

Thank you for the opportunity for The Arc of Texas to provide a second round of feedback on the first stages of the development of the corrective action plan required by the U.S. Department of Education (DOE). These comments are in response to the draft corrective action plan (the plan) that TEA submitted to Governor Abbott on January, 18 2018. The Arc of Texas is committed to provide meaningful input to TEA as the plan matures and changes with feedback you receive from other stakeholders. The magnitude of transformation that we are seeking from within TEA, Education Service Centers, school districts and campuses across the state will require strong partnerships with advocacy organizations, students with disabilities and parents and years of committed diligence to making sure students with disabilities see the transformation and receive the recovery services they deserve and are federally afforded.

The Arc of Texas promotes, protects and advocates for the human rights and self-determination of Texans with intellectual and developmental disabilities (IDD). These comments were developed by The Arc of Texas in partnership with the 31 Local Chapters of The Arc of Texas, The Arc of Texas Board of Directors and with The Arc of Texas Government Affairs Committee. Our Government Affairs Committee consists of self-advocates, Local Chapters, parents, special education teachers, and professionals in disability policy.

The implementation of the 8.5% monitoring cap and the systematic denial of students with disabilities services thereafter, are at grave odds with the mission, values and practices of The Arc of Texas. We believe that all students should be supported in an inclusive setting where they can thrive in school, learn among their peers with and without disabilities, master required curriculum content and succeed in post-secondary opportunities. Additionally, we believe wholeheartedly in the federal protections granted to students with IDD through the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act. IDEA and Section 504 are the fruits of decades of advocacy from self-advocates and parents fighting to raise the bar and expectations in public schools for students with disabilities. The 8.5% monitoring cap was a devastating blow to students with disabilities, parents and advocates who have fought for years and continue to fight for a Free and Appropriate Public Education (FAPE).

Therefore, we implore TEA, Governor Abbott and the Texas Legislature to commit to long range systems change, adequate public education funding and leave no stone unturned to rectify the harm done to students with disabilities in Texas. We must collectively pursue the most effective practices and remediation strategies to absolve what the U.S. DOE has asked TEA to do. This cannot simply be an effort to “check boxes”. The U.S. DOE directed TEA to develop a plan that will ensure school districts are complying with federal IDEA and 504 laws and help the denied class of students recover from the punitive practices of the State of Texas. The denied class includes students currently enrolled in grades K-12, students who remain in school between 18 and 22, students in foster care, students who were victims of the school-to-prison pipeline

because they did not receive needed services and those students who were graduated out of school by the time the 8.5% cap was removed. All of these students deserve the compensatory services they are federally guaranteed to ensure they are prepared for an independent, self-determined life in the community. The Texas Legislature will need to provide funding to address Texas' failures. Without the funding to implement the plan, Texas cannot meet the demands of the U.S. DOE and will remain in violation of IDEA.

The 8.5% monitoring cap is just one systemic failure in Texas' special education system. The State of Texas will not accomplish the objectives set forth by the U.S. DOE or establish long-term progress if we address the 8.5% monitoring cap in a silo. This is an opportunity for Texas to examine the entire special education system, identify the gaps and create a plan to fix them. Texas should seize this opportunity to envision a special education system that leads the nation, instead of a system that is always responding to crisis. If Texas does not take steps to address the other failures, students with disabilities will continue to be underserved and Texas will be in violation of federal IDEA and Section 504 laws. Texas does not want to be in a continuous corrective action cycle with the U.S. DOE because Texas fails to provide adequate and sufficient action plans to improve academic and economic outcomes for students with disabilities.

Based on the input from The Local Chapters of The Arc of Texas, The Arc of Texas Board of Directors and The Arc of Texas Government Affairs Committee, here are comments about the draft corrective action plan items (1-4) that The Arc of Texas feels will improve the state's likelihood of meeting the demands laid out by the U.S. DOE. There are many elements in the plan that The Arc of Texas likes. These comments will focus on questions and areas of concern and provide recommendations. Please accept these comments as initial feedback and know The Arc of Texas is committed to working with TEA at all stages of the development and immediate implementation of this plan.

