



# State of the State

Jennifer Alexander  
June 2024



## State Landscape

## 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.

## 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.

# STAAR Alternate 2 Participation Requirements

**STAAR ALTERNATE 2 PARTICIPATION REQUIREMENTS**

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_  
Position: \_\_\_\_\_

**Step 1: Review the Eligibility Criteria for STAAR Alternate 2**

When reviewing the eligibility criteria for STAAR Alternate 2, the admission, review, and dismissal (ARD) committee must understand all assessment options, including the characteristics of each assessment and the potential implications of each assessment choice. STAAR Alternate 2 is a statewide assessment for students with the most significant cognitive disabilities. STAAR Alternate 2 may only be considered if the student's disability includes intellectual functioning and adaptive behavior deficits that primarily and significantly affect the student's ability to plan, comprehend, reason, and apply social and practical skills in everyday life.

If STAAR Alternate 2 is being considered, the ARD committee must review the five criteria below and select **Yes** or **No** if applicable to the student. To be eligible to participate in STAAR Alternate 2, the answer to all five of the questions below must be **Yes**. If the answer to any one of the questions is **No**, the student is not eligible to participate in STAAR Alternate 2 and must participate in STAAR. Each **Yes** answer requires a justification that contains evidence that the student meets the criterion.

**1. Does the student have a significant cognitive disability?** ☐ Yes ☐ No

A determination of significant cognitive disability is made by the ARD committee and must be based on the student's most recent full and individual evaluation (IE) conducted by the multidisciplinary team that includes a licensed specialist in school psychology (LSP), educational diagnosticians, or other appropriate personnel with appropriate skills and experience in the area of the disability. AND

Results from the IE must indicate a deficit in the student's ability to plan, comprehend, and reason. IE results must also indicate adaptive behavior deficits that limit a student's ability to apply social and practical skills such as personal care, social problem-solving skills, thinking and solving, using money, and other functional skills across life situations. It is unlikely to see these types of results on an IE of a student with a high-incidence disability only such as a specific learning disability or speech impairment.

Enter justification that must include data from the IE as evidenced by intellectual and adaptive evaluation information. This text box has a 550-character limit.

**2. Does the student require specialized, extensive supports to access the grade-level curriculum and assessment?** ☐ Yes ☐ No

Federal regulations mandate that all students have access to grade-level curriculum. A student with a significant cognitive disability requires extensive, repeated, specialized supports and materials beyond the support system peers require. The student uses substantially modified materials to access information or demonstrate skills to acquire, maintain, generalize, demonstrate and transfer skills across all settings. AND

A student with a significant cognitive disability demonstrates adaptive behaviors that are significantly impaired. This most likely will impact the student's ability to be independently and self require specialized supports for the student to function safely in daily life across all life domains, not just the school environment.

Enter justification that must include data from the student's individualized education program (IEP), progress monitoring, and/or the IE. This text box has a 450-character limit.

**3. Does the student require intensive, individualized instruction in all instructional settings?** ☐ Yes ☐ No

A student with a significant cognitive disability requires a highly specialized, individualized curriculum based on functional and academic goals and objectives. AND

A student with a significant cognitive disability requires classroom assessments administered in alternate or non-traditional methods to demonstrate acquisition, maintenance, and generalization of discrete skills across academic settings. AND

A student with a significant cognitive disability requires individualized instruction that is neither temporary nor limited to specific content areas.

Enter justification that must include data from the student's IEP, progress monitoring, and/or the IE. This text box has a 550-character limit.

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## Revising current document for the 2023–24 school year:

- More detail
- More decision making
- Check boxes

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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>

## 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

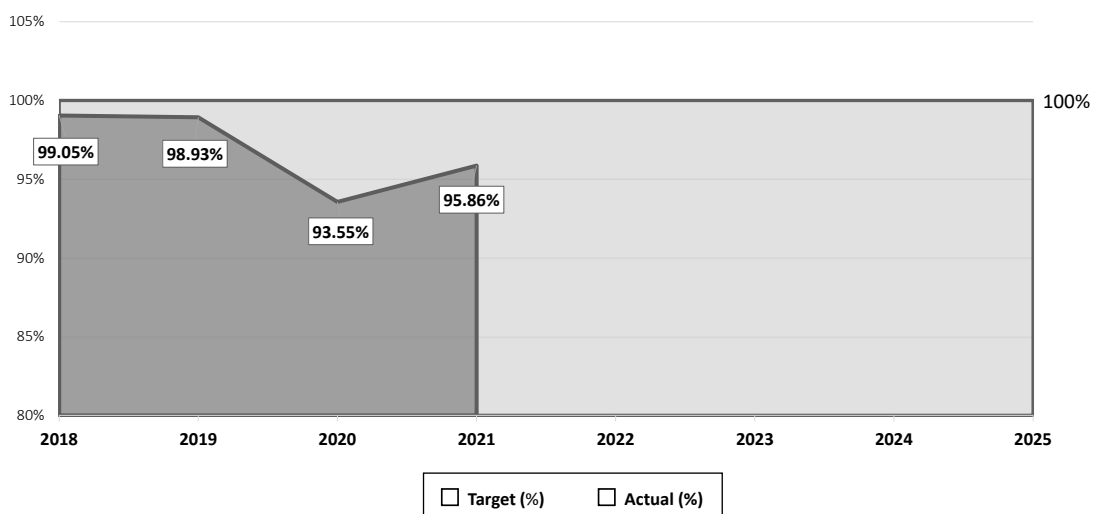
#### Results and Compliance Overall Scoring

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

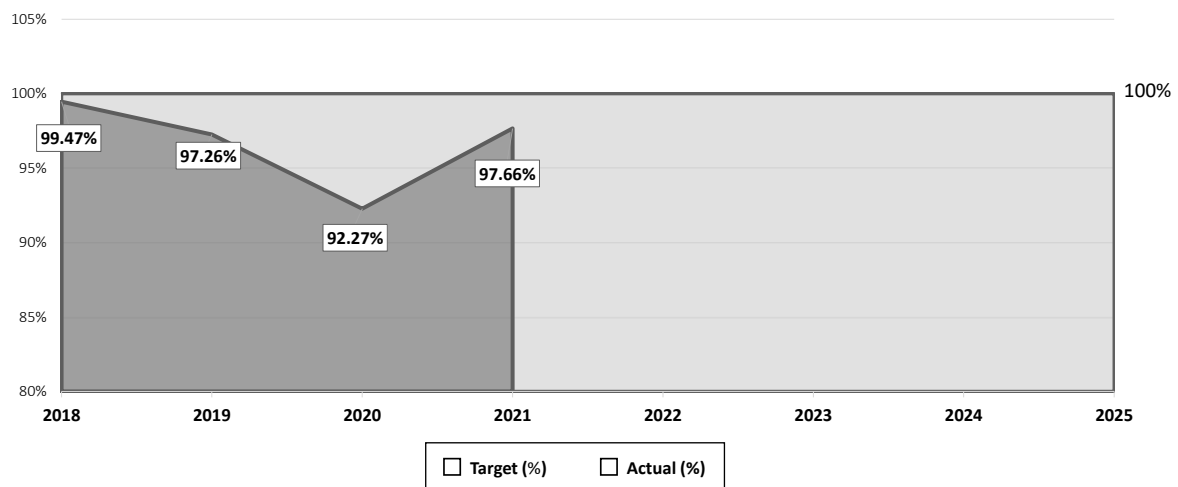
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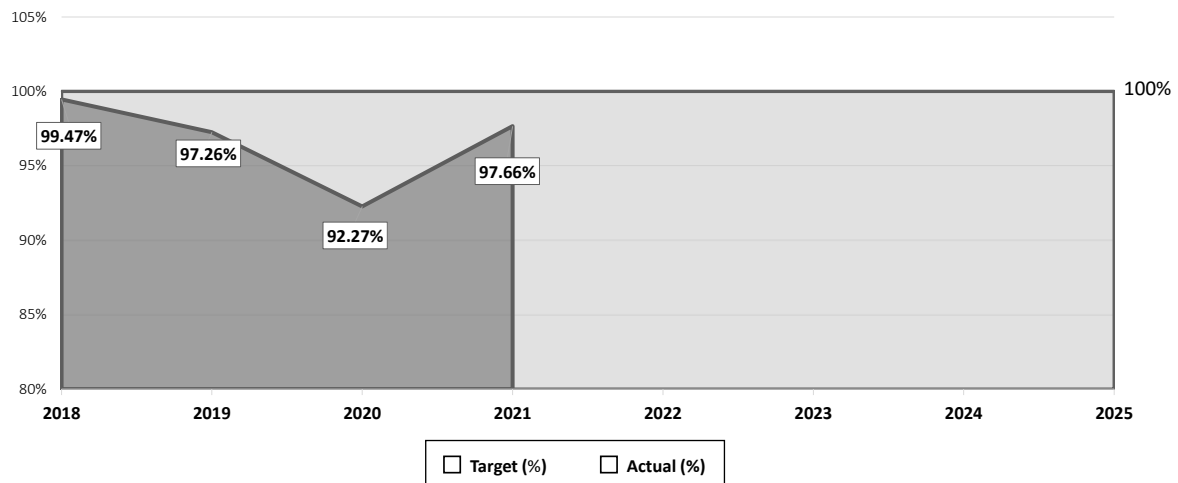
SPP 11: Percent of children who were evaluated within 60 days of receiving parent consent for initial evaluation.



