues written notification that includes the citation and regulation that has been violated.

The noncompliance findings section includes citations of noncompliance from the desk review, on-site review, and/or self-reported noncompliance.

Table 2. Overall Cyclical Monitoring Compliance Status

Compliance Status Overall	Number of Noncompliance to be Addressed (shown in "Details" column of Tables 1 and 4 and Appendix 2)	Required Action Overall
Noncompliant	5	Corrective Action Plan



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## Sample Findings of Corrected Pre-Findings

Area	Citation	Level	Status	Action
Transition	1913 - 101 4001.02420-10 TAC 806.0040010	Individualized Student	Pre-Finding Corrected	No Action Required
Transition	1914 - 101 4001.02420-10 TAC 806.0040010	Individualized Student	Pre-Finding Corrected	No Action Required
State Assessment	501 - 101 500.0210	Individualized Student	Pre-Finding Corrected	No Action Required



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### Sample Findings of Non-Compliance

Table 6: Noncompliance Findings from the Under Review

Area	Statute	Level	Status	Action
Evaluation	201 - 49.076 2006-2007	Individualized students	Pre-Testing Completed	No Action Required
IEP Development	201 - 49.076 2006-2007	Systems-level students	Noncompliance	Develop Action Plan
IEP Development	201 - 49.076 2006-2007	Systems-level students	Noncompliance	Develop Action Plan
IEP Development	201 - 49.076 2006-2007	Systems-level students	Noncompliance	Develop Action Plan



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### Corrective Action Plan (CAP)



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### Corrective Action Plan (CAP)

- Within 30 calendar days of this report, an LEA with a Noncompliant status overall must submit a CAP for citations with noncompliance findings.
- The LEA must complete the required actions as soon as possible, but in no case later than one year from the date of the notification (REPORT).
- TEA determines if noncompliance has been addressed according to Prongs 1 and 2:
  - Prong 1 – Each individual case of noncompliance has been corrected
  - Prong 2 – Regulatory requirements are implemented with 100% compliance



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## Dyslexia Monitoring



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## Dyslexia Cyclical Review

The TEA Division of Review and Support will conduct Dyslexia Program Evaluations in alignment with the Differentiated Monitoring and Support (DMS) Cyclical Schedule in compliance with federal and state requirements for serving students with dyslexia and related disorders.

The Dyslexia Summary of Findings will be embedded within the DMS Comprehensive Cyclical Report to provide a holistic overview of the monitoring outcomes for the implementation of special education services and the dyslexia program.

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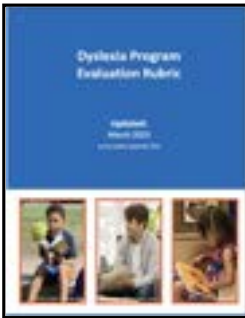

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**Dyslexia Procedures**  
 Procedures are in place to implement the dyslexia program throughout the LEA.

**Dyslexia Procedure Requirements:** TEC §39.006, TEC §39.007, 19 TAC §74.26 follow the requirements of Texas Education Code (TEC) §62B.006 and 66.005, 19 Texas Administrative Code (TAC) §74.26 and guidelines of State Board of Education approved Systems Handbook.

**Artifacts of Implementation**  
 An LEA will submit the following to TEA:

- Copy of dyslexia program procedures



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**Parent Communication**  
 Parents/Guardians of a student with dyslexia or related disorder are informed.

**Communication Requirements:** 19 TAC §74.26 (ii), (j) Parents/guardians of a student with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support models as required by TEC, §26.086104, and options under federal law, including IDEA and the Rehabilitation Act, 2004.

**Artifacts of Implementation**  
 An LEA will submit the following to TEA:

- Copy of parent education information (e.g., letter, flyer, power point, video, hyperlinks to parent resources)



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**Screening**  
 All kindergarten and first-grade public school students are screened at appropriate times for dyslexia and related disorders.

**Screening Requirements:** TEC §39.006(a), (g), (h), TEC §39.007(a), 19 TAC §74.26 (ii) (B), (c), (d)

**Artifacts of Implementation**  
 An LEA will submit the following to TEA:

- Name of the K-1 screener administered according to handbook requirements, include district administrator.
- Copy of notification to parents/guardians of students determined, on the basis of district screening or reading instrument results to be at risk for dyslexia or other reading difficulties, access to the Talking Book Program (TBP) sponsored by the Texas State Library and Archives Commission.
- Copy of notification provided to parents regarding access to the System Handbook.
- Names of teachers or teaching assistants of all kindergarten and first-grade teachers.
- Training records for all teachers administering and interpreting district screening instruments.



