


TEA

State of the State

Kristin McGuire
Texas Education Agency






 TCASE
interactive
2023
you are our people




TCASE – State of the State
Kristin McGuire,
Senior Director, Special Populations Programs and Policy
July 2023


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Agenda


-  Federal Landscape
-  State Landscape
-  Bills from the 88th Legislative Session




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 **Federal Landscape**




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Federal Landscape 



<p>State's Return to Cyclical Monitoring Based on the Department of Education's</p>	<p>Focus on School Discipline</p>	<p>School Health and Related Services (SHARS) Information</p>
<p>DMS Framework with Intended Outcome, 2021 (PDF)</p>	<p>School Climate and Student Discipline Resources (ed.gov)</p>	<p>Delivering Services in School-Based Settings: A Comprehensive Guide to Medicaid Services and Administrative Claiming</p>
<p>bit.ly/IDEADMS</p>	<p>bit.ly/USSCHOOL</p>	<p>bit.ly/MEDSHARS</p>

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Anticipated Regulation Amendments 

<p>Proposed Amendments Expected This Year</p>	<p>Final Adoption of Amendments Expected This Year</p>	<p>Proposed Regulations Currently in the Comment Period (due Aug 1)</p>
<p>Section 504 regulations & FERPA regulations</p>	<p>Title IX regulations</p>	<p>IDEA B regulations to remove the requirement that an LEA obtain parental consent prior to accessing for the first time a child's Medicaid benefits.</p>


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STAAR-Alt 2 Participation and Waiver Denial 


- Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, limits the number of students in a state who may participate in alternate assessments to no more than 1.0 percent.
- States who anticipate exceeding 1.0 percent are required to submit a waiver request to USDE requesting permission to exceed the 1.0 percent state limit.
- Texas has successfully submitted a waiver to exceed 1.0 percent for the past five years (except for spring 2020 when tests were cancelled due to COVID).
- There has not been a significant change in the number of students assessed with STAAR Alternate 2. The state ranges from 1.2–1.5 percent.

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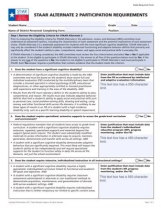
One Percent Waiver for 2022-2023 School Year 

- TEA submitted a waiver request and plan to USDE in December 2022 for the number of students statewide who can be assessed with STAAR Alternate 2 for the 2022–23 school year.
- USDE denied the waiver request in March 2023.
- The Student Assessment and Special Education Division of TEA are working together on a new plan for updated STAAR Alternate 2 documents and trainings to ensure all students are appropriately assessed.

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STAAR Alternate 2 Participation Requirements 

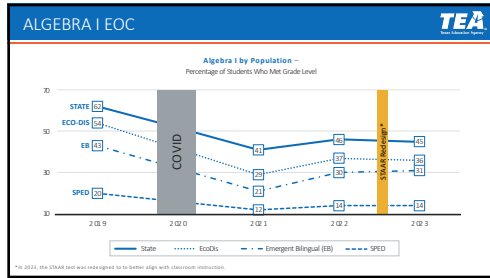


Revising current document for the 2023–24 school year:

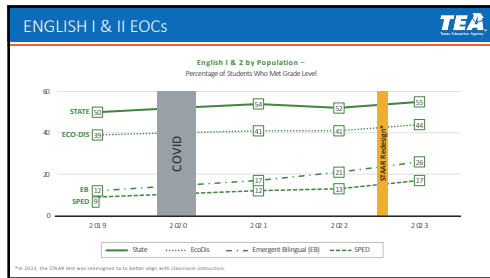
- More detail
- More decision making
- Check boxes

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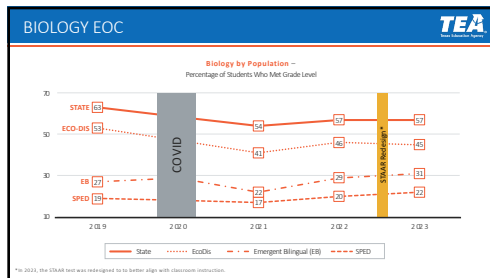
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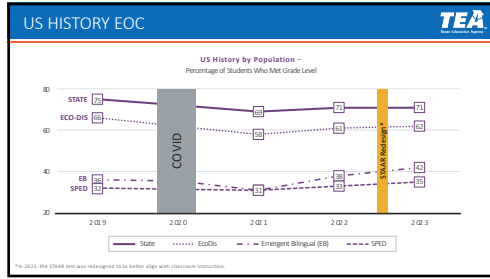
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Removal of Special Conditions

Dear Commissioner Morath:

We are pleased to inform you of the U.S. Department of Education’s Office of Special Education Program’s (OSEP) decision, pursuant to C.F.R. §200.208(e) to remove the Specific Conditions from Texas Education Agency’s (TEA) Federal Fiscal Year (FFY) 2023 Part B of the Individuals with Disabilities Education Act (IDEA Part B) grant awards, effective as of the date of this letter. This letter contains a summary of the basis for imposing Specific Conditions on TEA’s FFY 2021 and 2022 IDEA Part B grant awards and the actions that TEA has taken that support removal of those Specific Conditions.