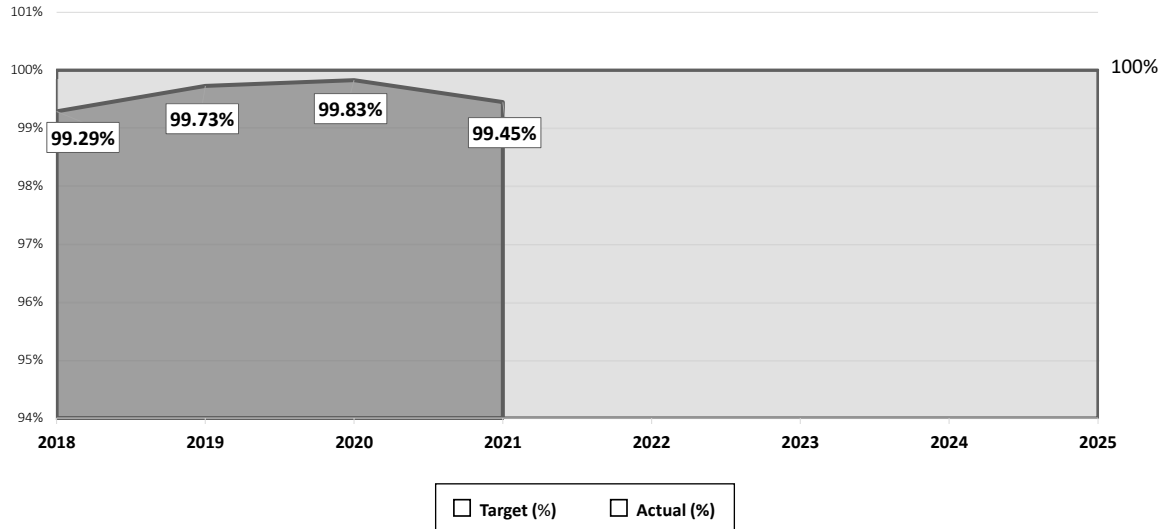
SPP 12: Percent of children found Part B eligible with IEP implemented by 3rd birthday.



SPP 12: Percent of children found Part B eligible with IEP implemented by 3rd birthday.



SPP 13: Percentage of students ages 16+ with measurable, annually updated IEP goals and appropriate transition assessment, services, and courses.

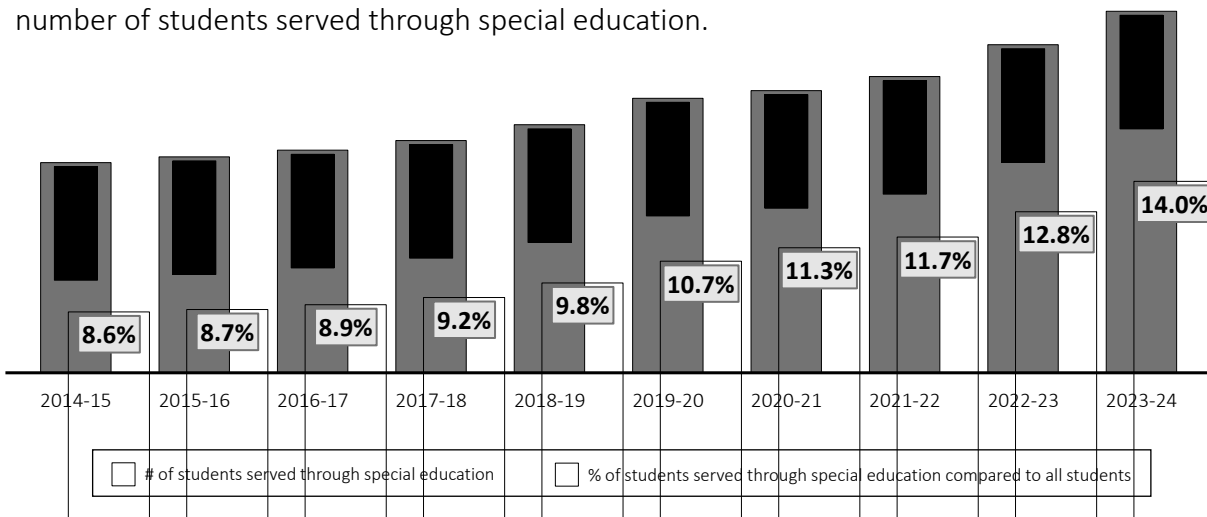


LEA

Data

The number of students served through special education continues to increase year over year.

Since the 2014-15 school year, there's been a **72% increase** in the number of students served through special education.



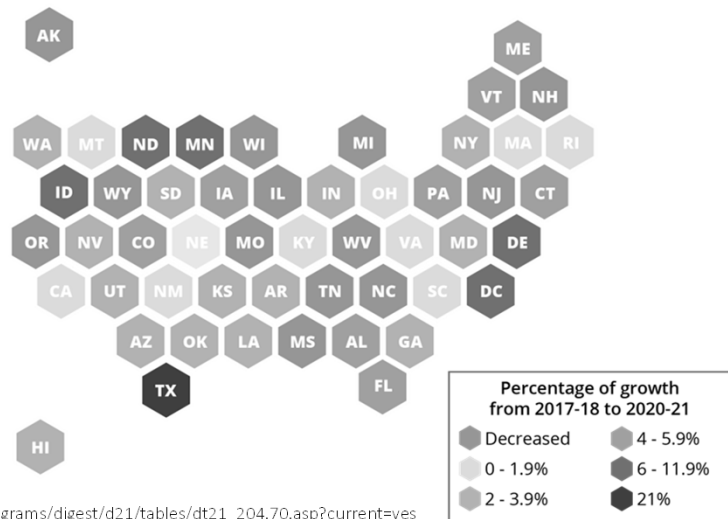
Source data from a. Speced\_dis\_student23f by unique studentid total is and Windham submission. Dataset was collected as Enrollment in Oct Fall, 2023.

Texas Education Agency

Texas has identified an **additional 106,000 students for special education in the past 4 years**. This makes up almost **half the national growth** in special education (218,492 national growth).

**Texas has grown over 20%** in the number of students served through special education since the 2017-18 school year. The nation as a whole represents a 3% growth.

**13 states decreased** in their number of students served through special education.



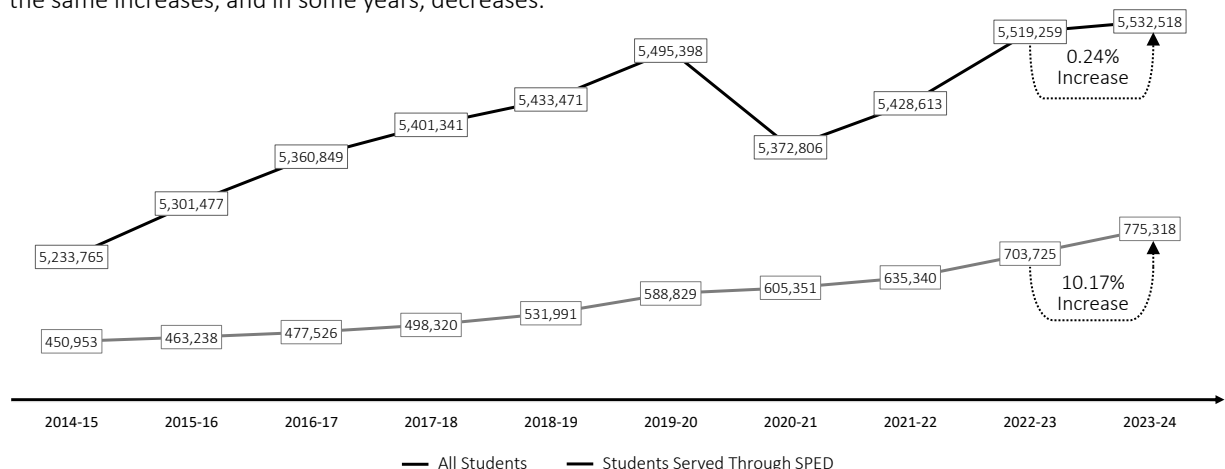
Student enrollment numbers from 2020-21: [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_204.70.asp?current=yes](https://nces.ed.gov/programs/digest/d21/tables/dt21_204.70.asp?current=yes)

Texas Education Agency

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## Increase in special education identification

**Special Education identification continues to increase**, while the student population in Texas does not show the same increases, and in some years, decreases.



