

2018

Special Education Audit

*for the Fort Bend Independent
School District*

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Chapter 1 – Introduction

This report presents the results of the Special Education Audit, as part of Fort Bend Independent School District's (FBISD) internal audit program to support continuous improvement. This audit began in November 2017 and was completed in June 2018.

The audit team wishes to thank FBISD leadership and staff for their assistance in conducting this audit, and the Board Audit Committee for overseeing this important work.

Project Objective and Scope

The primary objective of the audit is to improve the efficiency and effectiveness of special education services to students with disabilities while meeting compliance requirements. The scope of the audit focused on answering the following questions:

- Program Organization and Management
 - Is the special education department organized to provide effective oversight and management of program resources? Are functions logically aligned with reasonable spans of control?
 - Is the department efficiently staffed both at the central office and at schools? Do support services staff have reasonable caseloads? Do staffing allocations meet student needs?
 - Are position descriptions up-to-date and do they appropriately reflect assigned roles, responsibilities, and reporting relationships?
 - Does the department have clearly articulated program procedures and operating guidelines? What accountability measures are in place to ensure that they are being followed?
 - What procedures are in place for monitoring program compliance with federal, state and local policies? Has the district been found to be non-compliant on any indicator in the past five years?
 - What data management systems and other technologies are utilized by the department and do they effectively meet the needs of program management and staff?
 - What performance measures and/or indicators are routinely tracked and monitored by program management?

- How have program expenditures varied over the past five years relative to student enrollment? Does the district maximize reimbursements for services provided to Medicaid-eligible students?
- How satisfied are parents with program services? How many mediations and due process hearings has the district had in the past 5 years? At what cost?
- Student Identification and Placement
 - What are the special education enrollment trends by primary disability and instructional placement setting? Are any student subgroups disproportionality represented in the special education population?
 - Are referral and placement processes consistently followed at each campus? What is the total number of referrals by campus and what percent DNQ?
 - Does the district have an effective Response to Intervention (RtI) program?
- Program Service Delivery and Instructional Practices
 - Does the district offer a continuum of services and are students being effectively served in the LRE?
 - What service delivery models are used by the district? Does the district have an effective inclusion program? Co-teaching model?
 - What specialized programs are offered by the district? What criteria is used to determine program placement at schools?
 - Does the district have an effective behavior program? A district-wide PBIS program?
 - How are service decisions made through the Admission, Review, and Dismissal (ARD) process? Are student IEPs compliant and are academic goals rigorous? Do all students that require a BIP have one? Are they compliant? Are IEPs and BIPs implemented in the classroom appropriately?
 - Is the district able to effectively recruit, hire and retain high-quality special education teachers? What percent of special education teachers are dually certified? What is the special education teacher turnover rate?
 - What special education professional development opportunities are available to both special education and general education teachers? Do special education teachers have the opportunity to collaborate and plan with their general education peers?

Project Approach and Methodology

In order to answer these questions, the audit team conducted the following activities:

- Conducted a project kick-off meeting to orient the Special Education Department staff on the project objectives, scope, key activities, and timeline.
- Collected and analyzed data provided by FBISD, as well as publicly available data from the Texas Education Agency (TEA) website.
- Conducted 37 individual and group interviews with department administrators, staff, principals, and teachers.
- Conducted school visits and classroom observations at four elementary schools, three middle school, and three high schools.
- Conducted a review of a random selection of 26 student IEPs to evaluate academic rigor and compliance.
- Synthesized findings and recommendations into draft and final report deliverables.

Benchmark Districts

Throughout this report, comparisons are made to benchmark districts to provide context for analyses. The following districts were selected in collaboration with FBISD because they are similar in size, demographics and/or regional proximity to FBISD (see Table 1).