<https://tea.texas.gov/sites/default/files/osep-letter-to-morath.pdf>

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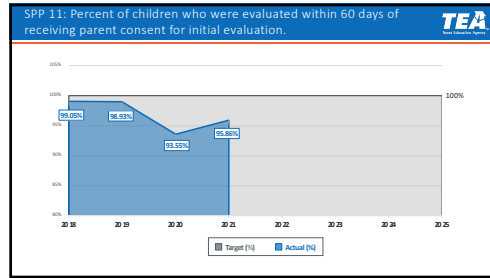
Determination from USDE for 2023 Based on SPP/APR

2023 Part B Results Driven Accountability Matrix

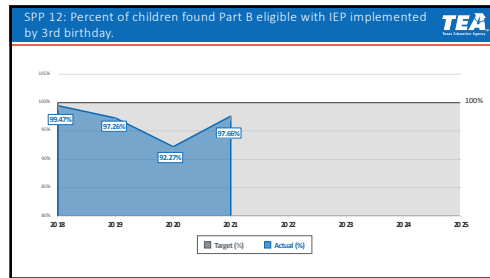
Results Driven Accountability Percentage and Determination	
Percentage (%)	Determination
71.67%	Needs Assistance

Results and Compliance Overall Scoring			
	Total Points Available	Points Earned	Score (%)
Results	24	14	58.33%
Compliance	20	17	85.00%

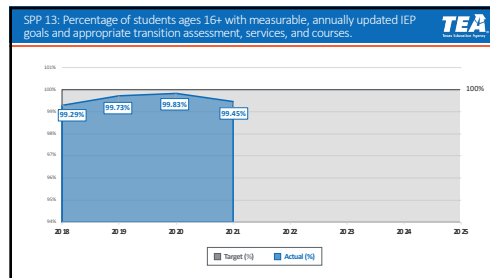
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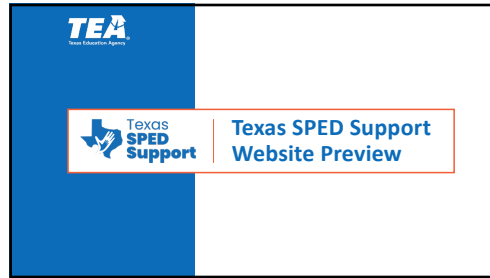
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Texas SPED Support and Other Resources

TEALearn
A learning management system (LMS) that houses all of TEA's online courses, including all related to special education.

Texas SPED Support
A single website that houses all of TEA's special education resources and learning opportunities; online courses will take users to TEALearn.

TA DASHBOARD
A database of technical assistance resources that TEA's Monitoring Team can assign to LEAs found in noncompliance; resources selected take user to Texas SPED Support.

Online Courses

Resources Selected

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Texas SPED Support

HOME PAGE

Featured items will be determined by our team, these may be seasonal or new resources, etc.

Popular items will be determined by the most viewed items.

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Texas SPED Support

CARDS

Topic or Topic

Resource Type

Video cards include the length

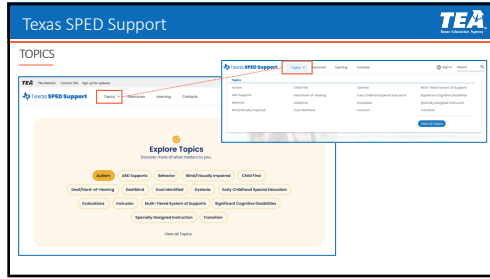
Document previews

Resource is a "collection"

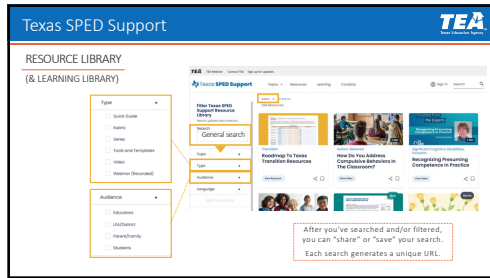
Bookmark any of the resources directly on the cards.

Share resources directly from the cards.