Note: Graphs are not on the same scale this is to show the change in student populations year over year.

Texas Education Agency

Source data from a. Speced\_dis\_student23f by unique studentid total is and Windham submission. Dataset was collected as Enrollment in Oct Fall, 2023.

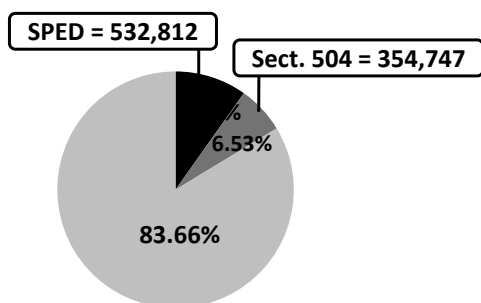
15

## Special Education and Section 504

Beginning this year, the population of students served through special education and the students served through Section 504 accommodation plans **make up almost one-fourth of the student population in Texas**. This is almost a 10% increase of the combined two (SPED and 504) since 2018-2019.

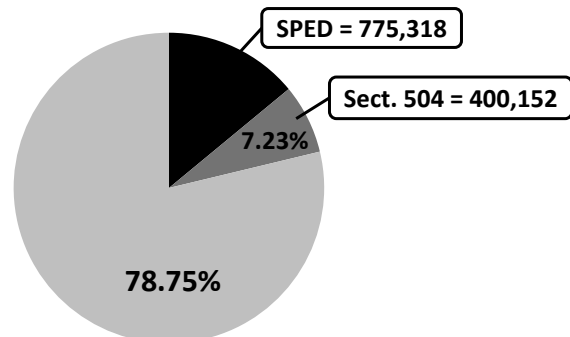
### 2018-2019 School Year

5,433,471 Total Students



### 2023-2024 School Year

5,532,518 Total Students



Source data from a. Speced\_dis\_student23f by unique studentid total is and Windham submission. Dataset was collected as Enrollment in Oct Fall, 2023.

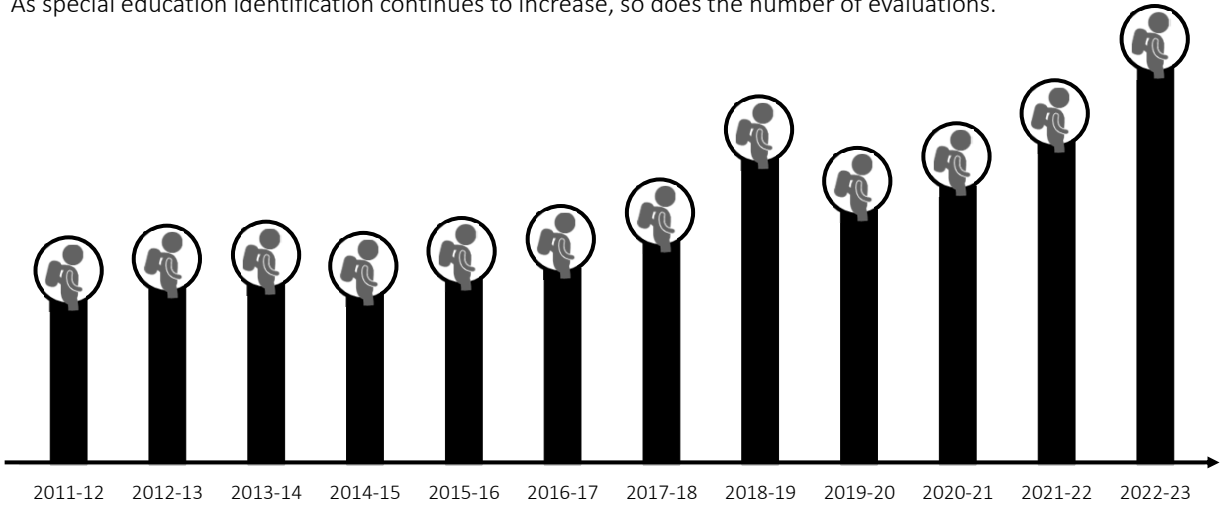
Texas Education Agency

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

As special education identification continues to increase, so does the number of evaluations.

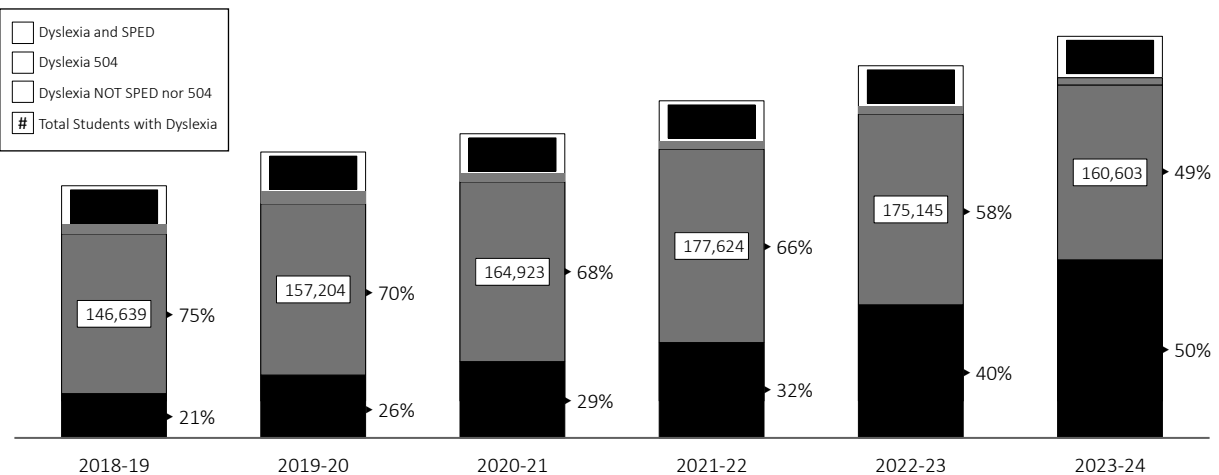


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## Students identified with dyslexia continues to increase.

In the past 5 years, there has been an almost 70% increase of students identified with dyslexia. Additionally, the percent of students with dyslexia and served through special education **has more than doubled** since the 2018-19 school year.



\*TEA started to collect 504 information in 2019. Note: Full year 2023 dataset is ENROLL\_D0823P with no dup by studentid, this dataset was collected as of Oct-Feb 2023

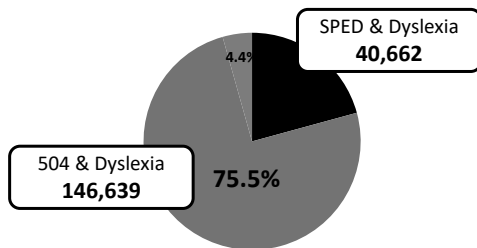
TEA | Texas Education Agency

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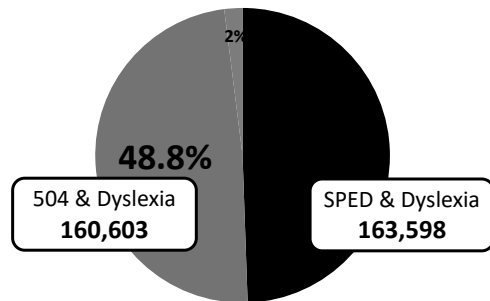
## Students identified with dyslexia continues to increase.