Table 1. Profile of Benchmark Districts, 2017-18

District	Total Enrollment	% Special Education	% Economically Disadvantaged	2016 SPED Determination Status*
Arlington ISD	61,076	7.9%	65.3%	Needs Assistance
Conroe ISD	61,580	8.1%	37.1%	Meets Requirements
Cypress-Fairbanks ISD	116,401	8.2%	49.9%	Meets Requirements
Fort Bend ISD	75,275	7.8%	37.2%	Meets Requirements
Katy ISD	77,522	10.1%	30.9%	Meets Requirements
Klein ISD	53,068	9.0%	39.9%	Meets Requirements
Lewisville ISD	52,472	11.2%	32.2%	Meets Requirements
Plano ISD	53,952	11.3%	27.0%	Meets Requirements
Round Rock ISD	49,086	9.4%	25.8%	Meets Requirements

Source: Texas Education Agency (TEA), PEIMS Standard Report (Enrollment by Population 2016-17 Report) and PEIMS Financial Data Report.

Note: *2016-17 Texas Academic Performance Report.

Audit Summary

The Gibson audit team analyzed district and TEA data, conducted interviews and focus group sessions, visited schools, and observed classrooms. This work culminated into this audit report, which includes a series of findings and recommendations aimed at increasing the Special Education program's efficiency and effectiveness in order to improve outcomes for students receiving special education services.

Overall, FBISD has made significant progress with its Special Education program in recent years even though much work remains. The report identifies 13 commendations for the Special Education program, highlighting best practices noted during the audit. Table 2 lists the 21 audit recommendations in the order they appear in the report, along with a priority level recommended by the audit team.

Table 2. Audit Report Recommendations and Priority Level

No.	Priority	Recommendation
1	Medium	Review and update all job descriptions to ensure that they accurately reflect assigned roles, responsibilities, reporting relationships, and position qualifications.
2	Low	Consider strategies to reduce the number of paraprofessionals in resource, inclusion and co-teach settings in favor of certified teachers.
3	High	Continue to pursue innovative recruiting, hiring and retention strategies for related service providers, as the short- and long-term need for these positions is increasing rapidly.
4	Medium	Make CCC and ARD Facilitator positions itinerant and deploy them to schools based on the number of program students or other workload indicators; re-evaluate the assigned responsibilities for these positions.
5	Medium	Monitor the efficacy of Project Read and make adjustments each school year based on the data.
6	High	Conduct a comprehensive analysis of policies, procedures, and practices focused on research-based approaches such as RtI, Positive Behavior Supports, multi-tiered systems of support, culturally responsive teaching and assessments, and family and community involvement.
7	Medium	Continue with current plans to redesign RtI processes and provide additional targeted supports to schools that need it.
8	High	Secure additional staff or services to ensure that direct services are provided in accordance with student IEPs and reevaluations occur within the required three-year time limitation.
9	Medium	Establish minimum and maximum class size thresholds for the establishment or continuation of a specialized program on a campus.
10	High	Provide more guidance and support to schools, which may include additional staffing resources, in order to implement the co-teach model with fidelity.

No.	Priority	Recommendation
11	Low	Establish clear expectations regarding PBIS to enhance the model's usage in all schools and to serve as a first line of defense for addressing behavior issues.
12	Medium	Ensure that the behavior intervention plans include all of the essential components for a high-quality plan and that processes are in place to effectively progress monitor student behaviors.
13	High	Implement effective strategies to address the disproportionate number of special education students discretionarily placed in ISS and OSS.
14	Medium	Ensure that all specialized programs are supported with an aligned curriculum and implemented with fidelity.
15	Medium	Accelerate the use of digital teaching and learning to differentiate instruction and personalize learning for students with disabilities.
16	Low	Consider higher-tech assistive technology devices for students with disabilities.
17	Medium	Improve IEP quality through enhanced training and monitoring.
18	Medium	Encourage student independence by ensuring that IEPs include a plan to fade the levels of support, when appropriate.
19	Medium	Ensure that ARD committees fully consider eligible students for ESYs and adhere to the process outlined in the Department's Handbook.
20	Medium	Implement strategies to address the root causes of high special education teacher turnover in some schools and in specialized programs.
21	High	Increase attendance at Special Education trainings that meet specified needs.