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**Reading Instrument**


All kindergarten, first and second graders, as well as seventh graders who were not proficient on the sixth-grade state reading assessment, are administered a reading instrument to identify student reading development and comprehension. A district-level committee may adopt a list of reading instruments for a grade level other than kindergarten in addition to the reading instruments on the commissioner's list.

**Reading Instruments Requirements** TEC 201.008 (a), (b) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) TEC 201.009, 201.010, 201.011, 201.012

**Methods of Implementation**

All LEAs will submit the following to TEA:

- Copies of the K-2, 5th reading instrument(s) administered
- Results of the K-2, 5th reading instruments, to include total number of students evaluated versus the total number of students tested at risk
- Parents are notified regarding screening results to include information about the subdistrict program implemented by the Texas State Library and Archives Commission providing students with reading abilities the ability to receive subdistrict free of charge.
- Copy of notification provided to parent regarding access to the student handbook



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**Evaluation and Identification**

Provide timely evaluation and identification of students with dyslexia and related disorders, including dyscalculia.

**Evaluation and Identification Requirements** TEC 201.008 (a)-(c), 201.009 (b)(1)-(3), 201.010 (a)-(c), 201.011 (a)-(c), 201.012 (a)-(c)

**Methods of Implementation**

All LEAs will submit the following to TEA:

- Assessment and identification procedures for dyslexia and related disorders including dyscalculia
- Dates of implementation
- Copies of notification provided to parents (include Notice of Proposed Evaluation)
- Copies of parent consent for evaluation
- Copies of notification provided to parent regarding access to the Dyslexia Handbook
- Copies of notification providing information about the subdistrict program monitored by the Texas State Library and Archives Commission providing students with reading abilities the ability to receive subdistrict free of charge
- Training records, certification and/or licensure of the LEA staff who administer evaluations for dyslexia and related disorders
- Student documentation samples of early intervention, instruction, and support services (Cumulative Data):
  - Additional staff and targeted skill assessments
  - Other observations of student progress
  - Teacher observations in the area of suspected disability
  - Family/guardian input (e.g., family history, early language delay)
  - Current student work samples
  - Work samples from earlier grades
  - Intervention history



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**Student Documentation Samples for Emergent Bilingual (EB) students**

- Home Language Survey
- Assessment related to identification for limited English proficiency (oral language proficiency test -- all years available)
- Texas English Language Proficiency Assessment System (TELPAS) information for four language domains (listening, speaking, reading, and writing)
- Instructional interventions provided to address language needs
- Information regarding previous schooling inside and/or outside the United States
- Type of language program model provided and language of instruction



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**Instruction**


Students identified with dyslexia and related disorders are provided appropriate, evidence-based reading instruction according to the updated 2021 Dyslexia Handbook approved by the State Board of Education.

**Instruction Requirements** TEC §49.000(a), (c) & (4) (E)(ii), (j) & (k)

**Artifacts of implementation**

An LEA will submit the following to TSB:

- Inventory of the instructional interventions used within the dyslexia program
- Priority sample checklist of explicit interventions for elementary, middle, and high school to ensure programs are differentiated in accordance with design
- Evidence of completion of training for teachers who provide dyslexia instruction
- Evidence of professional development for all teachers who serve students with dyslexia or related disorders (e.g., training videos, training certificates, training sign-in sheets)
- Data for current school year:
  - Number of students are currently receiving dyslexia instruction
  - Number of students receiving dyslexia instruction through STA
  - Number of students are receiving dyslexia instruction through special education (standard and specially designed)
  - Number of students receiving dyslexia instruction by grade level in English and other languages



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**Progress Monitoring**


The LEA demonstrates a districtwide progress monitoring process to evaluate the progress of students with dyslexia and/or related disorders.

**Progress Monitoring Requirements** TEC §49.021(b), TEC §49.003, (c) (4)(c) § 49.1071

**Artifacts of implementation**

An LEA will submit the following to TSB:

- Procedures for implementation of accommodations/modifications through the development of appropriate assignments and assessments
- Student documentation samples:
  - Copy of the accommodations and modifications provided along with student sample
  - Accommodation and/or modification checklist or tracker
  - Student samples of mastery checks and/or progress charts



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**Resources**

- [TEA Differentiated Monitoring and Support \(DMS\) Webpage](#)
- [Texas Education Agency Differentiated Monitoring and Support Guide](#)
- [Texas Education Agency Dyslexia Program Evaluation Resources](#)
- [Texas Education Agency External Desk Review Rubric](#)



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**Legislative Updates**



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**HB 1416-HB 4545**

Texas law requires all students who fail to score approaches or higher on STAAR grades 3–8 or EOC assessments be provided accelerated instruction.

