



LEGISLATIVE BUDGET BOARD

Texas Education Agency's Implementation of Certain Required Federal and State Special Education Reforms

PREPARED BY LEGISLATIVE BUDGET BOARD STAFF

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TEXAS EDUCATION AGENCY'S IMPLEMENTATION OF CERTAIN REQUIRED FEDERAL AND STATE SPECIAL EDUCATION REFORMS

During calendar year 2016, the U.S. Department of Education (USDE) monitored Texas school districts to evaluate their compliance with the federal Individuals with Disabilities Education Act (IDEA). The federal agency found that multiple school districts in the state acted to reduce the share of students in each district who would be eligible for services pursuant to IDEA to no more than 8.5 percent. This amount corresponded to a performance indicator that the Texas Education Agency (TEA) used to evaluate special education enrollment among Texas school districts. Based on this finding, USDE determined that Texas was in violation of federal regulations relating to the Child Find and Free and Appropriate Public Education (FAPE) requirements of IDEA.

The Child Find component of IDEA requires school districts to identify and evaluate all children who may have a disability and who may require special education services. FAPE requirements apply to all students who qualify as having a disability within the jurisdiction of a school district. According to the USDE's Office for Civil Rights:

[FAPE] may [include] education in regular classes, education in regular classes with the use of related aids and services, or special education and related services in separate classrooms for all or portions of the school day. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions, and may be accompanied by related services such as speech therapy, occupational and physical therapy, psychological counseling, and medical diagnostic services necessary to the child's education.

USDE determined that Texas had not ensured that all students with disabilities in the state were identified and evaluated so that they could receive services for which they were eligible. USDE identified three areas of noncompliance with federal law in a January 2018 letter to the Texas Commissioner of Education. Based on those findings, USDE required TEA to take corrective action by implementing four requirements. (See the **Status of Corrective Actions Required by the U.S. Department of Education** section.)

In April 2018, TEA released its Special Education Strategic Plan. Although the plan was developed in part to address corrective actions required by the USDE, the steps included

in the Special Education Strategic Plan are broader and more comprehensive than the federal requirements. According to TEA, the plan was intended to “more fully support students eligible for special education in every aspect of their education, focused not just on access to supports but also on improved outcomes from those supports.”

Figure 1 shows the trend in special education enrollment during the years before and after the federal corrective action findings. Enrollment among students receiving special education services as a share of all students increased from 8.6 percent during school year 2014–15 to 10.7 percent during school year 2019–20.

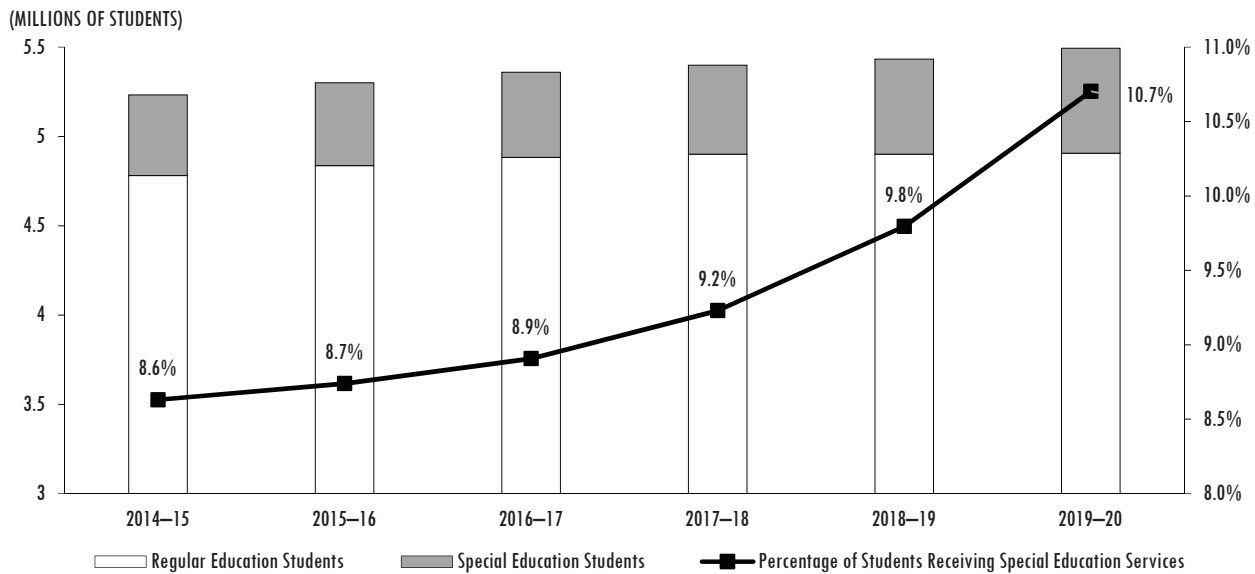
The Eighty-sixth Legislature, General Appropriations Act (GAA), 2020–21 Biennium, Article X, House of Representatives, Rider 9, requires Legislative Budget Board (LBB) staff to submit to the Eighty-seventh Legislature, 2021, a report regarding the status and funding of special education services in Texas. This special education status and funding report summarizes the following elements:

- the status of corrective actions required by USDE;
- the implementation of TEA's Special Education Strategic Plan;
- agency compliance with special education requirements established in the 2020–21 GAA;
- the status of new special education initiatives passed by the Eighty-sixth Legislature, 2019; and
- fiscal year 2020 expenditures and fiscal year 2021 budgeted amounts by method of finance for special education services.

These findings are intended to address each of the requirements specified in the rider. In addition, the report summarizes the results of an LBB staff survey of special education coordinators at each of the 20 regional Education Service Centers in Texas regarding the provision of special education services in response to COVID-19-related school closures during school years 2019–20 and 2020–21.

Based on data provided by TEA, the agency has made substantial progress in implementing its Special Education

FIGURE 1
TEXAS KINDERGARTEN TO GRADE 12 STUDENTS RECEIVING SPECIAL EDUCATION SERVICES AS A PERCENTAGE OF ALL STUDENTS, SCHOOL YEARS 2014–15 TO 2019–20



NOTE: Includes charter school enrollment.
 SOURCES: Legislative Budget Board; Texas Education Agency.

Strategic Plan, although some programs have been disrupted by emergency closures and orders related to the COVID-19 pandemic.

Regarding federal corrective action requirements, in October 2020, USDE’S Office of Special Education Programs (OSEP) issued a letter highlighting various areas of concern or noncompliance, or areas in which additional documentation was required to verify TEA’s compliance. Subsequently, TEA provided OSEP with documentation to comply with the federal agency’s requests. To date, TEA has not received additional information from OSEP regarding its response to the October 2020 letter.

STATUS OF CORRECTIVE ACTIONS REQUIRED BY THE U.S. DEPARTMENT OF EDUCATION

USDE identified the following three areas of noncompliance with federal law in its January 11, 2018, letter to the Texas Commissioner of Education:

- (1) TEA failed to ensure that all Texas children with disabilities who need special education and related services were identified, located, and evaluated, regardless of the severity of their disability.
- (2) TEA failed to ensure that FAPE was made available to all Texas children with disabilities.