The remainder of this report is organized into the following chapters:

- Chapter 2 – Special Education Legal and Policy Framework
- Chapter 3 – Department Organization and Program Management
- Chapter 4 – Student Identification, Evaluation, and Placement
- Chapter 5 – Program Service Delivery and Instructional Practices
- Chapter 6 – Individualized Education Program Audit Testing

Chapter 2 – Special Education Legal and Policy Framework

This section provides an overview of the special education legal and policy framework and is presented to provide legal context for this audit.

Federal Legislation

- **IDEA (2004):** The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities. Infants and toddlers with disabilities (birth-2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B. There are six major principles of IDEA:¹
 - **Zero Reject:** Schools must educate all students with disabilities and public schools may not exclude students with disabilities, regardless of the nature or severity of their disabilities. *Child Find* is the term used for the requirement that school districts take responsibility for identifying and evaluating all children, from birth to 21, who are suspected of having a disability.
 - **Free Appropriate Public Education (FAPE):** All children with disabilities, regardless of the type or severity of disability, have a right to a free and appropriate public education, and must be provided at public expense. An important part of the FAPE requirement is an Individualized Education Program (IEP) for each student. The IEP must articulate the student’s unique needs, present levels of performance, measurable goals and objectives, and a description of the special education and related services that will be provided so that the child can meet his or her goals and learning objectives.
 - **Least Restrictive Environment (LRE):** The IDEA requires that students with disabilities be educated alongside children without disabilities to the maximum extent possible. Students with disabilities can be removed to separate classes or schools only when their disabilities are so severe that they cannot receive an appropriate education in general education classrooms with supplementary aids and services. The IDEA favors inclusion into general education and requires that a student’s IEP justify the extent to which the student will not participate with their non-disabled peers in the general education curriculum, extracurricular activities, and other non-academic activities like recess, lunch,

¹ Individuals with Disabilities Education Act (IDEA), Section 300.39

and transportation. To ensure placement in the least restrictive environment, districts must provide a continuum of placement and service options.

- **Nondiscriminatory Identification and Evaluation:** For students to receive special education services, the answers to both parts of a two-part question must be “yes”. The first part of the question is “Does the student have a disability?” and the second part of the question is, “Does the student require specially designed instruction due to that disability?” When assessing students to determine the presence of a disability, schools must use non-biased, non-discriminatory, multi-factored evaluation methods. Evaluations may not discriminate on the basis of race, ethnicity, culture, or native language. All tests must be given in the student’s native language and placement decisions may not be made on the basis of any single test score.
- **Due Process Safeguards:** Schools must provide due process safeguards to students with disabilities and their parents. One key safeguard is the requirement that school districts must obtain parental consent for evaluations and placement decisions. School districts must also maintain confidentiality of students’ records. If parents disagree with the results of an evaluation performed by the district, they can request an independent evaluation at public expense. Parents have the right to request a due process hearing, usually preceded by mediation, if they disagree with the district’s actions related to the identification, placement, related services, evaluation, or the provision of FAPE.
- **Parent and Student Participation and Shared Decision Making:** Parents’ input and desires must be considered when districts write IEP goals, related service needs, and placement decisions. In addition, schools are required to collaborate with parents and students with disabilities when designing and implementing special education services.
- **Every Student Succeeds Act (ESSA):** The December 2015 reauthorization of the No Child Left Behind (NCLB) Act passed in 2001 also impacts students with disabilities in public schools. While ESSA was not aimed specifically at special education, it does address issues related to students with disabilities. Some of the key provisions in ESSA call for:
 - The same challenging academic content and achievement standards for all students, including students with disabilities
 - Annual assessments for all students aligned to standards
 - Appropriate accommodations for students with disabilities
 - Alternate assessments for students with the most significant disabilities
 - Measures of interim progress toward longer term goals

Public school teachers, including those who teach students with disabilities, are required to meet standards in order to be considered “highly qualified.” Special education teachers must have a

bachelor’s degree or higher, state teaching certification, and be able to demonstrate competency in the core academic subjects they teach. The IDEA (2004) also added another requirement for special education teachers: their certification must include “...appropriate special education certification.” The exact qualifications vary depending on teaching level and whether a teacher is the “teacher of record” for a student.