The U.S. Department of Education Office of Special Education and Rehabilitative Services has directed TEA to develop a corrective action plan based on four areas:

1. Documentation that the State's system of general supervision requires that each ISD identifies, locates, and evaluates all children suspected of having a disability who need special education and related services, in accordance with section 612(a)(3) of the IDEA and its implementing regulation at 34 CFR §300.111, and makes FAPE available to all eligible children with disabilities in accordance with section 612(a)(1) of the IDEA and its implementing regulation at 34 CFR §300.101.
2. A plan and timeline by which TEA will ensure that each ISD will (i) identify, locate, and evaluate children enrolled in the ISD who should have been referred for an initial evaluation under the IDEA, and (ii) require IEP Teams to consider, on an individual basis, whether additional services are needed for children previously suspected of having a

disability who should have been referred for an initial evaluation and were later found eligible for special education and related services under the IDEA, taking into consideration supports and services previously provided to the child.

3. A plan and timeline by which TEA will provide guidance to ISD staff in the State, including all general and special education teachers, necessary to ensure that ISDs (i) ensure that supports provided to struggling learners in the general education environment through RTI, Section 504, and the State's dyslexia program are not used to delay or deny a child's right to an initial evaluation for special education and related services under the IDEA; (ii) are provided information to share with the parents of children suspected of having a disability that describes the differences between RTI, the State dyslexia program, Section 504, and the IDEA, including how and when school staff and parents of children suspected of having a disability may request interventions and/or services under these programs; and (iii) disseminate such information to staff and the parents of children suspected of having a disability enrolled in the ISD's schools, consistent with 34 CFR §300.503(c) .
4. A plan and timeline by which TEA will monitor ISDs' implementation of the IDEA requirements described above when struggling learners suspected of having a disability and needing special education and related services under the IDEA are receiving services and supports through RTI, Section 504, and the State's dyslexia program.

General Comments for the Corrective Action Plan

- **Initial Draft:** The Arc of Texas appreciates the hard work and diligence from TEA in the creation of the initial draft plan. We see many bright spots in the plan and feel our input was incorporated throughout.
- **Funding:** The Arc of Texas understands that years of denying students the special education services they are federally afforded and implementing systems change that will ensure Texas is never in violation of IDEA and Section 504 will require considerable financial resources. It is imperative that TEA develop a plan that the U.S. DOE asked of them and be forthcoming with the true cost of remediation. TEA must submit a plan not hindered by its current resources, buty provide adequate and additional resources to correct the violations and ensure that delays and denials of services do not occur.
- **Clear Actions:** We understand that TEA was directed to develop the first draft of the plan in seven days. While we appreciate the urgency, there are a lot of questions in terms of "how" and "who". The updated plan must have concrete, actionable steps to give life to the foundation that was laid out in the initial draft.
- **Heavy Reliance on Third-Party Contractors:** The Arc of Texas appreciates TEA's recognition that they have limited capacities to fully implement all aspects of the plan as

required by the U.S. DOE. There are appropriate times where a third-party contractor will benefit TEA, students with disabilities, parents and tax payers. The Arc of Texas feels the communication and outreach campaign is a good example where hiring an outside vendor will maximize the impact and benefit to meet with disabilities and parents. However, the initial draft has substantial dependence on third-party contractors. Our concerns include:

- Millions of dollars to third-party vendors that does not equate to support for school districts or put boots on the ground to help recover from the cap. The plan is absent of meaningful support for students with disabilities and parents to help them re-navigate or navigate for the first time the special education system. Limited state resources should go to providing direct support to the denied class first, and then to school districts to ensure they are adequately staffed and sufficiently trained to address the needs of all students with disabilities.
- A significant amount of RFP proposals. This places an undue hardship on TEA staff to create and procure, as well as, causes unnecessary delays in the implementation of the plan.
- TEA should utilize the expertise and resources of the stakeholder organizations collaborating with TEA to create the plan. Third-party vendors are not going to have the knowledge base and experience needed to accomplish some of the recommendations.
- Contracting out so much of the work recommended in the plan does not build expertise from within TEA and leaves TEA reliant on vendors.
- **Transparency:** The Arc of Texas appreciates that the initial plan includes strong language for transparency. The plan should specifically include steps to:
 - Provide transparency for IDEA and state special education expenditures, particularly regarding contracts with private contractors, consultants and related corporations.
 - Effective outreach and public communication announcing CAC meetings, invitations and inclusion of public comments and stakeholder input.
- **Effective Chain-of-Command:** The Corrective Action Plan must make policy and legislative recommendations to establish a clear chain-of-command among TEA, ISDs and ESCs. The DOE found that TEA failed to monitor ISDs as required by IDEA. There is wide confusion among parents, teachers and stakeholder groups as to who has ultimate authority.