- (3) TEA failed to fulfill its general supervisory and monitoring responsibilities to ensure that Texas local education agencies (LEA) properly implemented the IDEA Child Find and FAPE requirements.

Based on these findings, OSEP issued four requirements for TEA to implement to demonstrate the agency’s commitment to ensuring that districts and charter schools properly identify and serve all students who are eligible to receive special education services.

Several of the requirements relate to the state and local administration of response-to-intervention (RTI) protocols established pursuant to IDEA. According to the National Center for Learning Disabilities’ RTI Action Network:

[RTI] is a multi-tier approach to the early identification and support of students with learning and behavior needs. The RTI process begins with high-quality instruction and universal screening of all children in the general education classroom. Struggling learners are provided with interventions at increasing levels of intensity to accelerate their rate of learning. These services may be provided by a variety of personnel, including general education teachers, special educators, and specialists. Progress is closely monitored to assess both the learning rate and level of performance of individual students. Educational decisions about the

intensity and duration of interventions are based on individual student response to instruction. RTI is designed for use when making decisions in both general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data.

Some of the requirements relate to the use of individualized education plans (IEP). An IEP is a document written for a student receiving special education services that outlines the

child's education needs and the learning strategy that will be used to meet those needs. The student's admission, review, and dismissal (ARD) committee is responsible for developing the IEP. The ARD committee consists of the student's parents, regular and special education teachers, and others with knowledge or special expertise, as appropriate.

Figures 2, 3, 4, and 5 show the implementation status of each of the four OSEP requirements and corrective action components.

FIGURE 2
TEXAS EDUCATION AGENCY'S IMPLEMENTATION OF OFFICE OF SPECIAL EDUCATION PROGRAMS' CORRECTIVE ACTION MEASURES, REQUIREMENT 1

Documentation that the state's system of general supervision requires that each independent school district identifies, locates, and evaluates all children suspected of having a disability who need special education and related services, and makes Free and Appropriate Public Education (FAPE) available to all eligible children with disabilities in accordance with applicable federal law.

CORRECTIVE ACTION	IMPLEMENTATION	U.S. DEPARTMENT OF EDUCATION (USDE) RESPONSE
1.a. Communicate to all local education agencies (LEA) the Child Find and Free and Appropriate Public Education (FAPE) requirements and obligations in the federal Individuals with Disabilities Education Act (IDEA).	The Texas Education Agency (TEA) reports this action is complete.	USDE's Office of Special Education Programs (OSEP) expects that TEA could provide evidence of additional activities carried out or implemented and a timeline for completion of the additional activities with documentation or evidence.
1.b. Review and ensure that assurance statements received from LEA grantees clearly convey to applicants their acceptance of and required compliance with all relevant state policies and procedures. TEA was required to develop a process as part of its general supervisory responsibility to identify a representative sample of LEAs in the state and conduct a review of the policies and procedures relating to Child Find, evaluations, and FAPE.	TEA reports this action is complete.	OSEP required TEA to develop a process to identify a representative sample of LEAs and review their policies and procedures relating to Child Find, evaluations, and FAPE. OSEP recommended that any information or documentation collected by TEA to satisfy this requirement should be maintained for possible review by OSEP in conjunction with future monitoring of TEA.
1.c. Revise monitoring protocols and document review requirements to ensure evidence of supervision activities related specifically to implementing regulations for Child Find and FAPE requirements.	TEA reports this action is complete.	OSEP required TEA to submit revised monitoring protocols by December 2018, which the agency accomplished. OSEP planned to review the revised monitoring protocols and will provide feedback, if needed, in conjunction with a future on-site visit.
1.d. Make available to the public easily accessible and understandable information regarding available dispute resolution programs (including individualized education plans facilitation, mediation, state complaints, and due process hearings) specific to Child Find, FAPE, and other IDEA requirements.	TEA reports this action is complete.	OSEP noted that TEA also was required to ensure that information is provided to parents in their native languages or other modes of communication used by the parent, unless clearly not feasible to do so, and in language that is understandable to the general public, consistent with relevant federal law.
1.e. Ongoing training of hearing officers, mediators, and complaints investigators regarding the legal provision of Child Find.	TEA reports this action is complete.	TEA was required to provide documentation of trainings of hearing officers, mediators, and complaint investigators from January 11, 2018, through the end of the correction period.
1.f. Texas enacted legislation prohibiting the use of a performance indicator based on the number or percentage of children who receive special education services.	TEA reports this action is complete.	No additional action mentioned or required.
1.g. Texas enacted legislation requiring districts to notify parents of each child, other than a child enrolled in a special education program, who receives assistance from the district for learning difficulties using intervention strategies. The law also gives parents the right to all written records and access to any records relating to assistance provided.	TEA reports this action is complete.	No additional action mentioned or required.

SOURCE: Texas Education Agency.

**FIGURE 3
TEXAS EDUCATION AGENCY'S IMPLEMENTATION OF OFFICE OF SPECIAL EDUCATION PROGRAMS' CORRECTIVE ACTION MEASURES, REQUIREMENT 2**

A plan and timeline by which the Texas Education Agency (TEA) will ensure that each independent school district will: (1) identify, locate, and evaluate enrolled students who should have been referred for an initial evaluation pursuant to the federal Individuals with Disabilities Education Act (IDEA); and (2) require individualized education plan (IEP) teams to consider individually whether additional services are needed for children previously suspected of having a disability who should have been referred for an initial evaluation and later were found eligible for special education and related services pursuant to IDEA, considering supports and services previously provided to the child.

CORRECTIVE ACTION	IMPLEMENTATION	U.S. DEPARTMENT OF EDUCATION (USDE) RESPONSE
<p>2.a. Require distribution of information to every enrolled student's family regarding the Child Find and Free and Appropriate Public Education (FAPE) requirements and obligations pursuant to IDEA, to inform them of their rights pursuant to IDEA, and to provide the contact information to request an initial evaluation.</p>	<p>TEA reports this action is complete.</p>	<p>USDE's Office of Special Education Programs (OSEP) requested that TEA provide additional information to describe its legal framework and its relationship to this corrective action. TEA was required to explain how certain materials would ensure that local education agencies (LEA) communicated required information to families through means other than postings on websites and met certain federal requirements for accessible communications.</p>
<p>2.b. TEA will provide guidance and information related to LEA legal responsibilities pursuant to state and federal law, including the identification of all eligible students and subsequent additional service guidelines, processes and best practices regarding provision of Child Find, Evaluation, Procedural Notice and Safeguards, and supports and services that result in positive school outcomes and success.</p>	<p>TEA reports this action is complete.</p>	<p>OSEP stated it will review the following information in conjunction with a future onsite visit: (1) the specific guidance and information TEA provides to its LEAs related to their legal responsibilities; (2) specific details of TEA's plan to inform all LEAs of their legal responsibilities related to identification and evaluation of all eligible children and TEA's guidance for LEAs regarding subsequent additional services; and (3) TEA's plan and implementation procedures to monitor how LEAs are distributing this information internally (see Requirement No. 4). OSEP stated it will provide feedback, if needed, in conjunction with an onsite visit and review of TEA's implementation of the guidance as part of the state's implementation of corrective actions.</p>
<p>2.c. Require collection and retention of data that includes the following information: (1) each request for evaluation made during school year 2018–19; (2) whether the reason for request indicates a claim that the child should have been referred for an initial evaluation before school year 2018–19; and (3) if the child is found eligible, whether additional services are needed, considering previously provided supports and services, and what those services are determined to be, including the timeline for implementation. LEAs may submit this data to TEA upon request or through approved TEA data collection processes.</p>	<p>TEA reports this action is complete.</p>	<p>OSEP stated it will review during a future onsite visit the use of this data for IDEA identification, evaluation, and technical assistance to IEP teams.</p>