- **Section 504 of the Rehabilitation Act of 1973:** Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements apply to employers and organizations that receive financial assistance from any federal department of agency. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. Under this law, individuals with disabilities are defined as persons with a physical or mental impairment which substantially limits one of more major life activities. Major life activities include caring for one’s self, walking, seeing, hearing, speaking, breathing, working performing manual tasks, and learning.²

Fort Bend ISD Board Policy Framework

There are eight major Fort Bend ISD board policies related to special education services. “Legal” policies contain compilations of federal law, state law, and court decisions as statutory context in which all other policies are to be read. “Local” policies reflect policies adopted by the Fort Bend ISD Board; there currently no local board policies related to special education services or students. All board policies are in the online Board Policy Manual on the district’s web site at: <http://pol.tasb.org/Home/Index/483>.

1. **Policy EHBA (LEGAL):** Describes the provision of services to special education, and covers the topics of nondiscrimination, Free and Appropriate Education (FAPE), Least Restrictive Environment (LRE), discipline, instructional arrangements and settings, other program options, shared services arrangements, related services definitions, and extended school year services.
2. **Policy EHBAA (LEGAL):** Outlines the district’s requirements as it relates to the identification and evaluation, and eligibility of all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services.
3. **Policy EHBAB (LEGAL):** Requires the establishment of the Admission, Review and Dismissal (ARD) Committee and the individualized education program.
4. **Policy EHBAC (LEGAL):** Addresses the provision of services to students in non-district placements.
5. **Policy EHBAD (LEGAL):** Provides a definition of transition services and requirements for individualized transition planning.

² <http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>

6. **Policy EHBAE (LEGAL):** Requires the district to establish and maintain procedures to ensure children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of FAPE.
7. **Policy EHBAF (LEGAL):** Outlines policy related to the video and audio monitoring of special education students and specifies that parental consent is not required if the video-tape or voice recording is to be used for a purpose related to the promotion of student safety.
8. **Policy FOF (LEGAL):** Policy regarding discipline and placement in a Disciplinary Alternative Education Placement (DAEP) for students with disabilities.

Special Education Terms

Like many academic programs, the special education program uses several terms that may not be familiar to many readers of this report. Below are definitions of these terms.

- **Admission, Review, and Dismissal (ARD)** – a committee established for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted.
- **Behavioral Intervention Plan (BIP)** – a written plan of action for improving difficult behavior that is inhibiting a student’s academic success.
- **Eligibility** – a student is eligible to participate in the district’s special education program if the student is between the ages of 3 and 21 and: 1) the student has one or more of the disabilities listed in federal regulations, state law, or both; and 2) The student’s disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.
- **Functional Behavior Assessment (FBA)** – is a result-oriented process that explicitly identifies problem behaviors, the specific actions that reliably predict the occurrence and non-occurrence of problem behaviors, and how the behaviors may change across time.
- **Individuals with Disabilities Education Act (IDEA)** – the primary federal law governing special education programs in the U.S.
- **Individualized Education Program (IEP)** – documented statement of the educational program designed to meet each special education student’s individual needs.
- **Performance-Based Monitoring Analysis System (PBMAS)** – an automated data system that annually reports on the performance of school districts and charter schools in selected program areas, including special education (Texas Education Agency).