Corrective Action One: *Documentation that the State's system of general supervision requires that each ISD identifies, locates, and evaluates all children suspected of having a disability who need special education and related services, in accordance with section 612(a)(3) of the IDEA*

and its implementing regulation at 34 CFR §300.111, and makes FAPE available to all eligible children with disabilities in accordance with section 612(a)(1) of the IDEA and its implementing regulation at 34 CFR §300.101.

Section of Plan	Concern/ Question	Recommendation/ Comment
<p><i>Review & Support Team:</i> Increase the size of the Review & Support Team in Special Education to 25, plus an administrative assistant.</p> <p>This creates eight teams of three people. Each team would conduct 25 on-site reviews per year, ranging in length from 2-5+ days (pending district size and complexity). This structure allows for every district in Texas to receive a support visit at least once every six years.</p>	<p>A support visit every six years is not often enough. Every district should be visited at least once every three years in order to accomplish the goals in the plan and oversee adequate monitoring.</p> <p>Many school districts do not have the resources to adequately fund the appropriate level of staff needed to ensure students with disabilities receive the supports, transition services and inclusive education they need and deserve to be productive members of their community after graduation.</p> <p>Policies and procedures at the district and campus level may be at odds with Federal IDEA and Section 504 laws and inhibit the success of the plan.</p>	<p>How did TEA come up with 25 new FTEs plus an assistant? Comparing the size of Texas' special education population with other states and their staffing ratios, while accounting for actions required of TEA through the plan, we think this number is woefully insufficient.</p> <p>TEA should hire enough staff to accomplish district visits every three years.</p> <p>TEA should include funding and recommendations in the plan to ensure every school district has the staff needed to deliver high-quality special education services for students with disabilities, especially in small districts.</p> <p>The review teams should conduct onsite audits of all policies and procedures for special education and related services (including dyslexia and related disorders, RtI, and ESL) to ensure district and campus policies and procedures are compliant with federal and state laws. Interviews of district</p>

		leadership, campus leadership and teachers would help identify gaps and where violations in practice exist.
TEA will contract with a third-party facilitator to ensure statewide stakeholder feedback is properly integrated into the review process design. \$0.5M: Cost of Technical Assistance/Facilitation Vendor (one time)	TEA can better prioritize limited state resources.	TEA should utilize the expertise and resources of disability stakeholders to ensure stakeholder feedback is properly integrated into the review process design. The \$0.5M should be allocated for better staffing ratios and support for students and parents.
TEA will develop a process for these reviews, including all documentation and reporting templates used. The Review & Support Team will not narrowly focus on process and legal requirements, but rather be guided by an effort to support the most effective practices that lead to improved outcomes for students. The development of the review process will be done with significant stakeholder consultation, to ensure a process that is as effective for students as possible.	How will TEA develop a review process and include meaningful stakeholder input? Will there be workgroup formed? What improved outcomes for students is TEA seeking? Which stakeholders will TEA consult with to ensure a process that is as effective for students as possible? At the parent listening sessions and from the online blog, parents and students shared experiences of vital services not included in the IEP and/or services that were inappropriate for the student. How will the review process evaluate this?	Include specific actions of how TEA will accomplish this goal. Outline a purpose for the review process and develop outcomes for students that TEA would like to accomplish with stakeholders. Define which stakeholders TEA will partner with to develop the review process. TEA should include parents and students with disabilities in the review process and provide the support they may need to provide meaningful input during the reviews. TEA should include in the plan how the review process will ensure that students with current and future IEPs receive the services they need to attain

		their IEP (including transition) goals.
Timeline: First round of visits completed by March of 2019.	<p>How will TEA determine which school districts will be in the first round of monitoring visits? Will they be randomly selected or school districts TEA feels are significantly out of compliance?</p> <p>School districts have 30 days to respond to the monitoring report. After that, when will the final report be made available to the public?</p>	<p>Clarify which school districts will see the first round of monitoring. The Arc of Texas recommends starting with districts who are significantly in violation with IDEA child find.</p> <p>Include in your timeline when the public can expect to receive the final monitoring reports. The reports should be made available no later than 30 calendar days after the district responds to the report. A link to these reports should be included in the newly developed parent page.</p>