Beginning this year, more students with dyslexia are served through special education than Section 504. Since the 2018-2019 school year, there has been more than a 25% decrease for students with dyslexia being served in Section 504 to now **almost a 30% increase in students with dyslexia being served through special education.**

**2018-2019 School Year**  
194,225 Total Students with Dyslexia



**2023-2024 School Year**  
329,247 Total Students with Dyslexia

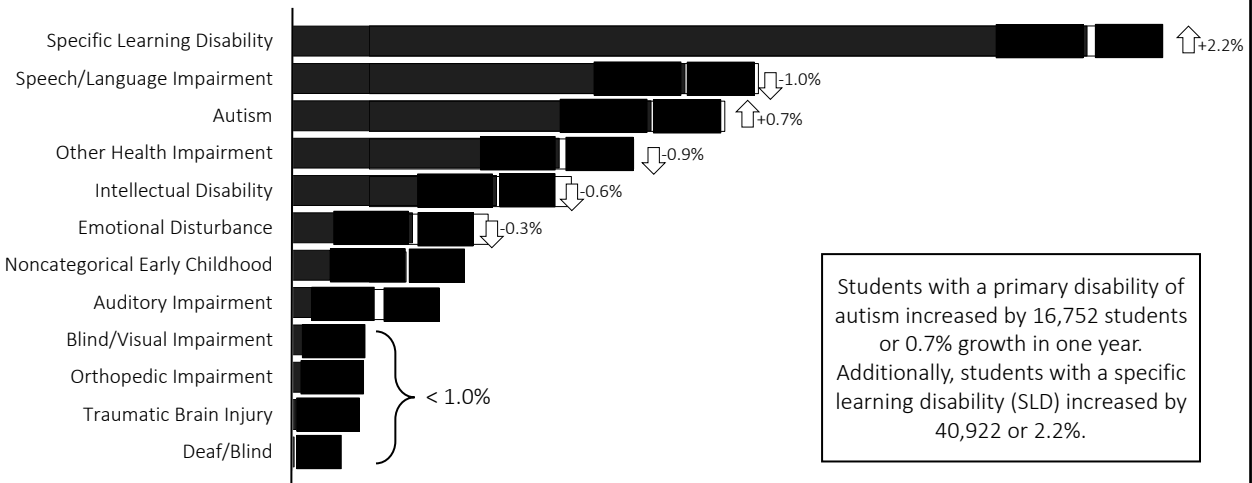


Source data from a. Speced\_dis\_student23f by unique studentid total is and Windham submission. Dataset was collected as Enrollment in Oct Fall, 2023.

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## Primary Disabilities of Students Served Through Special Education

Data from the 2023-2024 School Year



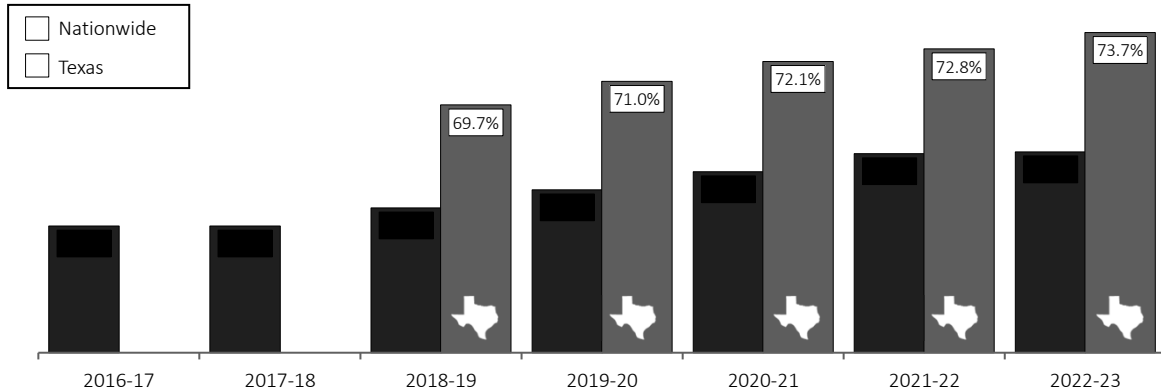
NOTE: The smallest 6 primary disabilities had less than a 0.1% change or stayed the same from last year.

Source data from a. Speced\_dis\_student23f by unique studentid total and Windham submission. Dataset was collected as Enrollment in Oct Fall, 2023.

20

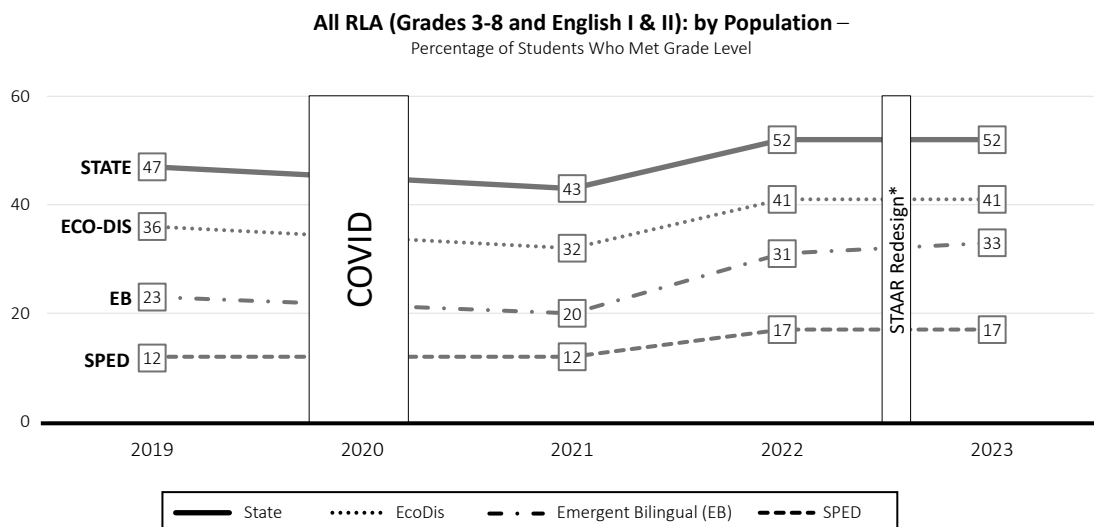
Well over half of special education students spend 80% or more of their time in a general education setting (nationwide).

In Texas, this percentage is **higher than the national rate**, and continues to increase.



SOURCE: Annual RDA Reports and National Center for Education Statistics (<https://nces.ed.gov/programs/coe/indicator/cgp/students-with-disabilities>) – Retrieved May 14, 2024. Prior to the 2018-19 SY PBMA5 was used, and this was not collected.

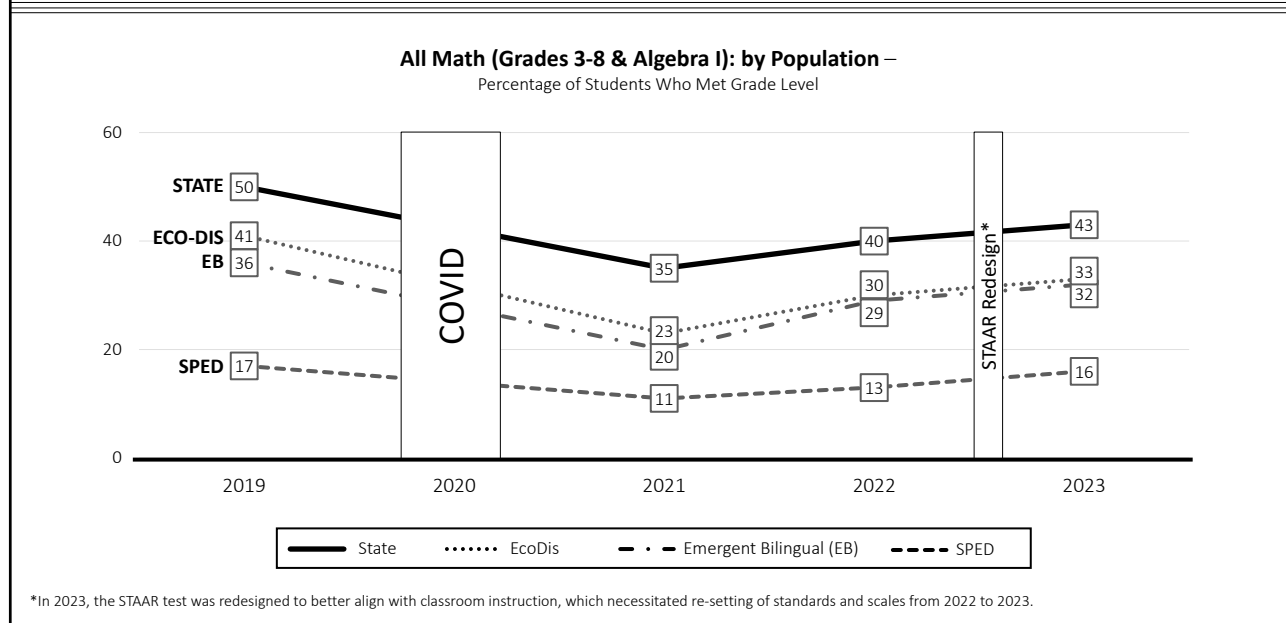
**READING:** Students served through special education continue to score below their same age peers and below other special populations.