SOURCE: Texas Education Agency.

FIGURE 4**TEXAS EDUCATION AGENCY'S IMPLEMENTATION OF OFFICE OF SPECIAL EDUCATION PROGRAMS' CORRECTIVE ACTION MEASURES, REQUIREMENT 3**

A plan and timeline by which the Texas Education Agency (TEA) will provide guidance to independent school districts' (ISD) staff, including all general and special education teachers, necessary to ensure that ISDs perform the following tasks: (1) ensure that supports provided to struggling learners in the general education environment through response to intervention (RTI), the federal Rehabilitation Act, §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 pursuant to the federal Individuals with Disabilities Education Act (IDEA); (2) are provided information to share with the parents of children suspected of having a disability that describes the differences among RTI, the state dyslexia program, §504, and IDEA, including how and when school staff and parents of children suspected of having a disability may request interventions and services in accordance with these programs; and (3) disseminate such information to staff and the parents of children suspected of having a disability enrolled in the ISD's schools, consistent with the U.S. Code of Federal Regulations, Title 34, Subtitle B, Chapter III, §300.503(c).

CORRECTIVE ACTION	IMPLEMENTATION	U.S. DEPARTMENT OF EDUCATION (USDE) RESPONSE
3.a. Upon direction from the State Board of Education, TEA will facilitate a process to revise the Texas Dyslexia Handbook to: clarify the differences among dyslexia and dyslexia-related services, IDEA, §504, and RTI; and ensure clear guidance in the field, especially regarding students with dyslexia and dyslexia-related disabilities that are eligible pursuant to IDEA. TEA will ensure that any guidance is compliant with IDEA.	TEA reports this action is complete.	USDE's Office of Special Education Programs (OSEP) stated it will review the revised Texas Dyslexia Handbook.
3.b. Evaluate existing resource content and whether the <i>Parent's Guide to the Admission, Review, and Dismissal Process</i> meets legal requirements regarding a child's right to an initial evaluation for special education and related services pursuant to IDEA.	TEA evaluated this material in 2017 and it was found to contain guidance regarding a child's right to an evaluation appropriately pursuant to IDEA.	No additional action mentioned or required.
3.c. TEA will develop information intended to be shared with the parents of children suspected of having a disability. These resources will describe the differences among RTI, the state dyslexia program for dyslexia or dyslexia-related needs, §504, and IDEA, and would be developed in conjunction with extensive stakeholder feedback. This information will include how and when school staff and parents of children experiencing learning difficulties may request interventions and services in accordance with these programs. This information also will include policy development relating to timelines and forms, with relatable and understandable translation of federal regulations and state statutes, and will be readily available to all stakeholders. TEA will provide resources and guidance to support local education agencies' (LEA) understanding of IDEA and compliance with Texas statutes.	LEAs initially were required to provide assurances related to this corrective action by April 30, 2020, but this step was delayed due to emergency closures related to the COVID-19 pandemic. The deadline for these assurances was extended to October 1, 2020.	OSEP required TEA to provide additional information.

SOURCE: Texas Education Agency.

**FIGURE 5
TEXAS EDUCATION AGENCY'S IMPLEMENTATION OF OFFICE OF SPECIAL EDUCATION PROGRAMS' CORRECTIVE ACTION MEASURES, REQUIREMENT 4**

A plan and timeline by which the Texas Education Agency (TEA) will monitor independent school districts' implementation of the federal Individuals with Disabilities Education Act (IDEA) requirements when struggling learners suspected of having a disability and needing special education and related services are receiving services and supports through response to intervention (RTI), the federal Rehabilitation Act, §504, and the state's dyslexia program.

CORRECTIVE ACTION	IMPLEMENTATION	U.S. DEPARTMENT OF EDUCATION (USDE) RESPONSE
<p>4.a. TEA will restructure agency oversight to increase its capacity and monitoring expertise, promoting a balanced system of compliance and results-driven accountability monitoring and intervention practices in the state. This system includes specific monitoring requirements to review local education agencies' (LEA) implementation of the IDEA requirements in the U.S. Code of Federal Regulations, Title 34, Subtitle B, Chapter III, §§300.111 and 300.101, when struggling learners suspected of having a disability and needing special education and related services pursuant to IDEA are receiving supports through RTI, §504, and the state's dyslexia program.</p>	<p>TEA reports this action is complete.</p>	<p>In its response, USDE's Office of Special Education Programs (OSEP) states that TEA was required to maintain a plan and timeline specifying how its overall monitoring system will be implemented to ensure compliance with the statutory and regulatory provisions of IDEA. OSEP also stated that TEA was required to specify how it will identify noncompliance by each LEA and describe the specific actions it may take to ensure that LEAs correct any identified instances of noncompliance as soon as possible. OSEP stated that it will review the implementation of TEA's plan and timeline in conjunction with future monitoring activities.</p>
<p>4.b. TEA will enhance opportunities for stakeholder involvement, including input from the state's Continuing Advisory Committee on effective monitoring practices that TEA will implement to ensure that LEAs are meeting regulatory requirements pursuant to IDEA for struggling learners suspected of having a disability and needing special education and related services, regardless of whether they are receiving other services and supports through RTI, §504, and the state's dyslexia program.</p>	<p>TEA reports this action is complete.</p>	<p>OSEP stated it would continue to request updates from TEA to learn of ongoing and meaningful stakeholder involvement.</p>

SOURCE: Texas Education Agency.