- **Related Services** – transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.
- **Response to Intervention (Rti)** – high-quality instruction and interventions for students’ needs, monitoring of student progress to identify necessary changes in instruction or goals, and application of child response data when making educational decisions.
- **Special Education Students (SPED)** – students receiving special education program services.
- **State of Texas Assessments of Academic Readiness (STAAR)** – state-mandated standardized tests used in Texas primary and secondary public schools to assess students’ knowledge and achievements in each grade level.
- **Students with Disabilities (SWD)** – students with some physical or mental impairment that substantially limits major life activities.

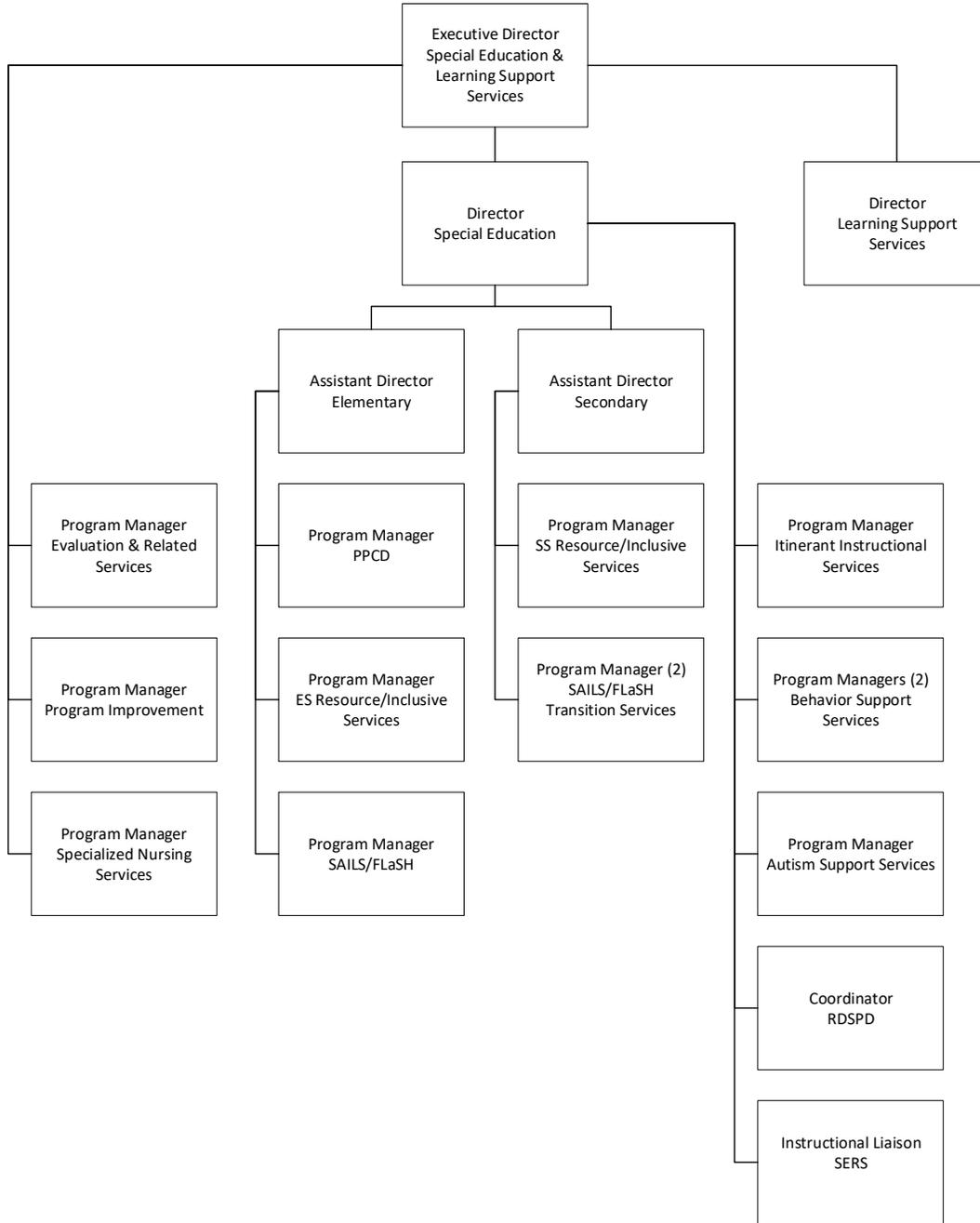
Chapter 3 – Department Organization and Program Management