\*In 2023, the STAAR test was redesigned to better align with classroom instruction, which necessitated re-setting of standards and scales from 2022 to 2023.

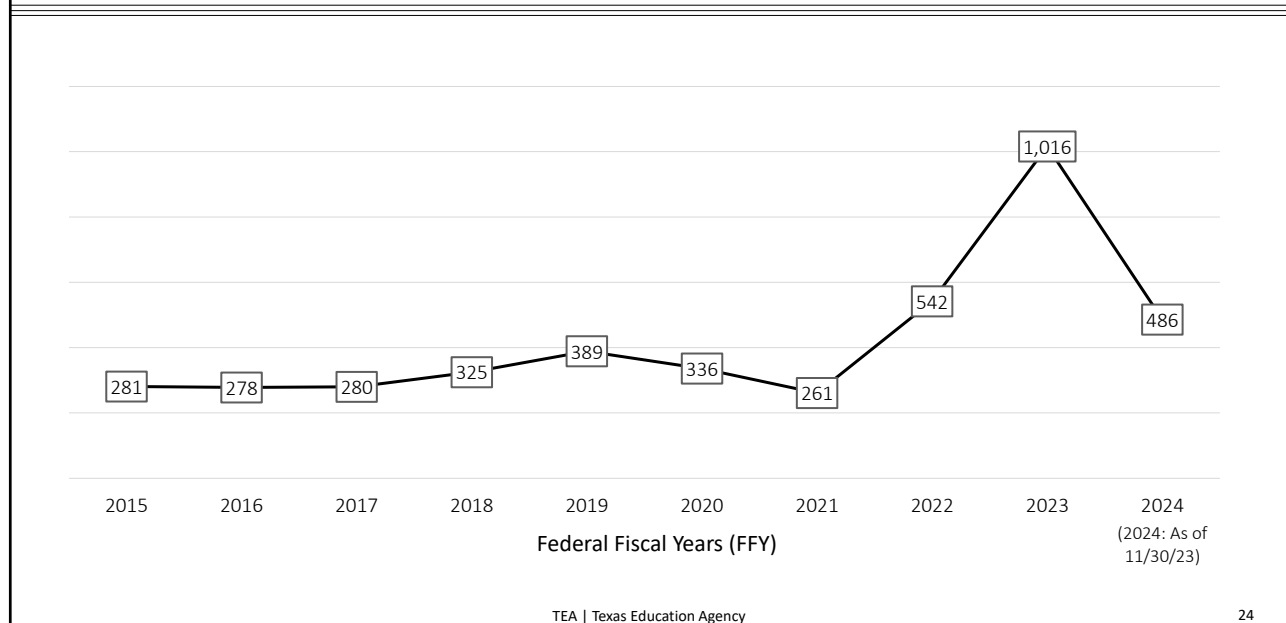
KG0

**MATH:** Students served through special education continue to score below their same age peers and below other special populations.



KG0

## Number of Special Education Complaints



**Slide 23**

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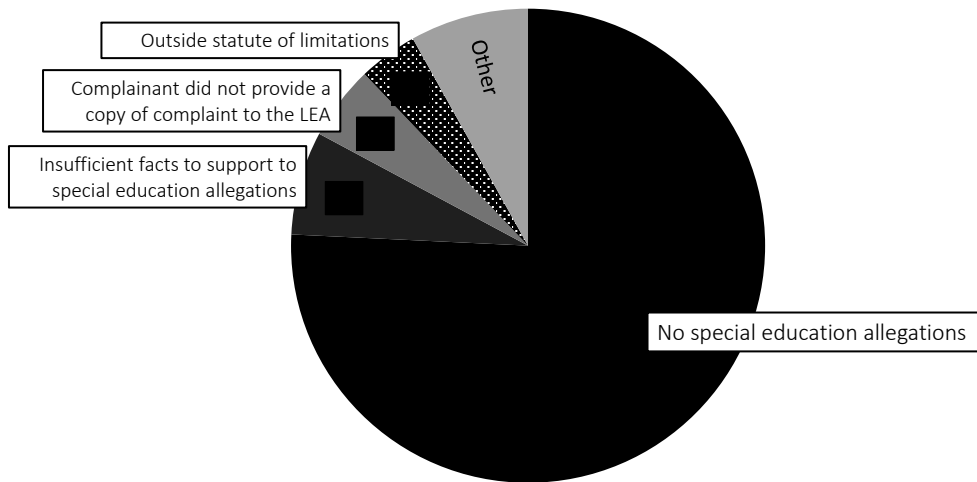
**KG0** My guess is we can get 2024 by July's presentation?  
Goodman, Kelly, 2024-05-14T12:47:42.495

**Slide 24**

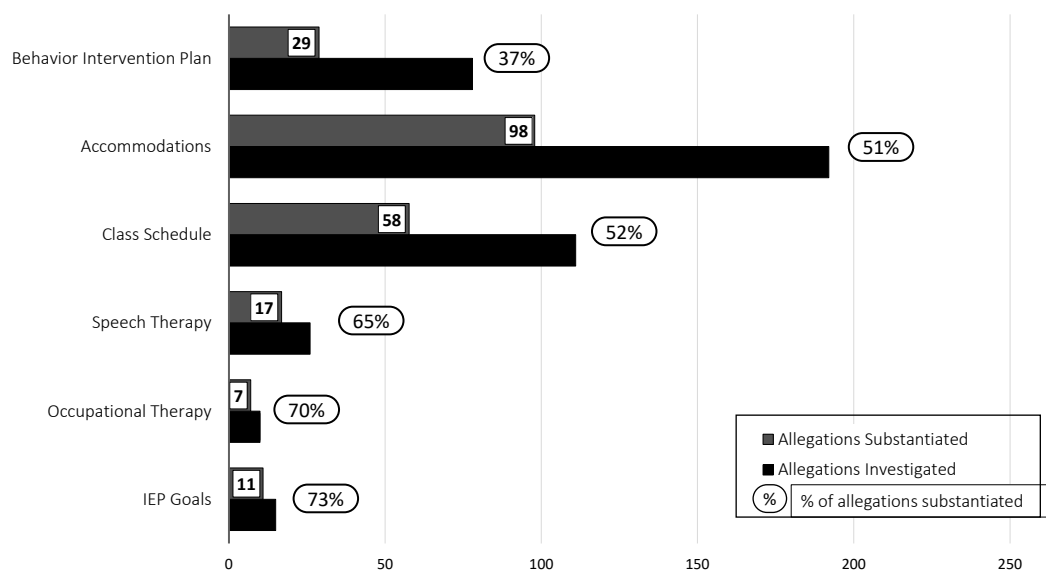
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**KG0** This and next two will need to be updated if wanting to use.  
Goodman, Kelly, 2024-05-13T16:24:18.464

## Primary Reasons for Insufficient Complaints



## Primary Noncompliance Found Under IEP Implementation (Complaints) Special Education and GSS Complaints Combined



# Dyslexia Handbook

## History of Dyslexia Handbook

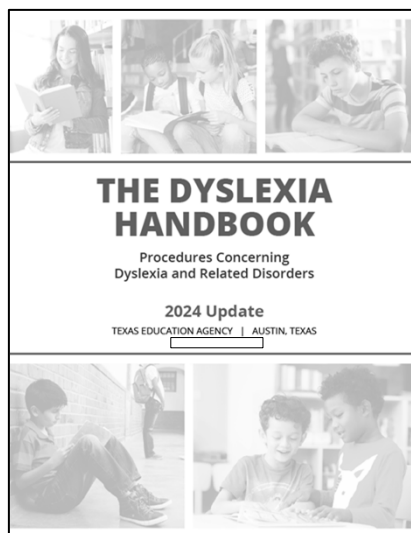
- 1985 ○ HB 157, passed by the 69<sup>th</sup> Texas Legislature created TEC §21.924, Screening and Treatment for Dyslexia and Related Disorders.
- 1986 ○ SBOE first approved the handbook *Dyslexia and Related Disorders: An Overview of State and Federal Requirements*.
- 1992 ○ SBOE approved new guidelines referred to as the *Revised Procedures Concerning Dyslexia and Related Disorders*.
- 1995 ○ SB 1 passed by the 74<sup>th</sup> Texas Legislature transferred dyslexia requirements from TEC §21.924 to TEC §38.003.
- 1996 ○ SBOE adopted 19 TAC §74.28, Students with Dyslexia and Related Disorders, effective September 1, 1996.
- 1998 ○ SBOE approved the *Revised Procedures Concerning Dyslexia and Related Disorders* and amended 19 TAC §74.28.
- 2001 ○ SBOE approved *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* (Dyslexia Handbook), an updated version of the state handbook.
- 2006 ○ SBOE approved revisions to the Dyslexia Handbook to reflect the addition of TEC, §7.028(b); revision to 19 TAC §74.28(h) and include information related to bundled accommodations and reauthorization of the 2004 IDEA.