On October 19, 2020, OSEP issued a letter summarizing the results of a monitoring visit to Texas in May 2019 that was intended to evaluate the agency's implementation of its corrective action response. In its October letter, OSEP highlighted the following additional areas of concern or noncompliance, or areas in which additional documentation was required to verify compliance:

- Corrective Action Response 1.a. Communicating to all LEAs the Child Find and FAPE requirements and obligations pursuant to IDEA – According to OSEP, stakeholders expressed concerns about LEA implementation of Child Find and FAPE requirements. OSEP also required additional evidence that its actions to address Corrective Action 1.a. had been completed.
- Corrective Action Response 1.b. Ensuring that all LEAs have policies, procedures, and programs that meet IDEA's Child Find and FAPE requirements – OSEP stated that TEA needed to provide evidence that it had completed its actions to address this corrective action. OSEP expressed additional concerns based on interviews with LEA personnel that some LEAs were not implementing Child Find and FAPE requirements properly.
- Corrective Action Response 1.c. Revising monitoring and document review requirements to ensure appropriate general supervision of LEAs' implementation of Child Find and FAPE – OSEP found that TEA had not finalized the monitoring protocols required to comply with this requirement. OSEP required TEA to provide documentation related to its monitoring protocols to verify compliance.
- Corrective Action Response 1.d. Making dispute resolution information available, easily accessible, and understandable to the public – OSEP expressed concerns with the content of three publications that are key to complying with this corrective action: TEA's *Dispute Resolution Handbook*, *Notice of Procedural Safeguards*, and the *Parent's Guide to the ARD Process*. OSEP identified multiple revisions that TEA is required to make to comply with this corrective action response.
- Corrective Action Response 1.e. Ongoing training of hearing officers, mediators, and complaint investigators – OSEP explained that TEA needed to provide evidence documenting trainings offered to hearing officers, mediators, and complaint investigators related to IDEA Child Find and FAPE requirements.
- Corrective Action Response 2.a. Requiring all LEAs to distribute information to each student's family – OSEP could not verify that TEA was ensuring that LEAs were providing adequate information to parents related to Child Find and FAPE. OSEP required TEA to provide evidence that all LEAs had provided accurate information to parents and that the information posted on LEA websites is accurate.
- Corrective Action Response 2.b. Providing guidance and information regarding LEAs' legal responsibilities in accordance with state and federal law – OSEP stated that TEA had not provided the office with documentation that would enable OSEP to verify compliance with this corrective action. Therefore, OSEP required TEA to provide guidelines for providing services for students who required additional services to receive FAPE.
- Corrective Action Response 2.c. Requiring LEAs to collect and retain data on requests for evaluations and outcomes of those requests – OSEP stated that the office had not received data enabling it to verify compliance with this corrective action. OSEP required TEA to issue a report containing data on the number of children referred for IDEA evaluations, the number of IDEA evaluations conducted, the number of children determined eligible for special education and related services, the number of children for whom additional services were provided, and the number of children for whom additional services were determined to be unnecessary.
- Corrective Action Response 3.a. Facilitating a process to revise the state's dyslexia handbook – OSEP required TEA to detail the steps the agency had conducted to ensure that LEAs were complying with the state's dyslexia handbook.
- Corrective Action Response 3.b. Evaluate existing resources and whether they meet legal requirements pursuant to IDEA – OSEP required TEA to make additional revisions to its *Parent's Guide to the ARD Process*.
- Corrective Action Response 3.c. Developing a suite of information to share with parents of children suspected of having a disability, pursuant to IDEA

- OSEP required TEA to provide documentation to verify that the agency had complied with the requirements of this corrective action response.
- Corrective Action Response 4.a. TEA restructuring of agency oversight with increased capacity and monitoring expertise – OSEP required TEA to provide evidence that it has a fully operational and effective monitoring system.

In response to the various requirements stated in OSEP's October 19, 2020, letter, TEA provided LBB staff with a summary of the actions conducted and documentation provided to OSEP that were intended to satisfy the federal agency's requirements. TEA's actions included revising the documentation and handbooks that OSEP specified. As of November 2020, TEA has not received a determination from OSEP regarding whether its actions are sufficient to satisfy the requirements specified in OSEP's October 2020 letter.

STATUS OF TEA'S SPECIAL EDUCATION STRATEGIC PLAN

STATE MONITORING

The Special Education Strategic Plan specifies that TEA must increase its monitoring capacity significantly and ensure that monitoring focuses on improvements for students, in addition to fulfilling minimum expectations for compliance with federal requirements.

To meet this requirement, TEA has established a Review and Support Team (RST) to monitor LEAs regarding IDEA compliance and to provide targeted, special education-related technical assistance and support for LEAs using a risk-assessment index and holistic student-centered practices. Activities are intended to support the most effective practices that lead to improved outcomes for students. The RST remotely conducts annual desk reviews of one-third of LEAs. In addition, the team is structured to enable onsite visits of up to 20.0 percent of LEAs during a school year. More than 200 LEA policy reviews were conducted during school year 2019–20; however, monitoring schedules for school years 2020–21 to 2024–25 have not been set. According to TEA, 50.0 full-time-equivalent positions are funded through IDEA Federal Funds to conduct the agency's monitoring responsibilities in accordance with the strategic plan.

The plan specifies that TEA is required to ensure compliance with IDEA and federal and state statutes. If TEA determines that an LEA is not in compliance, the agency has established

a framework to implement appropriate enforcement mechanisms. These mechanisms include technical assistance, conditions on funding, implementation of a corrective action plan, and withholding funds in part or in whole. The plan also states that a standardized process will be developed for conducting reviews and monitoring visits that will result in published reports. The agency has established processes to ensure appropriate enforcement, data collection, and reporting.

The plan states that TEA will review and may propose administrative rule revisions to ensure clear compliance with the law and alignment with best practices for serving students with disabilities. Revisions to administrative rule are in process.

Due to the emergency closures and orders related to the COVID-19 pandemic, TEA has delayed the third-party audit of the monitoring process, which was a component of the strategic plan. The monitoring of LEAs during the final cycle of school year 2019–20 was interrupted, causing subsequent audit findings to be incomplete. The third-party audit will resume during school year 2020–21.

IDENTIFICATION, EVALUATION, AND OFFER OF FAPE AND CHILD FIND

Child Find is the legally required first step toward ensuring that children with disabilities are offered a free and appropriate public education. The strategic plan states that TEA will work to ensure compliance with Child Find requirements by providing additional guidance to families and LEAs through the following short-term identification and evaluation corrective actions:

- identification support – TEA will continue to advise LEAs on IDEA requirements regarding the identification of students who may need special education services;
- funding – eligible students generate additional state aid, including through weighted formulas for special education;
- additional services guidance – TEA has developed LEA guidance about awarding and providing compensatory services;
- evaluation support – TEA will assist LEAs in contracting with external diagnosticians and expert personnel;

- additional services – if it is determined that a student should have been referred for an initial evaluation and the student is eligible for special education services, the student’s ARD committee must determine whether additional services are required; and
- additional services funding – TEA allocated \$65.0 million in Federal Funds through IDEA to LEAs to support these additional services; according to TEA, these funds previously had been allocated to LEAs during a period of several years but had been unspent and were available for reallocation.