Organizational Structure

The Fort Bend ISD Special Education Department (the Department) is located at the M.R. Wood Center for Learning, which is a stand-alone facility approximately four miles from the district's central administration building. The Special Education Department is led by an Executive Director of Special Education and Learning Support Services and a Director of Special Education who are responsible for directing and managing all aspects of special education programs and services to meet students' needs, and for ensuring compliance with all federal, state and local legal mandates, rules and regulations that govern the provision of services for students with disabilities. They are supported by two Assistant Directors of Elementary and Secondary Education, 12 Program Managers, one RDSPD Coordinator, and one SERS Liaison. The Director of Learning Support Services, who reports to the Executive Director, is responsible for the oversight and management of the following programs and services: Dyslexia/504, PBIS and Restorative Discipline, school health services, social workers, and summer school programming.

Figure 1 provides a high-level overview of the Department's organizational structure (note that it illustrates only those positions that report directly to the Executive Director and Director).

Figure 1. Special Education Department Organizational Structure, 2017



Source: Fort Bend ISD.

Commendation 1: The Special Education Department organizational structure appears to provide effective oversight and management of program resources.

In response to a long history of non-compliance, the Special Education Department was reorganized during the 2015-16 school year. With the reorganization, the Department had a unique opportunity to reshape its workforce and approximately 60 percent of staff were replaced. The reorganization included the elimination of the Special Education Coordinators, Special Education Facilitators, and Employment Specialists/Vocational Adjustment Coordinators (VAC) positions. Many new positions were created, such as Program Managers and Specialists, which included newly-redefined roles and responsibilities that are more specific to the students and staff members those positions serve. These organizational changes facilitated better coordination and collaboration between the Special Education and Teaching and Learning Departments. For example, the two departments are collaborating on curriculum revisions and the addition of exemplars, which is discussed in more detail in *Chapter 5 – Program Service Delivery and Instructional Practices*.

There are many ways special education departments can be structured as there are many programmatic elements that need to be considered, such as student disability types and specialization, program type or instructional setting, school level and/or feeder patterns, and function (e.g., administration, support services, professional development). FBISD's Special Education Department's current organizational structure was evaluated by the audit team in terms of logical alignment of functions (i.e., grouping of similar or related functions), spans of control (i.e., number of positions reporting to a supervisor), and ability to support effective communication and accountability. Based on these criteria, the Department's overall organizational structure appears to provide effective oversight and management of program resources and feedback during interviews with department staff and other stakeholders support this conclusion.

The Department is planning additional changes to the organizational structure, including:

- Changing the Executive Director of Special Education and Learning Support Services position title to Executive Director of Student Support and changing the division name accordingly. The audit team supports the rationale for the name change as it better communicates a shared ownership and responsibility for all students.
- Merging the Pregnancy Education Program (PEP) with the Pregnancy and Related Services (PRS) program to reduce duplication of services and increase collaboration with the district's social workers.
- Moving the responsibilities of Homebound Instruction and the PRS program currently organized under the Itinerant Instructional Services Program Manager to the Program Manager of Supplemental Nursing/School Health Services, whose job description requires a Registered Nurse licensure. Because Homebound services require a medical doctor to sign off on the recommendation, the Program Manager of Supplemental Nursing/School Health Services will better facilitate the process of communication with doctors and ultimately process homebound

requests more efficiently. The position will maintain responsibilities of special education supplemental nursing. Another rationale for the change is focused on reducing the span of control of the Itinerant Services Program Manager, who also oversees the Visually Impaired (VI), Orientation and Mobility (O&M), and Adaptive Physical Education (AdPE) programs. Even though the PRS program provides Homebound instruction and coordinates prenatal and postpartum counseling and support services to both general education and special education eligible students, the staffing efficiencies that can be achieved by keeping these programs together outweigh other organizational considerations.