Qualifying students must be:

- Assigned a TIA designated teacher for the subsequent school year in the applicable subject area; OR
- Provided targeted instruction in the TEKS for the applicable grade levels and subject area with
  - No less than 15 or 30 hours depending on student performance and is provided in the summer or at least once per week in the school year;
- Limited to two subjects per year, prioritizing math and RLA;
- Provided in a group of no more than four students, unless the parent or guardian of each student in the group authorizes a larger group;
- Designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area and includes effective instructional materials designed for supplemental instruction;
- Provided by a person with training in the applicable instructional materials for the supplemental instruction and provided by one person for the entirety of their accelerated instruction



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**Special Education and Accelerated Instruction**

**STAAR- Accelerated Instruction Required:**

- Did Not Meet Performance Level
- Did Not Participate (absent or other)

- Requires ARD committees to review the student’s participation and progress in accelerated instruction or an accelerated education plan at the student’s **next annual ARD**.
- Allows parents to request or districts to schedule an additional ARD meeting if a committee member believes that the student’s IEP needs to be modified. If the district refuses to convene an ARD requested by the parent, the district must provide the parent with written notice explaining the reason for the refusal.



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## Special Education and Accelerated Instruction

### STAAR- Accelerated Instruction Required:

- Did Not Meet Performance Level
  - Did Not Participate (absent or other)
- ARD Committee no longer required to meet to determine accelerated instruction.
  - Instead, an ARD committee will review participation and progress at the student's **next annual ARD**.
  - Allows parents to request or districts to schedule an additional ARD meeting if a committee member believes that the student's IEP needs to be modified. If the district refuses to convene an ARD requested by the parent, the district must provide the parent with written notice explaining the reason for the refusal.



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## Recap Accelerated Instruction

### Accelerated Instruction

- For each subject area failed (not required for more than 2 subjects with math and reading given the priority)
- 15 hours or 30 hours if performance is significantly below satisfactory (defined by commissioner)
- No less than once per week during the school year unless provided fully during the summer
- 1:4 student-to-teacher ratio (unless parent waives group-size)
- TEA shall approve one or more online products in lieu of face-to-face instruction.
- Parent/Guardian may elect to modify or remove their child from accelerated instruction.
  - **A school district may not encourage or direct parents to submit a written request.**



<https://tea.texas.gov/texas-schools/health-safety-discipline/covid/accelerated-learning-resources>

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## TEA Accelerated Learning Resources

The image shows three resource cards from TEA. The first card is titled 'Review 8th Grade Science' and features an illustration of students. The second card is titled 'Science and Reasoning' and features an illustration of a globe and students. The third card is titled 'Learning Rehabilitation' and features an illustration of a student. Each card contains text and icons related to its topic.



<https://tea.texas.gov/texas-schools/health-safety-discipline/covid/accelerated-learning-resources>

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**Texas House Bill (HB) 3928**

**TEA** TEC §7.002(2)(B)  
**Standard Protocol Dyslexia Instruction**



- ❑ The bill modifies TEC §7.002(2)(B) and states that the State Board of Education (SBE) program may **not** include a distinction between standard protocol dyslexia instruction and all other forms of direct dyslexia instruction, including specially designed instruction. This will be updated in The Dyslexia Handbook.
- ❑ All updates to The Dyslexia Handbook must be made by June 30, 2024.

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**TEA** TEC §29.0031(a)  
**Dyslexia is a Specific Learning Disability**

TEC §29.0031(a) Dyslexia and Related Disorders is added to Subchapter A, Chapter 29 and states, in part, "Dyslexia is an example of and meets the definition of a specific learning disability under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1401 (30))."

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**TEA** TEC §29.0032(a)  
**Requirements When Dyslexia is Suspected**

If the local education agency (LEA) suspects, or has reason to suspect, a student has dyslexia and may be a student with a disability under IDEA, including after reading diagnostic assessments under TEC §28.006 or screening under TEC §28.003, the LEA must:

- ❑ Provide parents/guardians with a form developed by the Texas Education Agency (TEA) explaining rights under IDEA that may be additional to rights under section 504.
- ❑ Comply with all federal and state requirements, including The Dyslexia Handbook, regarding any evaluation of the student.
- ❑ If the student is to be evaluated for dyslexia or a related disorder, evaluate the student in all other areas of suspected disabilities.

