

October 5, 2020

Laurie VanderPloeg
Director, Office of Special Education Programs
United States Department of Education
400 Maryland Ave SW
Washington, DC 20202-260

RE: May 2019 Office of Special Education Programs Monitoring Visit to Texas


Dear Ms. VanderPloeg:

On April 23, 2018, the Texas Education Agency (TEA) provided the Department of Education, Office for Special Education Programs (OSEP) with a corrective action response in reply to OSEPs Letter of Findings issued to Commissioner Mike Morath on January 11, 2018. OSEP provided feedback these corrective actions on October 19, 2018. Then on May 6th through the 10th of 2019, monitors from the Department of Education, Office for Special Education Programs (OSEP) visited Texas to evaluate Texas' completion of the activities included in our April 23rd response. Texas has yet to receive any feedback from OSEP based on that visit to the state nearly 17 months ago. As the agency demonstrated at that time, it continues to be Texas' position that all areas of noncompliance cited in the January 2018 Letter of Findings have been fully addressed through the corrective actions taken. Over the past three years, TEA has significantly increased staff to support special education from the state level. This has resulted in the creation of robust technical assistance resources and training in multiple areas across special education. Of particular relevance, multiple resources are now available to assist local education agencies (LEAs) in creating effective systems for child find, including child find processes as they relate specifically to students with dyslexia. In addition to technical assistance, TEA has designed and implemented a comprehensive system of special education monitoring which combines a system of cyclical monitoring of all LEAs in the state, with a results driven monitoring system that targets monitoring activities to specific LEAs based on outcomes.

Texas LEAs have increased enrollment in special education programs by roughly 112,000 students since the 2016-2017 school year. Our last count indicates that Texas has 588,829 students enrolled in special education. Please see the enclosed graphic. Even in a state the size of Texas, these increases are significant. Texas LEAs have worked in close collaboration with families to implement their child find requirements under the IDEA. That work and collaboration is reflected in the numbers.

Because TEA has completed all of the required corrective actions and has not received additional feedback from OSEP to the contrary, the agency respectfully requests the close out of the corrective action and that Texas be returned to a status of "compliant." If OSEP does not agree that sufficient evidence was collected in their visit in May of 2019 to do so, TEA requests that OSEP conduct another monitoring visit to the state to gather more up-to-date information before making a determination regarding compliance status.

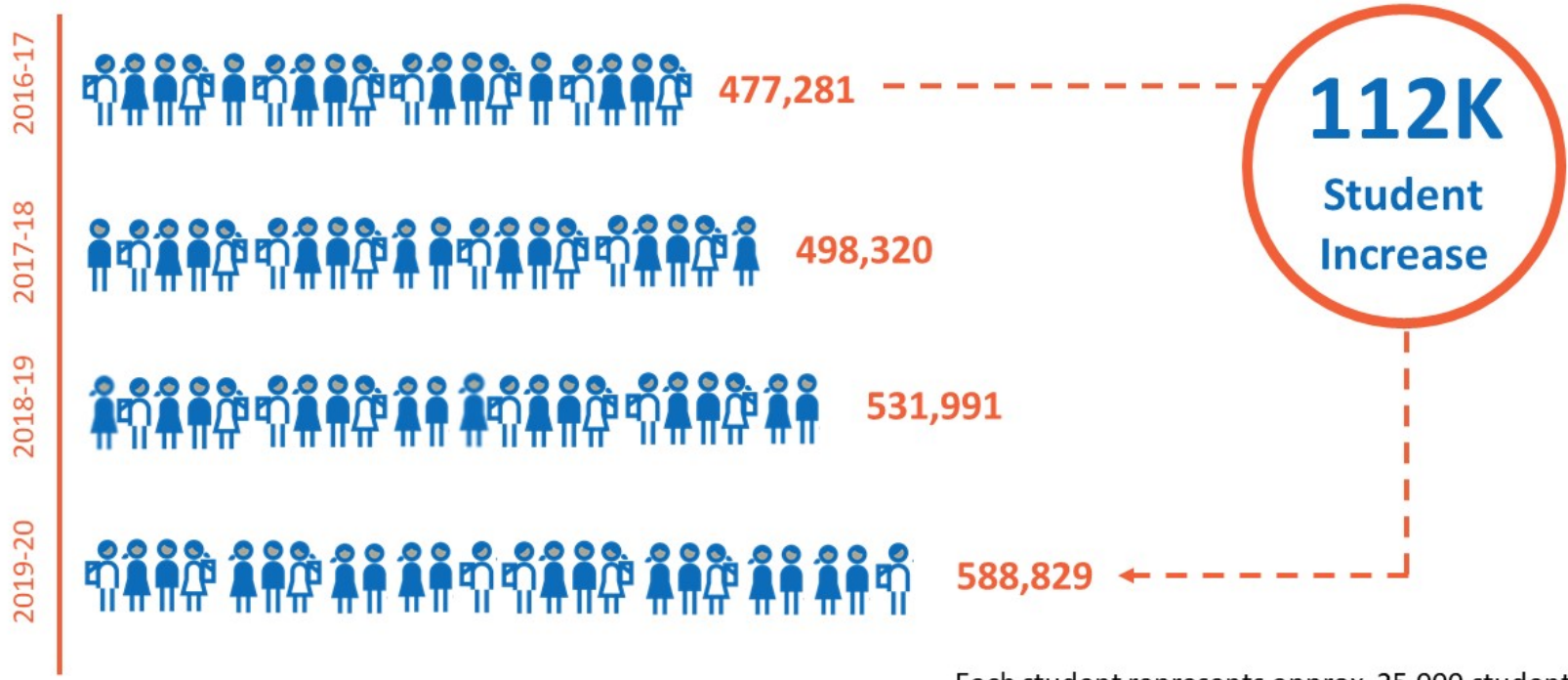
Thank you for your consideration,



Justin Porter Ed.D.
State Director, Special Education Programs
Texas Education Agency

Enclosure

The number of special education students in Texas continues to show growth.



Each student represents approx. 25,000 students