In addition to these short-term actions, TEA’s strategic plan identifies the following ongoing action steps:

- updated guidance on identification and evaluation – TEA’s special education staff will facilitate LEA trainings on steps to take when a parent requests an evaluation;
- complaints – TEA reports that its complaints team will facilitate partnerships between LEAs and families when disputes arise; the agency will strive to resolve all special education complaints in a timely manner;
- dispute resolution support – TEA will continue to provide IDEA-related training to hearing officers and mediators;
- clarification and guidance – TEA will continue to provide clarification on the requirements of RTI, the federal Rehabilitation Act, Section 504, and dyslexia-related topics to support decisions customized to individual students’ needs;
- assurances – TEA has reviewed the annual submission of the assurance statements received from LEA grantees and confirms that each clearly conveys that the grantee has in effect policies, procedures, and programs that are consistent with state policies and procedures; and
- dispute resolution – in addition to its Dispute Resolution Systems Handbook, TEA has developed materials to explain available dispute resolution programs, including IEP facilitation, mediation, state complaints, and due process hearings; these materials are readily available and understandable.

TRAINING, SUPPORT, AND DEVELOPMENT

To improve training and support, the plan states that TEA will change professional development models to focus on

effective implementation of practice rather than seat time. Training formats will include in-person sessions and leverage technology to provide equitable access across the state.

To implement this change, the plan states that TEA will take or has taken the following actions:

- provide technical assistance to bilingual educators, diagnosticians, and school psychologists; all educators initially will receive professional development through a statewide training institute, with ongoing follow-up through year-round support and modules;
- convene a special education personnel forum by fiscal year 2023 composed of representatives from the State Board for Educator Certification, the Texas Higher Education Coordinating Board, Texas institutions of higher education, and professional organizations; the forum will discuss potential solutions and recommendations to meet the staffing needs of districts serving students who receive special education;
- completed and distributed resources to describe the differences among RTI, the state dyslexia program, Section 504, and IDEA. The support offered by a call center that is available to parents and guardians has been expanded to provide access to state-funded experts in exceptional student cases. The center also provides tools to support planning and resource allocation activities based on best practices;
- in addition to improving services for students with dyslexia by providing LEAs with improved training, TEA supported the work of the State Board of Education to update, approve, and adopt the Texas Dyslexia Handbook. The agency also will contract for a study on the reporting of students with dyslexia and related disorders through its Public Education Information Management System;
- developed materials and conducted training to promote an understanding of the school finance system related to special education in place of developing a school finance handbook specified in the strategic plan;
- revised the content of the mandatory special education training for all school board members to emphasize monitoring outcomes and program implementation fidelity; and

- collaborate with the Texas Workforce Commission on workforce preparation and readiness.

The statewide special education professional development initiative has emphasized assisting educators to overcome challenges presented by the COVID-19 pandemic in providing special education services to eligible students in Texas public schools.

STUDENT, FAMILY, AND COMMUNITY ENGAGEMENT

The strategic plan states that TEA will expand upon systems that facilitate effective stakeholder engagement and will leverage stakeholders' expertise to promote the development of programs and services that appropriately meet the needs of individual students with disabilities and lead to improved outcomes. This development will be accomplished through the ongoing identification initiatives and call center improvements previously described.

Due to emergency closures and orders related to the COVID-19 pandemic, the Stakeholder Engagement Plan and Action has been delayed.

TECHNICAL ASSISTANCE NETWORKS AND STRUCTURES

TEA's Special Education Strategic Plan is funded primarily out of IDEA Administrative and State discretionary funds, which are Federal Funds provided to the agency for state-level activities. TEA uses the discretionary funds to award grants or contracts for services, supports, and technical support networks. These networks support LEAs in using best practices to work on major initiatives that the state identified as significant.

As part of the strategic plan, TEA has restructured and established 10 statewide, technical support networks, which focus on providing resources and training to LEAs on the following critical topics:

- Child Find, Evaluation, and ARD Supports;
- School, Family, and Community Engagement;
- Inclusive Services and Practices for Improved Student Outcomes;
- Autism;
- Intervention Best Practices;
- Students with Intensive Needs;
- Students with Sensory Impairments;

- Students in Small and Rural LEAs;
- Student-centered Transitions; and
- Multiple Exceptionalities and Multiple Needs.

STATUS OF OTHER SPECIAL EDUCATION REQUIREMENTS ESTABLISHED BY THE EIGHTY-SIXTH LEGISLATURE, 2019

SENATE BILL 500

Among its provisions, Senate Bill 500, Eighty-sixth Legislature, 2019, the supplemental appropriations bill, included \$219.6 million to ensure state compliance with federal special education funding requirements pursuant to IDEA. Of this amount, Senate Bill 500 appropriated \$50.5 million in General Revenue Funds in fiscal year 2019 for Special Education Supports, a program to reimburse LEAs for costs related to compensatory services for students who are identified as needing special education services and increased support. According to TEA, the agency awarded a grant to the regional Education Service Center (ESC) 20 in San Antonio through which the \$50.0 million in state funds associated with Senate Bill 500 have been distributed to LEAs for these purposes. Senate Bill 500 also provided \$0.5 million for administrative and information technology support for the program.

The remaining \$169.1 million appropriated in fiscal 2019 to ensure state compliance with IDEA funding requirements was intended to support maintenance of financial support requirements pursuant to IDEA. A portion of these funds, \$33.3 million, would offset withheld Federal Funds, and the remainder would make up for shortfalls in maintenance of effort requirements during fiscal years 2012, 2017, and 2018, and an anticipated shortfall during fiscal year 2019. TEA distributed \$61.1 million associated with fiscal year 2019; however, expenditure of the remaining \$107.9 million is contingent on the pending settlement with USDE. Because TEA anticipates that negotiations will continue into the 2022–23 biennium, the \$107.9 million for IDEA maintenance of financial support appropriated in fiscal year 2019 has not been obligated.

HOUSE BILL 3

House Bill 3, Eighty-sixth Legislature, 2019, substantially revised the system of funding public schools in Texas. Among its provisions, House Bill 3 established the Special Education Allotment Advisory Committee. The committee was charged with making recommendations regarding methods of

financing special education through the state's school finance system. These recommendations were required to be reported to the LBB by May 1, 2020; however, the committee's work was delayed due to emergency closures related to the COVID-19 pandemic. The committee report, published in August 2020, is available at: <https://tea.texas.gov/about-tea/government-relations-and-legal/government-relations/special-education-allotment-committee>.

Among its changes to the Foundation School Program (FSP), House Bill 3 increased funding for special education services by increasing funding through the Special Education Allotment by raising the Basic Allotment. The Basic Allotment is applied to a student count based on the number of full-time-equivalent students provided instruction in a particular special education setting and a statutorily defined weight. House Bill 3 further increased funding for special education by modifying special education funding weights and by establishing a new weight for students receiving dyslexia-related services. In total, the Special Education Allotment is estimated to be \$3.85 billion for each fiscal year of the 2020–21 biennium.