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**TEA** TEC §29.0811(a)  
**The Multidisciplinary Evaluation Team & Admission, Review, and Dismissal (ARD) Committee**

The multidisciplinary evaluation team and ARD committee must include at least one member with specific knowledge of the reading process, dyslexia and related disorders, and dyslexia instruction. The member must:

- Hold a licensed dyslexia therapist (LDT) license under Chapter 403, Occupations Code;
- Hold the most advanced dyslexia-related certification issued by an association recognized by the SBDE; or
- If neither of these is available, the member must meet the training requirements adopted by the SBDE.

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**TEA** TEC §29.0811(d)  
**Multidisciplinary Team and ARD Committee Documentation**

The required member with knowledge of dyslexia and related disorders on the multidisciplinary evaluation team and ARD committee must:

- Sign a document describing the member's participation in the student's evaluation and any resulting individualized education program (IEP) developed for the student.

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**TEA** TEC §29.0811(d)  
**Student Progress Reports**

At least once per grading period (or more often if required in the IEP), the district must provide the parent/guardian of a student receiving dyslexia instruction information regarding their child's progress as a result of receiving dyslexia instruction.

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**TEA** TEC §19.0032  
**Providers of Dyslexia Instruction**



- ❑ Dyslexia providers must be fully trained in the LEA's adopted instructional materials for students with dyslexia.
- ❑ Dyslexia providers are not required to hold a certificate or permit in special education unless they are employed in a special education position that requires the certification.
- ❑ The completion of a literacy achievement academy does not satisfy the training requirements.

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**TEA** TEC §37.0046(g)  
**Disciplinary Alternative Education Program**

Upon placement of a student in a disciplinary alternative education program (DAEP), the district shall provide the parents/guardians information on how to request a full individual and initial evaluation (FIE) under the IDEA.

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**TEA** TEC §37.0236(f)  
**Student's Transition Plan from DAEP**

Students receiving assistance in a DAEP must be provided a personalized transition plan.

TEC §37.023(d) is revised to require that in a student's transition plan from DAEP back to the regular classroom environment that a parent/guardian is provided with information on how to request a special education evaluation.

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**TEA** TEC §38.003(b) Board policy requirement

**TEC §38.003(b)** was revised and states that each district board of trustees and governing board of an open enrollment charter school shall:

Adopt and implement a policy requiring the LEA to comply with all rules and standards adopted by the SBOE to implement the program, including the Dyslexia Handbook, and Commissioner of Education's guidance.



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**TEA** TEC §38.003 (c-1) Input from Parents During Monitoring



**TEC §38.003 (c-1)** is revised to require TEA to create procedures through the rulemaking process to allow TEA to seek out parental input on an LEA's implementation of the dyslexia program as part of the agency's dyslexia monitoring process.



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**TEA** Effective Dates

- SBOE must revise The Dyslexia Handbook by June 30, 2024.
- This law applies beginning with the 2023-2024 school year.

<https://www.youtube.com/watch?v=T4INFtY0pI>



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### HB 3928 Recap

State Board of Education (SBOE) removed the distinction between standard protocol dyslexia instruction and all other forms of dyslexia instruction from The Dyslexia Handbook.

- Dyslexia is considered a specific learning disability (SLD) under the Individuals with Disabilities Education Act (IDEA).
- TEA must develop a form for districts to distribute to parents that describes their rights under IDEA that may be in addition to those afforded under Section 504 when dyslexia is suspected.



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### HB 3928 Recap-continued

- A professional with specific knowledge of dyslexia must be a member of multidisciplinary evaluation teams and ARD committees.
- Each board of trustees and governing body of an open enrollment charter school must adopt a policy requiring the district to abide by all laws and rules, including The Dyslexia Handbook, along with guidance issued by the commissioner.
- TEA's monitoring must include a parental input component on how a district is implementing the dyslexia program.