- Adding another Special Education Program Manager and/or Program Specialist to support the increasing needs in the Behavior Support Services program

Finding 1: Not all job descriptions are up-to-date and accurately reflect current reporting relationships and responsibilities.

The audit team reviewed 64 job descriptions within the Division of Special Education and Learning Support Services and found that 34 (or 53%) had not been revised since 2013. Of these, 3 were last revised in 2012, 2 were last revised in 2011, and 1 was last revised in 2010; 24 did not indicate a revision date. Interviews with Department staff further suggest that some essential duties and responsibilities articulated in job descriptions do not accurately reflect their current roles and responsibilities. For example, oversight and management of occupational therapy (OT)/physical therapy (PT) and music therapy (MT) is not referenced on the Itinerant Services Program Manager job description, although it is now a responsibility of this position.

Recommendation 1: Review and update all job descriptions to ensure that they accurately reflect assigned roles, responsibilities, reporting relationships, and position qualifications.

Given the relatively recent organizational changes, it is understandable that not all job descriptions are current. However, updated job descriptions are essential for ensuring that both supervisors and staff understand the essential knowledge, skills, abilities, responsibilities, and reporting structure for their position. It is also necessary for recruiting and hiring, conducting performance evaluations, determining ADA (Americans with Disabilities Act) accommodations, and mitigating employee complaints related to compensation or EEOC charges, among other things. FBISD should establish a plan to review and revise job descriptions every three years, or more often and as needed when working conditions change.

The Executive Director reports that the Department is currently working with the Human Resources Department to update all job descriptions to adhere to the newly adopted format. The Department is also in the process of developing program-specific job descriptions for teachers and paraprofessionals.

Management Response: *Management agrees with this recommendation. By December, 2018, Special Education will work with Human Resources to modify job descriptions to accurately reflect current reporting relationships and responsibilities.*

Staffing

Special education program staffing includes central office and campus-based staffing. Some positions, such as special education teachers and paraprofessionals are not assigned to the special education central office organization code, but to a campus organization code. The link for special education budgeting is through a separate program intent code (code 23). The Department is currently staffed with 1,490.2 full-time equivalent (FTE) staff, including both central office and school-based positions (see Table 3).

Table 3. FBISD Special Education FTEs, 2017-18

Position Type	Total FTEs
Department Leadership	4
Program Manager/Coordinator	13
Administrative Support/Clerical	15
Program Specialist	23
ARD Facilitator	25
Campus Compliance Coordinator	50
Bus Driver*	61
Evaluation and Related Service Provider	200.2
Teacher	492
Aide	607
Total Program FTEs	1,490.2

Source: FBISD Special Education Department, SPED Roster as of 11.15.17.xlsx.

Note: *Bus Drivers are included in the Special Education budget but management and oversight of these positions is the responsibility of the Transportation Department.

Overall, total program staff increased relative to the number of special education students from 2012-13 to 2015-16 (declining student-staff ratio), then decreased relative to the number of special education students from 2015-16 to 2017-18 (increasing student-staff ratio) (see Table 4).

Table 4. FBISD Special Education Program FTE, 2012-13 to 2017-18

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
SPED Students	4,478	4,530	4,571	4,675	5,101	5,901
Total Program FTEs	1,024.9	1,099.2	1,191.0	1,223.1	1,310.1	1,490.2
Student-Program Staff Ratio	4.4	4.1	3.8	3.8	3.9	4.0

Source: FBISD Special Education Department, SPED Roster as of 11.15.17.xlsx.