The GAA does not have a separate appropriated line item for any of the weighted allotments, including the Special Education Allotment. As a result, the state budget does not specifically delineate the special education funding provided through the Special Education Allotment by method of finance. Instead, the full FSP entitlement, including the Special Education Allotment and other weighted allotments, is calculated along with the total local funding required to satisfy that entitlement. The remaining entitlement that is not paid with local funds is a state cost and is paid with funds through the state Treasury. For the 2020–21 biennium, these sources include the Foundation School Fund, the Available School Fund, Lottery Proceeds, Recapture Payments – Attendance Credits; Property Tax Relief Fund, the Economic Stabilization Fund, and the Tax Reduction and Excellence in Education Fund.

HOUSE BILL 18

House Bill 18, Eighty-sixth Legislature, 2019, amended several provisions of state law governing mental health training, certification, and continuing education requirements for employees of public schools and other entities. Among its provisions, the legislation required TEA to collaborate with the Health and Human Services Commission to develop guidelines for school districts to improve student access to mental health services. TEA has

developed mental health instructional resources and posted those resources on its website. The agency has reviewed, selected, and posted on its website professional development materials regarding mental health topics specified in the legislation. The agencies are collaborating to develop guidance related to accessing the Medicaid program and coordinating with local mental health authorities and other service providers. TEA also is developing a School Mental Health Toolkit.

HOUSE BILL 165

House Bill 165, Eighty-sixth Legislature, 2019, authorizes a student in a special education program to earn an endorsement on the student's transcript after satisfying certain requirements. According to TEA, the agency has developed a rule associated with this legislation that was made available for public comment during summer 2020. The agency anticipates that the rule will take effect by January 2021.

SENATE BILL 522

Senate Bill 522, Eighty-sixth Legislature, 2019, amended statutory requirements related to the development of an individualized education program for students with visual impairments. According to TEA, the agency has developed a rule associated with this legislation that was made available for public comment during summer 2020. The agency anticipates that the rule will take effect by January 2021.

COVID-19 PANDEMIC AND SPECIAL EDUCATION IN TEXAS

In July 2020, LBB staff surveyed the special education coordinators at each of the state's 20 regional ESCs regarding the provision of special education services in response to COVID-19-related school closures and the upcoming school year 2020–21. The following responses from the surveys include 10 frequently addressed areas of concern.

FEDERAL REQUIREMENTS FOR SERVICES HAVE NOT CHANGED, BUT SERVICE DELIVERY MODELS MUST CHANGE TO MEET NEW HEALTH DEMANDS

REGION 8 – MOUNT PLEASANT

Initially, districts believed there would be some type of leniency with regard to [IDEA, Part B (IDEA-B),] requirements. However, it quickly became apparent that no leniency would be granted and that schools would have to figure out how to serve Texas students with the limited resources that were available at that time. TEA

immediately began disseminating information on “virtual” ARD meetings and how to complete Full and Individual Initial Evaluations while students were away from brick-and-mortar buildings. Schools were complimentary of the resources but continued to be puzzled as to how they would provide all of these services. They were most concerned about our students who are medically fragile and how services could be equal to what they received at school.

REGION 12 – WACO

While there has been more focus on providing COVID-19 support, it doesn’t truly feel like schools will get much of a break from the initiatives of the state’s special education strategic plan. Schools are worried how they will balance doing reviews during the uncertain instructional times.

INNOVATIVE SERVICE DELIVERY MAY REQUIRE NEW INDIVIDUALIZED STUDENT PLANS

REGION 2 – CORPUS CHRISTI

Providing individualized instruction to students with disabilities has always presented unique challenges. Moving to remote instruction has and will continue to provide new challenges to educators. However, TEA has been responsive to LEAs and ESCs in this new learning environment.

REGION 3 – VICTORIA

How to address FAPE virtually has been very difficult. How to meet ARD requirements [has been difficult]. For example, how do district staff provide inclusion minutes if students are being taught asynchronously?

SHARED SERVICE ARRANGEMENTS ACROSS DISTRICTS FACE POTENTIAL DIFFERENT REQUIREMENTS FOR EACH DISTRICT

REGION 12 – WACO

We do have around half of our LEAs that are part of Shared Service Arrangements (SSA). These SSAs are a little worried how they will provide services consistently with different safety procedures at each LEA, different schedules, students in homes, etc.

ACUTE PERSONNEL SHORTAGES, ESPECIALLY FOR SPECIALIST POSITIONS IN RURAL AREAS

REGION 2 – CORPUS CHRISTI

LEAs in Region 2 are struggling to find bilingual school psychologists to address evaluation and student needs.

The Academy for Certification of Vision Rehabilitation and Education Professionals Licensing Board has some restrictions for services that make it difficult to provide appropriate services if students are receiving instruction remotely. LEAs need continued guidance and resources to support the needs of students with significant disabilities who are engaged in remote learning.

REGION 11 – FORT WORTH

I believe all regions are having a difficult time with some of the remote services that require specialized personnel—speech therapy, dyslexia therapy, and physical therapy to name a few. Students having a choice between asynchronous and in-school learning means that service providers are not able to see as many students in one visit. There is also additional travel time between visits for many of these services.

REGION 18 – MIDLAND

The challenge we are facing is the shortage of related services personnel. We are not near a metropolitan area so that we can contract with individual contractors. Services from some vendors are not as beneficial to some students as face-to-face services.

THE NEED FOR STAFF TRAINING AND ADDITIONAL RESOURCES TO SUPPORT VIRTUAL EDUCATION MODELS AND DIVERSE POPULATIONS

REGION 9 – WICHITA FALLS

Districts need to be able to access remote instruction/therapy options that are cost-effective and efficient in their use. Just as any instructional model a school adopts will likely not be feasible for all students in special education because of their unique needs, the same is true of the remote environment.

REGION 15 – SAN ANGELO

The need for support for anything virtual (teaching, therapies/related services, parental involvement, etc.) is immense right now. The requirement that districts provide FAPE when many students aren’t physically on campus has created needs for resources never needed before.

REGION 17 – LUBBOCK

The resources needed to facilitate education/instruction in the spring is different from what is required by the schools for the 2020–21 school year. They continue to request clarification and guidance regarding contingency

plans, [federal Americans with Disabilities Act] funding and minute requirements specific to special education, completion of special education evaluations during virtual instruction, and general guidance specific to meeting the needs of special education students receiving virtual instruction while continuing to adhere to state and federal requirements/law.

REGION 20 – SAN ANTONIO

Another resource request that came directly from the charter school director is that it would be helpful to have a variety of resources to meet the needs of more diverse populations.

LACK OF UNIVERSAL WIRELESS INTERNET ACCESS

REGION 1 – EDINBURG

The LEAs in this region have plans so all students have technology devices for virtual services. The biggest challenge is ensuring virtual services reach all homes due to connectivity issues.

REGION 7 – KILGORE

The biggest challenges for our area and across the state include connectivity issues, lack of readily available devices, and lack of providers.

REGION 8 – MOUNT PLEASANT

Access is a huge issue in deep East Texas. We have many families who do not have Internet access. Nor do they have computers or tablets. Even when provided with hot spots, there are many places that are inaccessible. I do know that one district provided Internet access during COVID-19 that would be available in their school parking lot. Again, this is a great option if the family has transportation.