Corrective Action Two: *A plan and timeline by which TEA will ensure that each ISD will (i) identify, locate, and evaluate children enrolled in the ISD who should have been referred for an initial evaluation under the IDEA, and (ii) require IEP Teams to consider, on an individual basis, whether additional services are needed for children previously suspected of having a disability who should have been referred for an initial evaluation and were later found eligible for special education and related services under the IDEA, taking into consideration supports and services previously provided to the child.*

Section of Plan	Concern/ Question	Recommendation/ Comment
<i>Outreach Campaign to Identify, Locate, and Evaluate:</i> TEA will contract with a third party to create and execute an outreach campaign to inform families and LEAs of their rights and responsibilities.	The Arc of Texas agrees with this approach. The vendor must have knowledge of public and special education in Texas in order to execute the communication and outreach campaign needed to educate/ communicate	<p>Include in the plan a requirement that the communication vendor have a strong knowledge of public and special education in Texas.</p> <p>TEA should include in the plan specific ways the communication and outreach</p>

	<p>with households/parents and students, including households who do not have access to internet/computers. How will TEA reach students experience homelessness or families who move often?</p> <p>How will the communications and outreach vendor be required to collaborate with stakeholders?</p>	<p>vendor must collaborate with stakeholders, and provide effective outreach and public communication announcing CAC meetings and how to provide public comment.</p>
<p>This campaign will require LEAs to provide information to every family in the district, and will target specific districts or families based on key indicators.</p>	<p>What key indicators will TEA use to target districts and families? How will TEA ensure that outreach and communication efforts are equal among all districts?</p> <p>How will foster kids students in the criminal justice system receive the information and be considered in this outreach campaign? Will there be a different process for foster kids and students in the criminal justice system to request an evaluation and if so, will that be a part of the targeted communications and outreach?</p>	<p>Include the key indicators that TEA plans to use to target school districts and families.</p> <p>Include how the vendor will ensure they conduct an equal communication and outreach campaign, while tailoring their efforts to unique characteristics of certain districts and/or families i.e. language barriers, poverty, rural districts and foster kids.</p> <p>Provide a comprehensive list of the different categories of families and students that TEA will communicate with and outreach to in the plan.</p> <p>Stakeholders who work with kids in foster care and youth involved in the criminal justice system should be included in all stakeholder</p>

		communications and input opportunities.
The contractor will also provide templates for LEAs to use as they identify students.	What templates does TEA envision the vendor providing? Will the vendor or TEA create them? Will the vendor have the qualifications to create these templates?	The plan should clarify what kind of template the vendor will provide and its purpose.
Schools must connect with the parents of these identified students not yet in special education and notify them of the corrective action plan and opportunity for a special education evaluation.	<p>The plan is absent of meaningful support for students with disabilities and parents to help them re-navigate or navigate for the first time the special education system. Limited state resources should go to providing direct support to the denied class. The plan does not direct enough boots on the ground support to help students and districts recover.</p> <p>Parents requesting an evaluation should be given a copy of the procedural safeguards in the language they speak and a copy of a condensed version of the procedural safeguards to ensure it is easy to understand and apply.</p>	TEA should contract with regional organizations (one for every region) or provide funding for ESCs to develop special education advocate programs. The organizations must have expertise in federal and state special education law, the evaluation process and IEP implementation to provide targeted advocate services to parents and students who are in the denied class. The services should be available for 12 months after the implementation of the approved corrective action plan. This external organization or newly developed ESC program will help parents and students navigate the complicated special education process, act as an advocate for the student and ensure school districts are following through on requirements laid out in the corrective action plan. The regional organizations or newly developed ESC program should be required to report student outcomes, challenges faced,

		<p>and the number of students served. This will provide yet another layer of monitoring and accountability, as well as, provide much needed boots on the ground. We do not feel TEA and ISDs have the capacity to provide this level of conflict-free and targeted advocacy services to families and students who desperately need assistance.</p> <p>Parents who request an evaluation should be given a copy of the procedural safeguards and a copy of a condensed version of the procedural safeguards to ensure it is easy to understand. The Arc of Texas can collaborate with TEA to develop this document.</p>
<p>The cost of identifying and conducting assessments for students suspected of having a disability has always been the responsibility of the district, which will continue.</p>	<p>There will likely be a surge in students and parents requesting an evaluation after the communication and outreach campaign. That is a good and desired outcome. School districts, however, may not have resources to pay for the surge in evaluations. If this is the case, districts would be forced to pull from other school programs or delay evaluations again. Either scenario does not address the requirements of the plan without weakening</p>	<p>TEA must include the amount of funding it would cost to help school districts pay for evaluations in the plan. The results of this plan should not compound the current situation by creating additional problems or pulling resources from other programs that students rely on for their education.</p> <p>Allow parents, in consultation with the ARD committee, to use their own providers and evaluations from providers they have paid to identify their</p>