View an overview video here: <https://tea.texas.gov/academics/special-student>



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Bills from 88<sup>th</sup> Texas Legislative (Regular) Session



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**HB 3 – School Safety** **TEA**

- Certain sections of this bill on school safety and security pertain directly to individuals with disabilities, including a new section in Chapter 37 of the Education Code, §37.108B.
- This requires TEA to establish guidelines for the provisions in a school district's multihazard emergency operations plan (EOP) to ensure the safety of **students and district personnel with disabilities or impairments** during a disaster or emergency situation. TEA must establish these guidelines in consultation with the Texas School Safety Center, education services centers (ESCs), public school educators who work with students with disabilities, and advocacy groups representing individuals with disabilities or impairments.
- Additionally, uses of the school safety allotment were modified to allow the purchase of **video and audio equipment for special education classrooms**, as provided by §37.023 in the Education Code.

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**HB 1225 – Paper STAAR** **TEA**

- Allows districts to provide paper administrations of STAAR to any student whose parent, guardian, or teacher requests it.
- Requests must be submitted to the district by:
  - September 15 for fall administrations
  - December 8 for spring administrations
- The number of students who are administered paper by request may not be more than 3% of the total number of students enrolled in the district.
- The 3% paper by request numbers do not include the students who meet the criteria for a special paper administration.

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**HB 1926 – Supplemental Special Education Services (SSES)** **TEA**

- This bill repeals the expiration date for the Supplemental Special Education Services (SSES) program.
- Removes the limit of \$30 million set aside per year to administer the program. The program will continue and will be subject to appropriations.
- Legislature appropriated approximately \$63 million for fiscal year 2024 and \$30 million for fiscal year 2025.

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**TEA**

**SB 133 – No Kids in Cuffs**

- Peace officer performing law enforcement duties or security personnel performing security related duties cannot restrain, use a chemical irritant, or use a Taser on a student enrolled in fifth grade or below unless the student poses a serious risk of harm to the student or another person.

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**TEA**

**SB 2304 – Driving with Disability Program**

- Each district and open-enrollment charter school provide information regarding the Texas Driving with Disability Program to students who have a health condition or disability that may impact effective classroom instruction with a peace officer and who receive special education services or who are covered by Section 504.
- The information must be provided to each student who is 16 years of age or older and annually until the student's graduation from high school or 21st birthday.
- TEA must collaborate with TSP, the Department of Motor Vehicles (DMV), and DCPD to develop the information materials. The materials must include information regarding the person's option to voluntarily let any health condition or disability that may impact the person's communication with a peace officer or a person's vehicle registration information or application for a driver's license and may be provided with any licensure training materials.
- The Texas Department of Licensing and Regulation must ensure that information relating to the Texas Driving with Disability Program be included in the curriculum of each driver education and driving safety course.

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**TEA**

**HB 1-General Appropriations Act**

Many of the budget items that have been included in the state's budget in prior sessions continue to be included in HB 1 for the 2024 and 2025 bienniums. However, there are some important differences:

These are:

- A new budget item appropriating \$2 million in fiscal year 2024 for a grant program for adoption preparation and services in Tarrant County and the Dallas-Fort Worth Metroplex.
- Increased appropriations for the Best Buddism program, from \$2 million over the biennium to now \$2 million over the upcoming biennium.
- Increased appropriations for grants to organizations that provide athletic programs for students with intellectual disabilities, from \$2.8 million over the biennium to now \$2 million over the upcoming biennium.
- No money was appropriated to continue the existing grants under TEC 429.021 which expire September 1, 2023 (unless action is taken in a special session).
- Although \$20 million over the biennium was appropriated for student grants under TEC 429.026, it expires September 1, 2023. Therefore, these grants cannot be continued since the authorizing statute will expire unless action is taken in a special session.

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### 19 TAC 89.1050

Two primary issues were addressed in this rule change, which was effective July 18, 2023:

- 1) the ARD committee's responsibility to take all reasonable actions to ensure that a parent understands the proceedings of an ARD committee meeting, including arranging for an interpreter for a parent who is deaf or hard of hearing or whose native language is a language other than English; and
- 2) the procedures for an ARD committee to follow when a student enrolls in a school district and the student received special education and related services in their previous school district.

The addition of language to ensure a parent understands the proceedings of an ARD committee meeting clarifies and aligns with wording in federal regulations and reiterates a school district's duty to ensure the parent has the opportunity to be an active member of the ARD committee.