STAFF SAFETY WHEN VISITING STUDENTS AT THEIR HOMES

REGION 13 – AUSTIN

Lack of cohesive support for special education students in the home learning environment for full continuum for student needs and disabilities. [This includes] one-on-one for medically fragile students [and those with] severe behavior issues.

SUPPORTING PHYSICAL, EMOTIONAL, AND SOCIAL NEEDS OF STUDENTS

REGION 11 – FORT WORTH

Schools need ways to support students remotely such as [wireless Internet] remote access, online programming

for many services such as direct instructional needs, related service needs, and social/emotional support needs. They also need personal protective equipment (beyond what general education classrooms need) for students who are not able to socially distance and/or wear a mask.

NEEDED CHANGES TO THE ACCOUNTABILITY SYSTEM AND STUDENT ASSESSMENTS

REGION 8 – MOUNT PLEASANT

While I certainly understand the importance of accountability and high-stakes testing ... this may need to trigger some sort of compromise. I have no problem with assessment. I believe as educators we always need to know where our students are academically. However, I do have a problem with holding schools “accountable” under these trying circumstances. Maybe TEA could consider continuing with State of Texas Assessments of Academic Readiness but without tying that to accountability.

REGION 10 – DALLAS

The need to determine how to evaluate and serve students remotely more long-term is definitely weighing on schools and going into the 2020–21 year. They are having to serve students in their class and remote at the same time, which is a very unique challenge. Also, working through how to do a reliable assessment virtually continues to stay a priority.

COMMUNICATION IN A RAPIDLY CHANGING ENVIRONMENT

REGION 5 – BEAUMONT

TEA has been extremely responsive to the needs of our LEAs, families, and students during this time of uncertainty. TEA has met consistently with LEAs to answer questions with full transparency and willingness to help. The resources that the TEA special education team has developed have been helpful. It has been apparent that TEA is willing to make changes and be fluid with their responses. Still some LEAs are feeling the stresses of the requirements they must adhere to because of the state’s special education strategic plan.

REGION 16 – AMARILLO

TEA seemed to be very responsive in letting districts know how to best serve our students with disabilities

best...and providing FAPE during school closures. It all hit at once. So, some of the information we received was late but we adjusted what we were doing as guidance came out. We were able to submit questions and concerns we had as special education directors to our ESC special education directors and get those answered.

SPECIAL EDUCATION EXPENDITURES AND BUDGETED AMOUNTS

Figure 6 shows the aggregate funding in Texas for fiscal years 2020 and 2021 for special education services through the Catalog of Federal Domestic Assistance No. 84.027, Special Education Grants to States (IDEA, Part B).

Appendices A and B show these expenditures by program and by IDEA source for fiscal years 2020 and 2021, respectively.

**FIGURE 6
TEXAS EDUCATION AGENCY SPECIAL EDUCATION
EXPENDITURES BY IDEA SOURCE
FISCAL YEARS 2020 AND 2021**

(IN MILLIONS)		
FUNDING TYPE	2020 EXPENDED	2021 BUDGETED
Formula	\$690.8	\$991.8
Discretionary	\$82.9	\$109.7
Administrative	\$259.0	\$24.8
Total	\$1,032.7	\$1,126.4

NOTE: Amounts shown include actual expenditures and encumbered amounts. Totals may not sum due to rounding.
SOURCES: Legislative Budget Board; Texas Education Agency.

APPENDIX A – SPECIAL EDUCATION PROGRAMS

FISCAL YEAR 2020 EXPENDITURES

Figure A–1 shows fiscal year 2020 expenditures by the federal Individuals with Disabilities Education Act, Part B, source of funds for special education programs in Texas.

FIGURE A–1
TEXAS EDUCATION AGENCY SPECIAL EDUCATION EXPENDITURES BY PROGRAM AND BY IDEA SOURCE, FISCAL YEAR 2020

PROJECT	01 – FORMULA	02 – DISCRETIONARY	03 – ADMINISTRATION	TOTAL BY PROGRAM
IDEA, Part B, Formula	\$689,670,594	-	\$238,300,796	\$927,971,390
Emerging Needs	-	\$174,188	-	\$174,188
Network 1: Child Find, FAPE	-	\$825,000	-	\$825,000
Early Childhood Intervention Contract	-	\$5,131,125	-	\$5,131,125
High Cost Fund	-	\$11,057,305	-	\$11,057,305
Texas Woman’s University/Texas Education Telecommunications Network Speech–Language Pathology	-	\$220,353	-	\$220,353
Instructional Materials Outreach	-	\$1,500,000	-	\$1,500,000
IDEA-B Discretionary Deaf Grants	-	\$6,156,975	-	\$6,156,975
IDEA-B Discretionary Residential	-	\$7,000,000	-	\$7,000,000
TSBVI Short-term Programs and Assistance	-	\$546,620	-	\$546,620
TSBVI Outreach	-	\$359,936	-	\$359,936
TSBVI Teacher Preparation	-	\$900,000	-	\$900,000
Network 2: Engagement	-	\$1,656,946	-	\$1,656,946
Network 3: Inclusive Services	-	\$1,000,000	-	\$1,000,000
TSBVI and TSD Classroom	-	\$1,754,660	-	\$1,754,660
Network 4: Autism	-	\$1,000,000	-	\$1,000,000
Student Testing State of Texas Assessments of Academic Readiness	-	\$2,629,903	-	\$2,629,903
Network 5: Intervention	-	\$1,990,558	-	\$1,990,558
ESC IDEA-B Sensory Impairment	-	\$1,172,864	-	\$1,172,864
Grants for Students Autism	-	\$816,274	-	\$816,274
Large Print and Braille	-	\$380,708	-	\$380,708
Statewide Capacity Grant	-	\$534,882	-	\$534,882
Texas Behavior Support Initiative Course Modules	-	\$36,000	-	\$36,000
Inclusion Works Conference	-	\$200,000	-	\$200,000
ESC Dyslexia and Related Disorders	-	\$150,000	-	\$150,000
Network 6: Intensive Needs	-	\$700,000	-	\$700,000
Network 7: Sensory Impairments	-	\$2,609,321	-	\$2,609,321
Network 8: Small and Rural	-	\$1,000,000	-	\$1,000,000
Special Olympics Unified Champion Schools	-	\$250,000	-	\$250,000
ESC Leadership	-	\$14,170,679	-	\$14,170,679
ESC Special Projects	-	\$1,130,398	-	\$1,130,398

FIGURE A-1 (CONTINUED)
TEXAS EDUCATION AGENCY SPECIAL EDUCATION EXPENDITURES BY PROGRAM AND BY IDEA SOURCE
FISCAL YEAR 2020