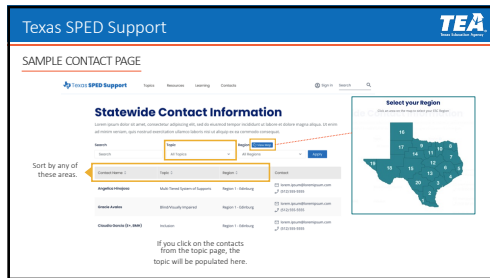
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Social Media Outreach

FOLLOW ON FACEBOOK

@TexasSPEDSupport





FOLLOW ON TWITTER

@TXSPEDSupport



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**Bills from 88th Texas
Legislative (Regular) Session**

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TEXAS LEGISLATURE 88th Regular Session

HB 3 – School Safety


- Certain sections of this bill on school safety and security pertain directly to individuals with disabilities:
- A new section in Chapter 37 of the Education Code, §37.1086 requires TEA to establish guidelines for the inclusion in a school district's multi-hazard emergency operations plan (EOP) to ensure the **safety of students and district personnel with disabilities or impairments during a disaster or emergency situation**. Guidelines will be developed in consultation with the Texas School Safety Center, 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 §29.022 in the Education Code.

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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 1225 – Paper STAAR

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- 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 1 for spring administrations
- The number of students who are administered paper by request may not be more than 3% of the total number 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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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 1225 – Paper STAAR

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- **Special Administration Process**
 - TEA will continue to offer special paper and holistic administrations of online assessments.
 - STAAR paper administrations
 - TELPAS paper and holistic administrations
- There are no planned changes to the eligibility requirements.
 - Accommodations cannot be applied
 - Unable to participate in one domain of TELPAS
 - Technology access precluded
- Student's responses for paper administrations will continue to be submitted through the Data Entry Interface

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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 1416 – HB 4545 Clean-Up

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- Accelerated instruction is Required for STAAR Grades 3-8 Subjects and all EOCs. Student must be:
 - Assigned a TIA designated teacher for the subsequent school year in the applicable subject area; OR
 - Provided supplemental instruction aligned with the research on high impact tutoring in the TEKS for the applicable grade levels and subject area in the following manner:
 - 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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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 1416 – HB 4545 Clean-Up

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- Special Education Implications
 - ARD Committee no longer required to meet to determine accelerated instruction. Instead, an ARD committee will review participation and progress at the next annual ARD meeting, if applicable.
 - The entirety of TEC 28.0211 does not apply to students who take STAAR-Alt 2.

Resources:


- <https://tea.texas.gov/academics/learning-support-and-programs/accelerated-instruction>

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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 1926 – Supplemental Special Education Services (SSES)

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- 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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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 3928 – Dyslexia Evaluation, Identification, and Services

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- State Board of Education (SBOE) to remove 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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TEXAS LEGISLATURE
89th Legislature, Regular Session

HB 3928 – Dyslexia Evaluation, Identification, and Services **TEA**
Texas Education Agency




- 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-populations/dyslexia-and-related-disorders>

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TEXAS LEGISLATURE
89th Legislature, Regular Session

SB 133 – No Kids in Cuffs **TEA**
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- 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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TEXAS LEGISLATURE
89th Legislature, Regular Session


SB 2304 – Driving with Disability Program **TEA**
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- 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 impede effective communication 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 earlier of the student's graduation from high school or 21st birthday.
- TEA must collaborate with DPS, the Department of Motor Vehicles (DMV), and GCPD to develop the information materials. The materials must include information regarding the person's option to voluntarily list any health condition or disability that may impede the person's communication with a peace officer on a person's vehicle registration information or application for a driver's license and may be provided with any transition planning materials.
- The Texas Commission of Licensing and Regulation must require 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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 **HB 1-General Appropriations Act** 

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

These are:

- A new budget rider appropriating \$5 million in fiscal year 2024 for a grant program for adaptive equipment and services in Harris County and the Dallas-Fort Worth Metroplex;
- Increased appropriations for the Best Buddies program, from \$1 million over the biennium to now \$2 million over this upcoming biennium;
- Increased appropriations for grants to organizations that provide athletic programs for students with intellectual disabilities, from \$3.8 million over the biennium to now \$6 million over this upcoming biennium;
- No money was appropriated to continue the dyslexia grants under TEC §29.027 which expire September 1, 2023 (unless action is taken in a special session);
- Although \$20 million over the biennium was appropriated for autism grants under TEC §29.026, it expires September 1, 2023. Therefore, these grants cannot be continued since the authorizing statute will soon expire (unless action is taken in a special session).

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 **Thank you**

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