	<p>other programs serving students or continuing to violate federal IDEA law.</p>	<p>child. TEA should ensure that these providers are equally as qualified as the vendors they typically contract with to evaluate.</p>
<p><i>Compensatory Service Delivery:</i> For students who are found to have needed services and did not receive them, the LEA is responsible for providing compensatory services. TEA will create a fund to support some of those efforts.</p>	<p>The Arc of Texas greatly appreciates TEA’s plans for a compensatory fund. It is vital to the recovery. We are concerned the \$25 million will not cover the amount needed to provide compensatory services to all students who need and are federally required to receive them. We understand that this number has wide variation depending on how many students are identified as needing compensatory services and what those services will cost. School districts may not have enough money to cover the cost of the compensatory services. While this should be a state and district partnership, TEA must provide support.</p> <p>The denied class should be broken into five groups.</p> <ol style="list-style-type: none"> 1) K-12 students currently enrolled in school. 2) Students 18 to 21 currently enrolled in school 3) Students who have already graduated or 	<p>TEA should include in the plan a robust funding solution that will provide enough resources for students who were denied services. The Arc of Texas recommends that you multiply the number of students who were not identified and by the average cost of special education.</p> <p>All five categories of the denied class must be included in the class that is able to receive services through the compensatory fund. For students 18-21 and who have graduated or dropped out, TEA should partner with TWC, HHSC, DSHS and Local Intellectual and Developmental Disability Authorities to ensure that these young adults receive the crisis diversion waivers, waiver services, independent living skills, housing assistance, employment training, employment assistance and supported employment services they need to succeed in post-secondary competitive employment and live as independently as possible in the community.</p>

	<p>dropped out without being identified and before the cap was removed.</p> <ul style="list-style-type: none"> 4) Foster kids 5) Students involved in the criminal justice system <p>How will TEA actively identify these students?</p>	<p>One way TEA can identify students in the denied class is to audit due process hearings and dispute resolution meetings from districts.</p>
<p>Additionally, TEA will go through an RFQ process to establish pre-qualified lists of vendors throughout the state who can provide LEAs with direct assistance in a variety of areas, to increase the availability of student support services.</p>	<p>There will likely be a surge of students who request evaluations, are identified, and/or need compensatory services. This is a good and intended outcome. Due to the surge, there may not be an adequate amount of providers available to provide the services needed.</p>	<p>TEA must include in the plan the requirements of vendors to ensure they are qualified to perform the tasks they are contracted to provide and a way for them to meet all state requirements to perform the tasks they are contracted to provide if they are from out of state.</p> <p>TEA should collaborate with TWC and include in the plan how they can partner to increase the workforce in the fields where TEA feels Texas will need more support and in regions where there are workforce shortages.</p> <p>TEA should include in the plan a process to access timely and broad reaching facilitation for ARD meetings, and in order to redress the previous imbalance of services, there be automatic independent facilitation of any ARD where eligibility for services is being considered or</p>

		where parents and schools disagree about services included in the IEP. The ESCs or call center staff should be fully staffed with trained facilitators, on request by parents or school administrators. This could be an ESC grant opportunity.
Timeline: Communications RFP awarded. All parents must be informed by Mar 1 2019.	The timeline for notifying parents is too long. This will continue to delay students receiving services.	Change timeline to December to 2018.

Corrective Action Three: *A plan and timeline by which TEA will provide guidance to ISD staff in the State, including all general and special education teachers, necessary to ensure that ISDs (i) ensure that supports provided to struggling learners in the general education environment through RTI, Section 504, and the State’s dyslexia program are not used to delay or deny a child’s right to an initial evaluation for special education and related services under the IDEA; (ii) are provided information to share with the parents of children suspected of having a disability that describes the differences between RTI, the State dyslexia program, Section 504, and the IDEA, including how and when school staff and parents of children suspected of having a disability may request interventions and/or services under these programs; and (iii) disseminate such information to staff and the parents of children suspected of having a disability enrolled in the ISD’s schools, consistent with 34 CFR §300.503(c).*

