Services for Students with Disabilities in Texas

Overview of Special Education
IDEA, Texas Education Code, SBOE, and Commissioner's Rules provide the outline for policy and leadership related to services for students with disabilities

Individualized services for students

Free Appropriate Public Education (FAPE)

Special education and related services that have been provided at

public expense, under public supervision and direction and without

charge; and are provided in conformity with the individualized education program (IEP).

General Supervision Responsibilities

TEA has specific General Supervision Responsibilities (handout page 1)

Training, technical assistance, and support are delivered through the 20 ESCs

Services are provided to students with disabilities by districts

Total number of Single Member Districts: **529**

Total number of Shared Service Arrangements (SSAs): **130**

Number of Charter School SSAs: **7**

Population of Students

Child Count of students with disabilities (handout page 2)

2005-2006	507,405
2006-2007	494,302
2007-2008	472,749

Increasing is OHI and AU
Decreasing ED

LD
Began a decline in 2000, leveled out some in 2002-2004, steady decline 2004 to present.

Students involved in Transition Services

of students involved in transition activities

Approximately 194,528 Students are 16 and older

Can begin earlier for some students

Information Specific to Transition

Introduce transition topic

- Statutes and Rules specific to transition (handout, pages 3-6)
- Guidance specific to transition (TEA & ESC XI)
- ESC State Leadership, Transition/High School and the
- Texas Effectiveness Study (handout, pages 7-9))
- Interagency Connections

Measurement of Transition

Transition is measured through indicators in the SPP/APR (will be collecting statewide data in the future, follow-up study district data in sample)

For the 2007-2008 school year, the state will have compliance data for approximately 30,000 students.

Improvement Activities (everything that is going on currently)

Dispute Resolution (complaints resolution, mediation, and due process.)

(handouts, pages 10-11)

Explanation of formal processes

Focus here is on Mediation, the process that is the least intrusive.

Explanation of informal processes

Early Resolution, the two parties working together

(1) **Local Resolution**: Local resolution is a voluntary process that gives the parties the opportunity to directly resolve the issues raised in the complaint. The parties do not have to agree on what happened or why it happened but try to reach an agreement on what to do to address the complainant's concerns. If the parties resolve any issues, the complainant should contact TEA either verbally or in writing to request that the complaint be withdrawn or that certain issues be dismissed from the complaint. If there are any remaining issues that were not resolved, TEA will evaluate whether it must investigate those issues.

(2) **Mediation**: Mediation is a voluntary process in which an impartial mediator assists the parties with reaching a resolution of the dispute. TEA provides mediators at no cost to either party. Requests for mediation may be faxed to TEA's Office of Legal Services at (512) 475-3662 or (512) 463-6027. Any questions about mediation may be directed to TEA's Office of Legal Services at (512) 475-1623. If both parties agree, the timeline for resolving a complaint may be extended pending the mediation. If the complainant wants any unresolved issues to be investigated through the complaints process after the mediation has concluded, the complainant must notify TEA in writing.

It should be noted that the parties may attempt local resolution or mediation at any stage during the complaint resolution process. TEA, however, encourages the parties to attempt to resolve the issues at the earliest possible point in order to expedite the provision of appropriate services to the student.

(3) **Early Resolution Proposal**: The early resolution proposal (ERP) requires TEA to allow the LEA an opportunity to conduct an internal investigation and to propose its own "corrective action" (what needs to be done to correct the problem) to address one or more of the allegations in the complaint. TEA may accept, reject, or modify the proposed corrective action or require other corrective actions to ensure that the LEA is in compliance related to each allegation in the complaint. If an LEA submits an early resolution proposal, TEA will determine the extent to which an investigation must be conducted and will incorporate the LEA's proposed corrective actions into its investigative report as appropriate.

TEA may extend the timeline for exceptional circumstances which include: (1) an unforeseen crisis, such as natural disasters and emergencies; (2) a complaint that relates to a large number of students; and/or (3) a complaint that alleges systemic violations (that is, violations that impact services for more than one student with a disability). In addition, the parties may agree to extend the 60 calendar day timeline in order to engage in mediation.

Texas Response to Intervention

Term originated with the reauthorization of IDEA 2004- but the term is not actually in IDEA

It is a new term but not a new concept

As a result of changes to IDEA it has be reframed and repurposed

RtI or a tiered model of instruction is designed to assist struggling students
Description of the elements of a three tier model (See NASDSE Book)

Model can address struggles that are academic or behavioral

Agency lead is in curriculum and includes participation from a variety of sources including Curriculum, NCLB-title programs, statewide initiatives, compensatory education, Reading First, IDEA Coordination.

RtI Coordinating Council (RtICC), includes Agency staff above but also Texas Elementary Principals Association (TEPSA), Texas Association of School Administrators, (TASA), Texas Association of Federation of Teachers (TexasAFT), Texas Association of Secondary School Administrators (TASSA), and Texas State Teachers Association (TSTA)

Interface with special education based on LD eligibility determination
Commissioner Rules revised to allow for use of RtI to determine eligibility for Learning Disabilities

The RtICC will develop State Guidance; RtI is not a mandate in Texas

Implications for Special Education
Data indicators in the SPP