- 2010 ○ SBOE approved updates to the Dyslexia Handbook to align terminology with more current language, and to expand information regarding domains to be assessed.
- 2011 ○ SB 866 was passed by the 82<sup>nd</sup> Texas Legislature to address certification and training requirements for educators related to dyslexia and to require TEA to establish a committee to develop a plan for integrating technology in the classroom to help accommodate students with dyslexia.
- 2014 ○ The SBOE once again approved updates and revisions to the Dyslexia Handbook to align with legislation from the 82<sup>nd</sup> and 83<sup>rd</sup> sessions of the Texas Legislatures.
- 2017 ○ HB 1886, passed by the 85<sup>th</sup> Texas Legislature, added a requirement that each ESC employ as a dyslexia specialist a person licensed as a dyslexia therapist and a requirement that TEA annually develop a list of training opportunities for educators regarding dyslexia.
- 2018 ○ The SBOE once again approved updates and revisions to the Dyslexia Handbook and amended 19 TAC §74.28 effective August 27, 2018, to align with requirements of HB 1886.

## History of Dyslexia Handbook

- SB 2075, passed by the 86th Texas Legislature, required a school district to notify the parent or guardian of each student determined to have dyslexia or a related disorder, or determined to be at risk for dyslexia or other reading difficulties, of the program maintained by the Texas State Library and Archives Commission providing students with reading disabilities the ability to borrow audiobooks free of charge; required TEA by rule to develop procedures designed to allow the agency to audit, monitor, and periodically conduct site visits of all school districts to ensure compliance with §28.006 and §38.003.
- 2019 ○ In February 2019, the SBOE amended 19 TAC §74.28 effective March 13, 2019, to adopt the Dyslexia Handbook in rule as Figure: 19 TAC §74.28(c).
- The SBOE adopted an amendment to 19 TAC §74.28 effective December 25, 2019 to require school districts and open-enrollment charter schools to report to TEA through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) the results of screening for dyslexia and related disorders required at the end of the school year for each student in Kindergarten and Grade 1.
- 2021 ○ The SBOE adopted an amendment to 19 TAC §74.28 effective February 10, 2022 to update the Dyslexia Handbook adopted as Figure: 19 TAC §74.28(c) to clarify requirements related to student evaluation and the required dyslexia screening for students in Kindergarten and Grade 1.
- 2023 ○ HB 3928 was passed by the 88th Texas Legislature and requires the SBOE not later than June 30, 2024, to revise the *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* (Dyslexia Handbook), to conform with requirements in the bill.
- 2024 ○

## Dyslexia Handbook

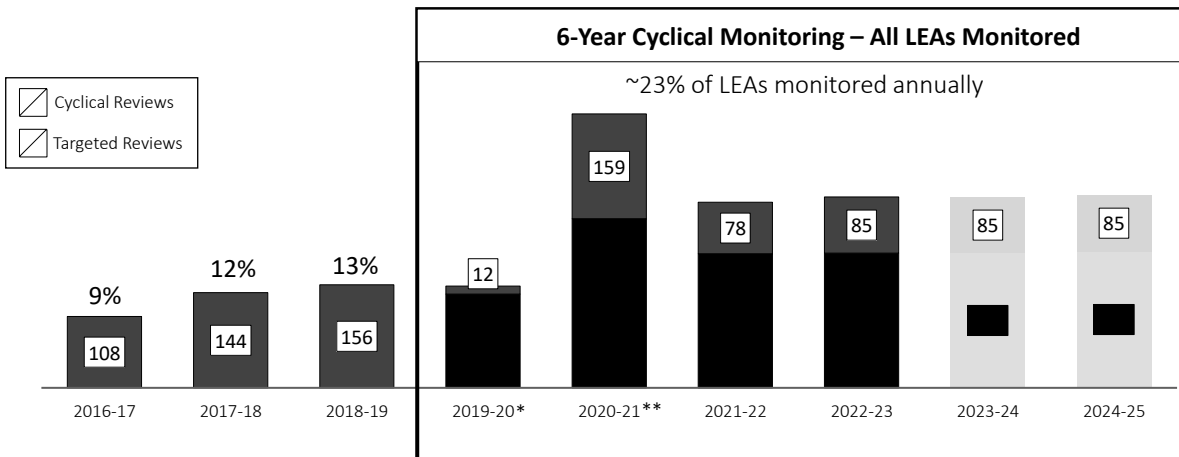




# Monitoring

## Monitoring – 2019-2025 School Years

Prior to cyclical monitoring, these LEAs would not have been monitored.

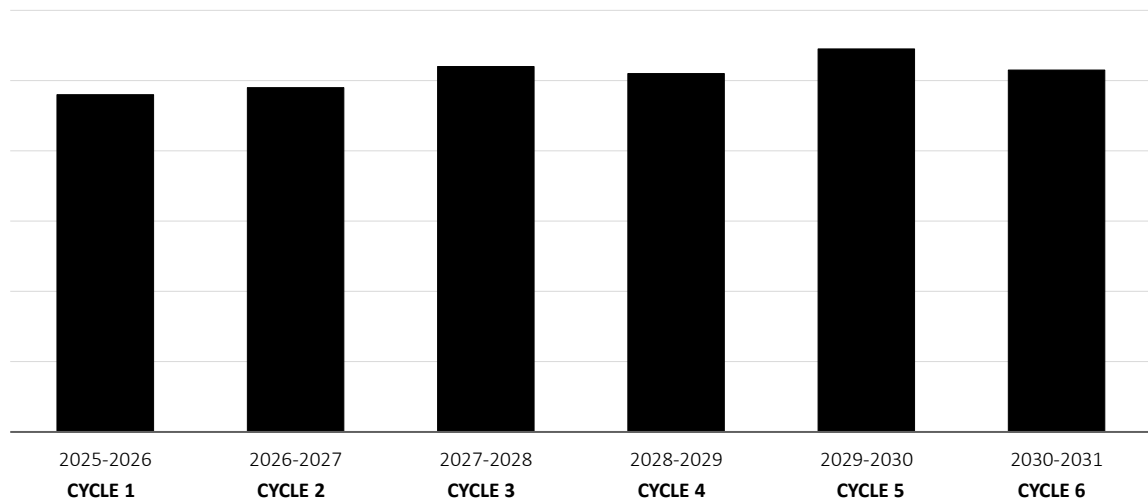


\*COVID impacted monitoring numbers

\*\*Monitored carryover from prior year – 64 LEAs in cyclical and 74 LEAs in Targeted