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TEA will release an RFP specific to the creation of a suite of resources intended to be shared with the parents of children suspected of having a disability. These resources will describe the differences between RTI, the State dyslexia program (for dyslexia or dyslexia-related needs), Section 504,	This is a third party contract that The Arc of Texas feels can be done within TEA and with the support and collaboration of stakeholders. Likely, any third party vendor would need to heavily rely on TEA and stakeholders to accomplish creating a suite of resources. This money should be utilized to provide	Convene a stakeholder commission to enhance the resources currently available to students with disabilities and parents and review them for accuracy. The commission will develop materials that parents and students with disabilities can understand that provide a suite of all available resources and clearly state the differences between RTI,

<p>and the IDEA, and would be developed in conjunction with extensive stakeholder feedback. This will include how and when school staff and parents of children suspected of having a disability may request interventions and/or services under these programs. This may include timelines, forms, relatable and understandable translation of federal and state statute, etc. It will be available as both an online and paper resource. The RFP will require the awardee to develop a robust system of dissemination of these resources to the intended audience.</p>	<p>direct support to students of the denied class and school districts to provide services.</p>	<p>dyslexia, Section 504, IDEA and how to get an evaluation.</p>
<p><i>Call Center:</i> As part of the current improvement plan to support state infrastructure and technical assistance in special education, and in coordination with the above resources to be developed, TEA will enhance and expand the grant program funding for a statewide call center. This expansion will allow for a higher level of individualized customer service to effectively</p>	<p>The plan states that the grant program will allow for a higher level of individualized customer service to effectively provide a single point of contact for parents requiring assistance navigating the special education evaluation process. The Arc of Texas appreciates this step. We hope that would not preclude them from helping with areas they currently provide support for i.e. IEP</p>	<p>The plan should ensure that the call center will be a single point of contact with enhanced customer service for all issues related to special education. The call center should be more than a referral agency. They should work with stakeholders to provide training to staff so they can accurately disseminate information, tell parents and students about their rights and engage with school districts to help them absolve the issue.</p>

<p>provide a single point of contact for parents requiring assistance navigating the special education evaluation process. TEA will include the trends and other interesting data points in the biannual report (noted in the appendix).</p>	<p>implementation, child find, PBIS, and ARD meetings.</p> <p>There is not a clear path for a parent or student to file a complaint if they feel their school is delaying an evaluation, denying services or offering inappropriate services for the child. Without a way for the new call center to expedite significant concerns and absolve them, students and parents may continue to be delayed and denied.</p>	<p>The plan should clearly state how the call center will help expedite a complaint or concern about a school district delaying an evaluation or not providing appropriate services for the child. In the event of such a complaint, the call center should expedite the complaint to an entity that has authority to absolve the complaint. Complaints of this nature should be resolved within 5 business days.</p>
<p><i>Professional Development:</i> TEA will create and execute on statewide professional development for all educators (general education, special education, and others), structured initially as a training institute for teachers around the state, and to include ongoing follow up.</p> <p>The content of this professional development will include elements both for inclusive practices and instructional techniques as well as broader identification and related Child Find practices. The content development will be informed by the perspectives of educators,</p>	<p>The culture change we are seeking must come from the top and must have buy-in from school leadership. The plan does not include School boards, superintendents, hearing officers and principles as staff who will receive professional development.</p> <p>How will the training be developed? What will be the proficiency level to determine if school personnel have mastered the content?</p> <p>How often will follow-up training occur? Will school personnel be required to participate in initial and follow-up training opportunities?</p>	<p>School boards, superintendents, hearing officers and principals must be a primary focus of the professional development opportunities. The plan should include a training institute geared specifically for them on the teacher content, as well as, leadership training on how to change the culture in their districts and support change from the top down. Parents must have the opportunity to participate in the training either in-person or online.</p> <p>TEA should clarify in the plan who will develop the training materials and content for both educators and school leadership. Field experts should include advocacy organizations.</p>