PROJECT	01 – FORMULA	02 – DISCRETIONARY	03 – ADMINISTRATION	TOTAL BY PROGRAM
Access to General Curriculum	-	\$5,578,155	-	\$5,578,155
ESC Positive Behavioral Interventions and Supports	-	\$2,000,000	-	\$2,000,000
ESC Liaisons	-	\$4,422,878	-	\$4,422,878
Special Education Parent Resources	-	\$252,562	-	\$252,562
Stakeholder Engagement Support	-	\$500,000	-	\$500,000
Network 9: Student-centered Transitions	-	\$1,479,790	-	\$1,479,790
ESC Regional Day School Program for the Deaf Fiscal Agents	-	\$620,397	-	\$620,397
IDEA-B Direct Administration	\$1,074,935	-	\$16,258,756	\$17,333,690
IDEA-B Indirect Administration	-	-	\$1,224,376	\$1,224,376
IDEA-B TEA Direct Administration	\$40,950	-	\$3,023,646	\$3,064,597
IDEA-B TEA Indirect Administration	-	-	\$226,649	\$226,649
Total	\$690,786,479	\$82,908,476	\$259,034,223	\$1,032,729,178

NOTES:

- (1) Fiscal year 2020 amounts shown include actual expenditures and encumbered amounts.
(2) IDEA=federal Individuals with Disabilities Education Act; IDEA-B=IDEA, Part B; FAPE=IDEA, Free and Appropriate Public Education provision; TSBVI=Texas School for the Blind and Visually Impaired; TSD=Texas School for the Deaf; ESC=regional Education Service Centers; TEA=Texas Education Agency.

SOURCES: Legislative Budget Board; Texas Education Agency.

APPENDIX B – SPECIAL EDUCATION PROGRAMS

FISCAL YEAR 2021 EXPENDITURES

Figure B–1 shows fiscal year 2021 budgeted amounts by the federal Individuals with Disabilities Education Act, Part B, source of funds for special education programs in Texas.

FIGURE B–1
TEXAS EDUCATION AGENCY SPECIAL EDUCATION BUDGETED AMOUNTS BY PROGRAM AND BY IDEA SOURCE
FISCAL YEAR 2021

PROJECT	01 – FORMULA	02 – DISCRETIONARY	03 – ADMINISTRATION	TOTAL BY PROGRAM
IDEA, Part B, Formula	\$991,845,525	-	-	\$991,845,525
IDEA-B Emerging Needs	-	\$200,000	-	\$200,000
Legal Framework	-	\$600,000	-	\$600,000
Network 1: Child Find, Evaluation	-	\$1,100,000	-	\$1,100,000
IDEA-B Early Childhood Intervention Contract	-	\$5,131,125	-	\$5,131,125
High Cost Fund	-	\$11,474,300	-	\$11,474,300
Texas Woman's University	-	\$220,400	-	\$220,400
Texas Education Telecommunications Network				
Speech–Language Pathology				
Recorded Instructional Materials	-	\$200,000	-	\$200,000
Instructional Materials Outreach	-	\$1,500,000	-	\$1,500,000
IDEA-B Discretionary Deaf Grants	-	\$6,200,000	-	\$6,200,000
IDEA-B Discretionary Residential	-	\$6,000,000	-	\$6,000,000
TSBVI Short-term Programs and Assistance	-	\$546,620	-	\$546,620
TSBVI Statewide Outreach	-	\$359,936	-	\$359,936
TSBVI Teacher Preparation	-	\$900,000	-	\$900,000
School, Family, and Community	-	\$1,424,819	-	\$1,424,819
Network 3: Inclusive Services	-	\$1,200,000	-	\$1,200,000
TSBVI and TSD Classroom	-	\$1,755,260	-	\$1,755,260
Network 4: Autism	-	\$1,000,000	-	\$1,000,000
Student Testing State of Texas Assessments of Academic Readiness	-	\$14,000,000	-	\$14,000,000
Network 5: Intervention	-	\$1,696,748	-	\$1,696,748
ESC IDEA-B Sensory Impairments	-	\$1,415,000	-	\$1,415,000
IDEA-B Leadership Projects	-	\$3,252	-	\$3,252
Large Print and Braille	-	\$3,500,000	-	\$3,500,000
Technical Assistance Dashboard	-	\$1,500,000	-	\$1,500,000
ESC Dyslexia and Related Disorders	-	\$150,000	-	\$150,000
Special Education Videos for Families – COVID-19	-	\$120,000	-	\$120,000
Network 6: Texas Complex Access Network	-	\$700,000	-	\$700,000
Network 7: Sensory Support	-	\$3,609,321	-	\$3,609,321
ESC Regional Facilitated Individualized Education Program	-	\$500,000	-	\$500,000

FIGURE B-1 (CONTINUED)
TEXAS EDUCATION AGENCY SPECIAL EDUCATION BUDGETED AMOUNTS BY PROGRAM AND BY IDEA SOURCE
FISCAL YEAR 2021

PROJECT	01 – FORMULA	02 – DISCRETIONARY	03 – ADMINISTRATION	TOTAL BY PROGRAM
Special Olympics Unified Champion Schools	-	\$250,000	-	\$250,000
ESC Basic Technical Assistance	-	\$22,170,680	-	\$22,170,680
ESC Charter School Support	-	\$630,398	-	\$630,398
Access to General Curriculum	-	\$5,578,155	-	\$5,578,155
ESC Positive Behavioral Interventions and Supports	-	\$2,000,000	-	\$2,000,000
Intensive Behavior Support	-	\$150,000	-	\$150,000
ESC Special Education Liaisons	-	\$6,614,696	-	\$6,614,696
Significant Disproportionality	-	\$2,000,000	-	\$2,000,000
Dyslexia, Section 504, and Response to Intervention Training	-	\$40,000	-	\$40,000
Network 10: Multiple Exceptions	-	\$800,000	-	\$800,000
Annual Review of Progress	-	\$150,000	-	\$150,000
Network 9: Student Transitions	-	\$1,479,790	-	\$1,479,790
Admission, Review, and Dismissal Guides Reimbursement	-	\$152,103	-	\$152,103
ESC Regional Day School Program for the Deaf Fiscal Agents	-	\$720,397	-	\$720,397
Helpdesk Grant	-	-	\$50,000	\$50,000
IDEA-B Administration	-	-	\$17,920,858	\$17,920,858
IDEA-B Indirect Administration	-	-	\$1,800,000	\$1,800,000
IDEA-B Direct Administration	-	-	\$4,500,000	\$4,500,000
IDEA-B TEA Indirect Administration	-	-	\$500,000	\$500,000
Total	\$991,845,525	\$109,743,000	\$24,770,858	\$1,126,359,383

NOTE: IDEA=federal Individuals with Disabilities Education Act; IDEA-B=IDEA, Part B; TSBVI=Texas School for the Blind and Visually Impaired; TSD=Texas School for the Deaf; ESC=regional Education Service Centers; Section 504=the federal Rehabilitation Act, Section 504; TEA=Texas Education Agency.

SOURCES: Legislative Budget Board; Texas Education Agency.