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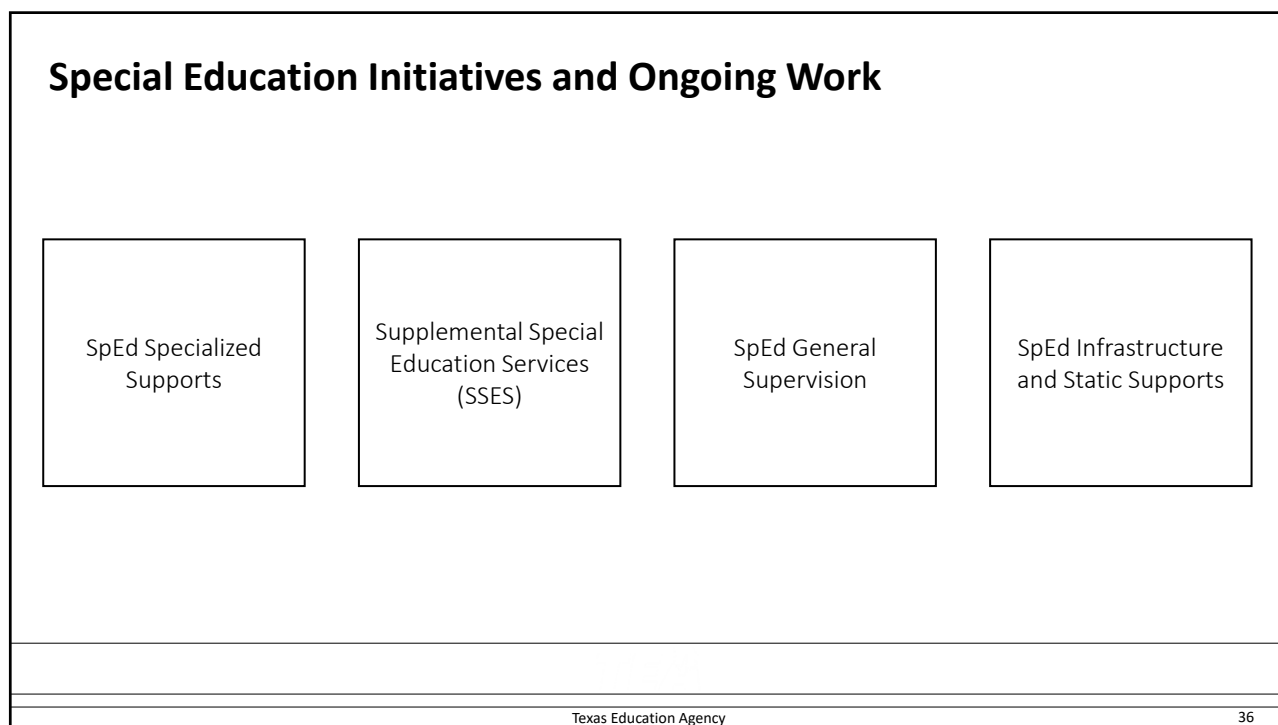
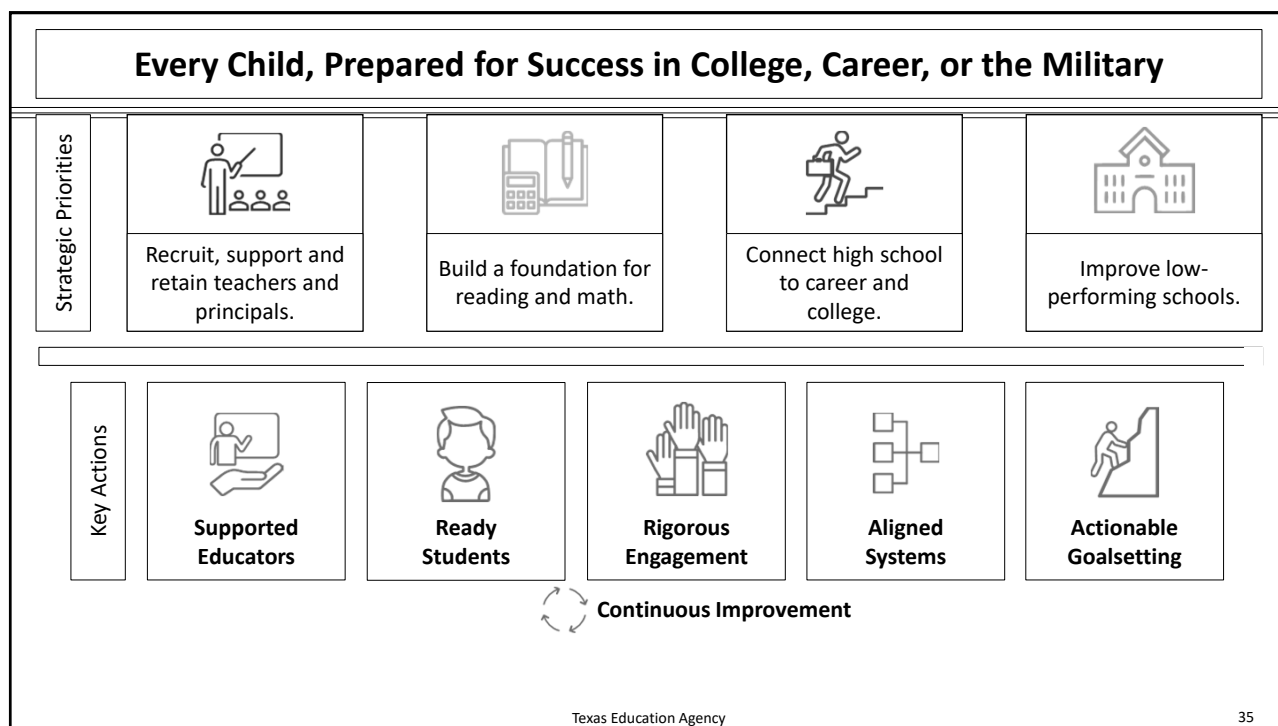
## Monitoring – 2025-2031 School Years



Texas Education Agency



**TEA's Strategic Plan Refresh**



## Special Education Initiatives and Ongoing Work

SpEd Specialized  
Supports

Supplemental Special  
Education Services  
(SSES)

SpEd General  
Supervision

SpEd Infrastructure  
and Static Supports

**Resources**

## Technical Assistance Resources



Guidance Documents

**Grant to increase capacity:**  
Speech-Language Pathology Master's (SLP) Degree Program Statewide Distance Venue

### Texas Dyslexia Academy 1-6

- TDA 1: Dyslexia Foundations
- TDA 2: The Dyslexia Handbook (all LEAs in Texas were required to take this training and assure in Legal Framework)
- TDA 3: Considerations for Emergent Bilingual Students
- TDA 4: SPED 101 (coming soon)
- TDA 5: Screening for Dyslexia
- TDA 6: Dysgraphia (coming soon)



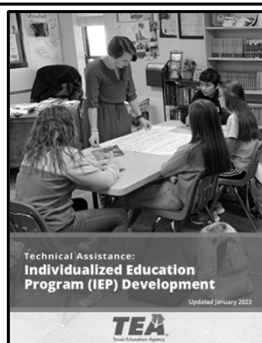
Technical Assistance Guides

**Standards-Based IEP Process Training for Evaluation Personnel and Administrators**  
Two new trainings

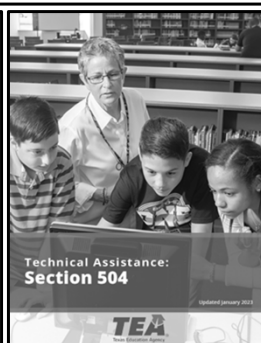
GK0

## Technical Assistance Guidebooks

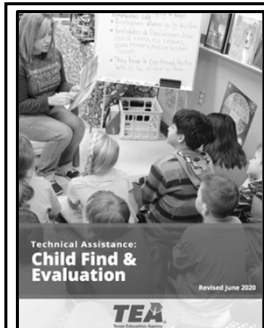
[bit.ly/TAGuides](https://bit.ly/TAGuides)



Updated IEP Development available now  
Section 504 Guides coming.



Behavior Guide now also available in Spanish.



Child Find & Evaluation Guide also available now.

## Slide 40

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**GKO** [@McGuire, Kristin] the specific changes/updates are in the notes if you want to call those out.

Goodman, Kelly, 2023-01-31T13:59:50.289

## Website for Texas Special Education Resources

### Previously:

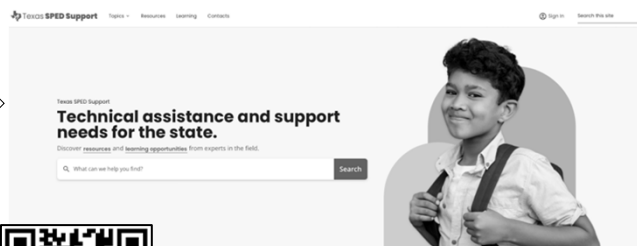


10 different websites for educators to search and find resources.

August 2023 we launched



1 centralized website to rule them all –  
All special education resources on one website



[spedsupport.tea.texas.gov](https://spedsupport.tea.texas.gov)

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## Texas SPED Support



Texas SPED Support launched at the end of August 2023, since then, we've seen...

**+123K**  
USERS

**+232K**  
SITE SESSIONS

**+2.4M**  
SITE INTERACTIONS

**+714K**  
PAGE VIEWS

**5,294**  
USER ACCOUNTS

\*Data from August 31, 2023 – Feb. 1, 2024



**TEA's website Texas SpEd Support houses all special education technical assistance resources in one place.**

- Easily searchable by type of resource, audience, topic, featured resources, and most popular resources
- Users can create their own profile and save favorite resources
- Users can share resources with colleagues with a click of a button



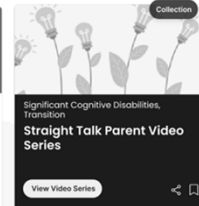
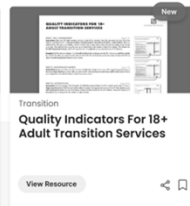
**spedsupport.tea.texas.gov**

## Texas SPED Support

### HOME PAGE

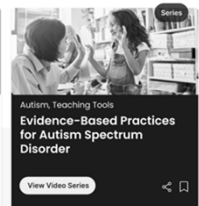
**Featured items** will be determined by our team, these may be seasonal or new resources, etc.