<p>special education students, and field experts. All participants will be required to demonstrate content proficiency and implementation before being noted as having participated in the full program.</p>	<p>Professional development may help with our current workforce, but what about our future teachers and school administration? Special education continues to have a teacher shortage in Texas and teachers are unprepared to teach students with disabilities by the time they leave school.</p>	<p>This is an opportunity to provide special education training to all teachers. Content should also include PBIS training, IDEA and Section 504, what is federally required of them, and instructional tools for teaching with a universal design model.</p> <p>TEA should clarify in the plan what the proficiency test will be and at what level teachers and school leadership will be considered proficient. TEA should ensure the plan requires that all teachers and school leadership receive the professional development.</p> <p>The Arc of Texas agrees that follow-up is needed. TEA should define what follow-up looks in the plan as regards to how often and for whom. TEA should develop peer mentoring programs with teachers and school leadership who have established mastery in the field of special education, IEP implementation, PBIS, ARD meetings, child find and federal IDEA and Section 504 laws. This will help struggling districts and utilize resources that already exist.</p> <p>TEA should include in the plan actions they will take to engage the higher education</p>
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		community to ensure teachers are prepared to teach students with disabilities and include actions in the plan they will take to address this issue through avenues they have authority over. It can begin with the teacher certification test.
<p>Timeline: Resources start becoming available by Fall 2019.</p> <p>Full implementation expected by Mar 1, 2019 (call center)</p>	<p>The Arc of Texas understands that this is a large scale plan that will take time to implement. The timeline for these two areas of the plan should be completed before the 2019/2020 school year.</p>	<p>Change the timeline dates align with the start of the 2019/2020 school year.</p>

Corrective Action Four: *A plan and timeline by which TEA will monitor ISDs’ implementation of the IDEA requirements described above when struggling learners suspected of having a disability and needing special education and related services under the IDEA are receiving services and supports through RTI, Section 504, and the State’s dyslexia program.*

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<p><i>Escalation Team:</i> TEA will create the Special Education Escalation Team in the Office of Academics. The team will consist of 12 field specialists, plus 3 supervisors and one administrative assistant, and a director of the unit.</p>	<p>The escalation teams seem to be a strong piece of the corrective action plan to mitigate egregious behavior quickly. Will the escalation teams only be used to provide technical assistance in response to monitoring and performance rates?</p>	<p>TEA should include and explicitly describe an escalation or expedited complaint process for parents, students and teachers. This process should have authority to mitigate complaints quickly and provide resources to the parties complaining. TEA should include in the plan what the criteria should be for an</p>

	<p>Where can parents, students, and teachers place a concern that they feel needs to be expedited? Much like the comments in Corrective Action Three, The Arc of Texas is concerned the plan doesn't currently or explicitly include an escalated or expedited complaint process. This is another example where boots on the ground would better serve all parties involved.</p>	<p>escalated process. The Arc of Texas recommends:</p> <ol style="list-style-type: none"> 1) Complaint about a school or school district delaying or denying an evaluation; 2) Complaint about a school or school district denying needed services that should be included in the student's IEP; and/or 3) Complaint about a school or school district including services in an IEP that do not support the student's needs or address IEP goals as they relate to the student's disability. <p>Complaints of this nature should be resolved within 5 business days.</p>
<p>In the first three years, TEA expects that the majority of the Escalation Team's work will focus on those districts with the most clear or self-reported gap between students who are identified with special needs and those who should have been previously identified.</p>	<p>The Arc of Texas agrees that focusing on districts with significant compliance issues will help prioritize limited resources and fast track positive change in districts that need support. Which school districts have clear or self-reported gaps between students who are identified with special needs and those who should have been identified?</p>	<p>TEA should include in the plan the list of school districts that meet the criteria for escalation. In the spirit of transparency, this will alert parents, students and teachers. The goal is not to criticize the district, rather allow those communities to provide much needed support.</p>

<p>These districts will remain on a more frequent monitoring schedule until they meet expectations.</p>	<p>What does more frequent monitoring schedule look like? How often?</p>	<p>TEA should clarify how often frequent monitoring will be for districts that meet escalation criteria and describe what frequent monitoring will look like. This will help parents, students, teachers and school districts understand the process and help them prepare and improve.</p>
<p><i>Technical Assistance Vendors:</i> TEA will also help ensure a variety of third party technical assistance providers are available to districts. TEA will centrally procure and negotiate pricing for those service providers so they are available as districts have needs.</p>	<p>The Arc of Texas understands that school districts may see a surge of special education students identified and need intensive, targeted technical assistance. What would the criteria be for technical assistance vendors for school districts in Texas?</p>	<p>TEA should include in the plan what the criteria would be for a technical assistance vendor.</p> <p>TEA might consider using grant project dollars to enhance and expand technical assistance services at the 20 ESCs instead of going through the RFP process to contract with for-profit vendors.</p>