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### 19 TAC 89.1050- Transfer within State During School Year

The rule addresses student transfers during the year and enrollment during the summer months in the following ways:

- If a student transfers to a Texas school district from another Texas school district during the school year, the provisions in 34 CFR, §300.323(e), would apply. Those provisions state that the new district must provide a free appropriate public education (FAPE) to the transfer student, including services comparable to those described in the child's IEP from the previous district, until the new district either (a) adopts the child's IEP from the previous district, or (b) develops, adopts, and implements a new IEP. There is no set timeline defined in this provision of §300.323(e). The timeline set in this TAC rule has been changed from 30 school days to 20 school days based on a more specific definition of "verify" provided in the rule, as that term is used to determine the special education and related services that the student was previously receiving at the transferring district.



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### 19 TAC 89.1050- Transfer from Out of State During School Year

If a student transfers to a Texas district from a district outside of Texas during the school year, the provisions in 34 CFR, §300.323(f), would apply. The difference between a transfer from out of state versus within Texas is that the provision of FAPE and comparable services are effective until the new district (a) conducts an evaluation, and (b) develops, adopts, and implements a new IEP, if appropriate. While there is no set timeline defined in this provision of §300.323(f), if an evaluation is determined to be necessary, the evaluation timeline would align with the Texas requirement of having initial evaluations completed within 45 school days, with limited exceptions. The requirement to comply with the development, adoption, and implementation of the new IEP would then align with §300.323(c)(1) to have an ARD meeting within 30 calendar days from the completion date of the evaluation report. If the new district determines that an evaluation is not necessary, the timeline listed in this TAC rule has been adjusted from 30 school days to 20 school days to align with the more specific definition of "verify" provided in the rule.



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### 19 TAC 89.1050- Transfer During Summer

Procedures for ensuring the provision of FAPE to students with disabilities who enroll in a new district over the summer months are not contemplated in 34 CFR, §300.323. Therefore, the rule must address those instances to ensure that a student has an IEP in place at the beginning of the school year. When a student enrolls over the summer months – whether coming from an in-state or out-of-state district – the new school district must implement the IEP from the previous district in full on the first day of the new school year or must convene an ARD committee meeting during the summer to revise the student’s IEP for implementation on the first day. This requirement is conditional on the new district having received verification of the student’s special education and related services that were in place at the previous district. If a student’s services cannot be verified prior to the start of the school year, the timelines described above would apply, depending on whether the student previously attended a district within Texas or outside of Texas.



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### 19 TAC 89.1050- Transfer Verification of Sp Ed

As mentioned, a new definition of “verify” has been added to clarify that this term means actual receipt of a copy of the student’s IEP that was in effect in the previous district. Because of this specific definition, the timelines as noted above were changed on adoption from 30 school days to 20 school days to balance the district’s need to become familiar with the student and the need for expeditious decisions in relation a student’s necessary services. In other words, the timeline of 20 school days will not begin until the new district is in receipt of the student’s IEP that was in effect at the previous district.



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### 19 TAC 89.1050- Transfer Verification of Sp Ed

As mentioned, a new definition of “verify” has been added to clarify that this term means actual receipt of a copy of the student’s IEP that was in effect in the previous district. Because of this specific definition, the timelines as noted above were changed on adoption from 30 school days to 20 school days to balance the district’s need to become familiar with the student and the need for expeditious decisions in relation a student’s necessary services. In other words, the timeline of 20 school days will not begin until the new district is in receipt of the student’s IEP that was in effect at the previous district.



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**Special Education Supports and Services Technical Assistance**

<b>Behavior</b> Behavioral Intervention Plans (BIPs) Functional Behavior Assessments (FBAs) Positive Behavioral Interventions and Supports (PBIS)	<b>Early Literacy</b> Early Childhood Longitudinal Study (ECLS) Early Childhood Reading Assessment (ECRA) Early Childhood Reading Initiative (ECRI)	<b>Instructional Technology</b> Assistive Technology (AT) Distance Learning EdTech	<b>Specialized Instruction</b> Instructional Coaching Specialized Instructional Services (SIS)
<b>Communication</b> Augmentative and Alternative Communication (AAC) Communication and Symbolic Behavior Scales (CSBS)	<b>Transition</b> Transition Assessment Transition Planning	<b>Assessment</b> Assessment for Learning (AFL) Assessment for Learning (AFL)	<b>Assessment</b> Assessment for Learning (AFL) Assessment for Learning (AFL)
<b>Instructional Strategies</b> Instructional Strategies Instructional Strategies	<b>Instructional Strategies</b> Instructional Strategies Instructional Strategies	<b>Instructional Strategies</b> Instructional Strategies Instructional Strategies	<b>Instructional Strategies</b> Instructional Strategies Instructional Strategies
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