#### **Featured**



**Popular items** will be determined by the most viewed items.

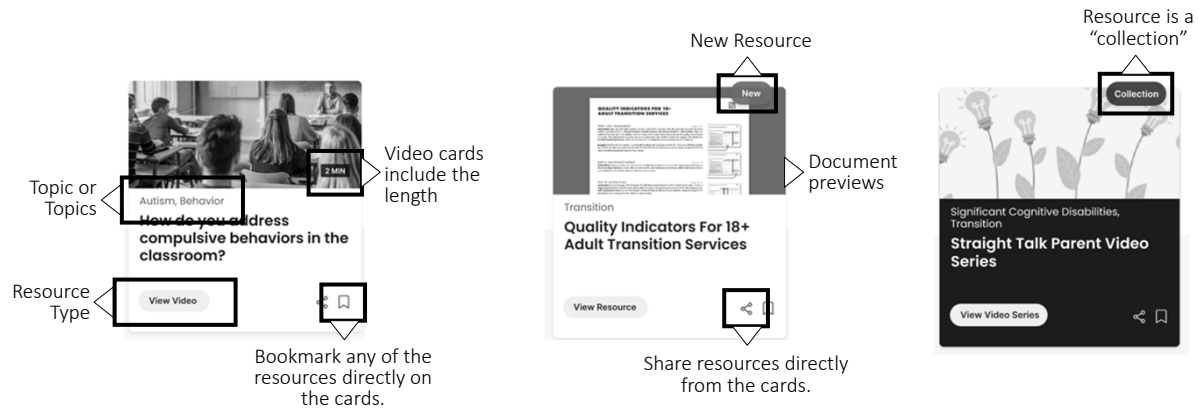
#### **Popular**





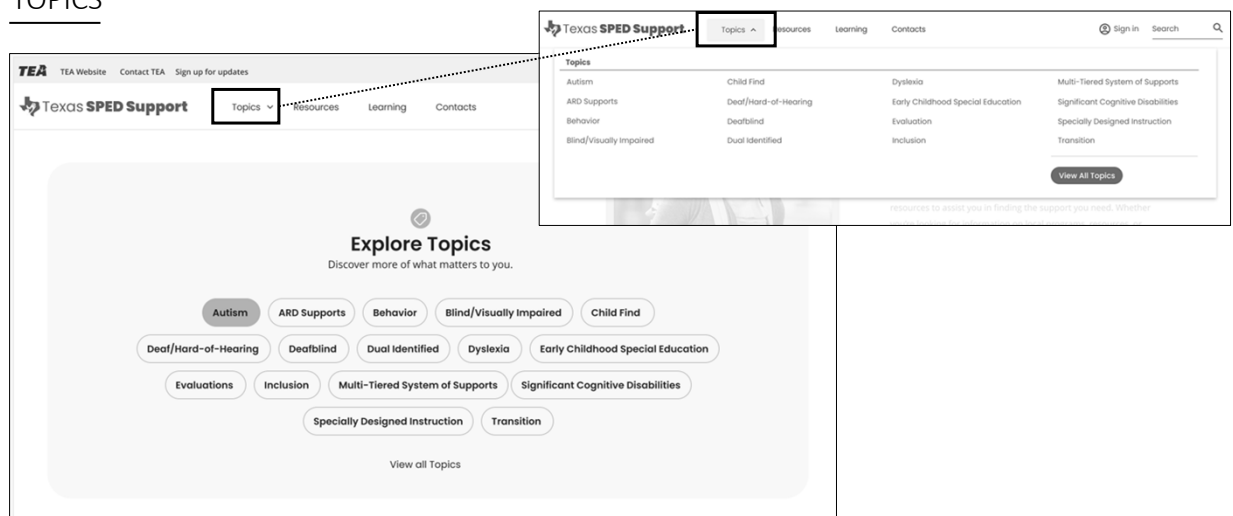
# Texas SPED Support

## CARDS



# Texas SPED Support

## TOPICS



## Slide 45

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**BK0** [@Goodman, Kelly] need new image for collection instead of series

Brannan, Kim, 2023-06-28T17:09:49.114

**GK0 0** I already did... it says Collection now at the top???

Goodman, Kelly, 2023-06-28T18:11:19.979

**BK0 1** [@Goodman, Kelly] yep!

Brannan, Kim, 2023-06-28T19:47:43.113

# Texas SPED Support

## RESOURCE LIBRARY (& LEARNING LIBRARY)

Type +

☐ Quick Guide

☐ Rubric

☐ Series

☐ Tools and Templates

☐ Video

☐ Webinar (Recorded)

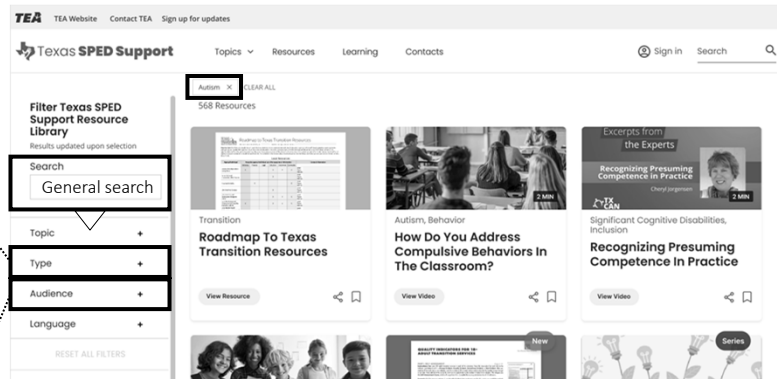
Audience +

☐ Educators

☐ LEA/District

☐ Parent/Family

☐ Students



After you've searched and/or filtered, you can "share" or "save" your search. Each search generates a unique URL.

# Texas SPED Support

## SAMPLE CONTACT PAGE

TEA Website

Contact TEA

Sign up for updates

Texas SPED Support

Topics

Resources

Learning

Contacts

Sign in

Search

Statewide Contact Information

Search

Topic

Region

Apply

Contact Name

Topic

Region

Contact

Angelica Hinojosa	Multi-Tiered System of Supports	Region 1 - Edinburg	lorem.ipsum@loremipsum.com (512) 555-5555
Gracie Avalos	Blind/Visually Impaired	Region 1 - Edinburg	lorem.ipsum@loremipsum.com (512) 555-5555
Claudia Garcia (E+, BMH)	Inclusion	Region 1 - Edinburg	lorem.ipsum@loremipsum.com (512) 555-5555

Select your Region

Click an area on the map to select your ESC Region

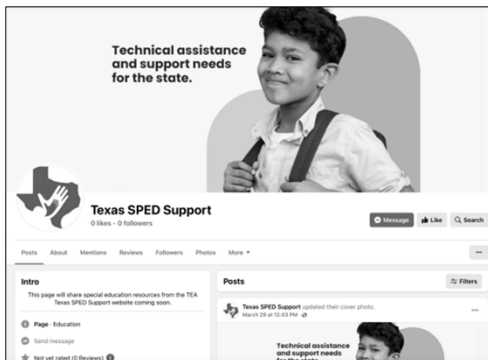
Sort by any of these areas.

If you click on the contacts from the topic page, the topic will be populated here.

## Social Media Outreach

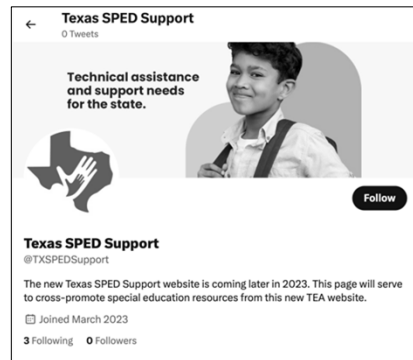
FOLLOW ON FACEBOOK

@TexasSPEDSupport



FOLLOW ON TWITTER

@TXSPEDSupport



**Proposed Rule Changes**

## Proposed Rule Changes

### Rulemaking and Policy Updates

- **Commissioner rules currently proposed for revision within the public comment period:**

- Chapter 89, Subchapter AA, Divisions 1 and 2: public comment ends June 3
  - 89.1001, Scope and Applicability
  - 89.1005, Instructional Arrangements and Settings
  - 89.1075, General Program Requirements and Local District Procedures
  - 89.1076, Interventions and Sanctions
  - 89.1085, Referral for TSBVI and TSD
  - 89.1090, Transportation for Students Placed at TSBVI and TSD
  - 89.1092, Contracting for Nonpublic Residential Placements for the Provision of FAPE
  - 89.1094, Contracting for Nonpublic or Non-District Operated Day Placements for the Provision of FAPE

**Thank you!**