Commendation 2: The Department is in the process of implementing a student-centered approach to staffing, which allocates teacher and paraprofessional positions to schools based on the support needs of individual students.

During the 2015-16 school year the Department began working with an outside consulting firm to implement a student-centered staffing and scheduling process to assist in determining staffing levels for the special education program. Unlike formula-driven allocations, this approach is best practice because it ensures that staffing levels are derived from individual student needs and that services and supports for students with disabilities are equitable. The process begins by reviewing the individual needs of students receiving special education services, discussing their current needs and progress, and then making recommendations for their instructional setting and supports for the upcoming school year and/or Admission, Review, Dismissal (ARD) meeting.³ The approach is principled in effective inclusionary practices, such as co-teaching. The individual needs of students are then aggregated to determine school-level staffing requirements.

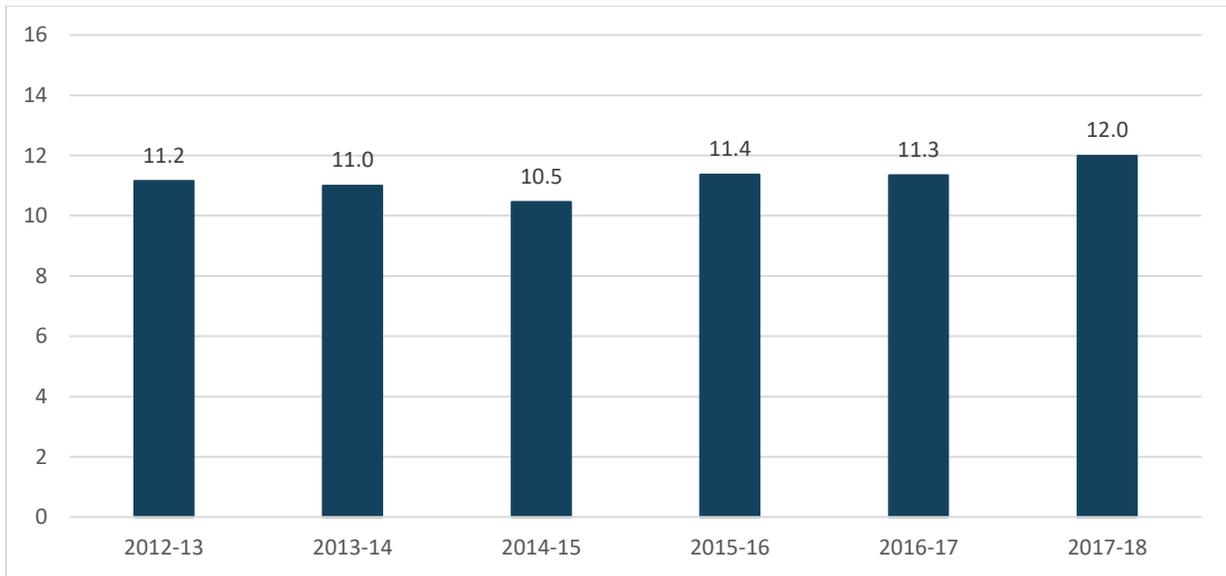
Although not yet implemented with fidelity, the Department conducts monthly staff and student counts and works with school administrators, Campus Compliance Coordinators, and ARD Facilitators to monitor and adjust staffing allocations when needed. School administrators continue to receive training on the student-centered decision-making process.

Finding 2: The special education student-teacher ratio increased slightly over the past three years, indicating that the increase in the number of teachers is not quite keeping pace with the increase in the number of students with disabilities.

Figure 2 provides a six-year summary of student-teacher ratios in Fort Bend ISD. Over this time period, the total number of teachers increased 22.4 percent (from 402 FTE to 492 FTE) and the total number of special education students increased 31.7 percent (from 4,479 to 5,901).

³ Special Education: A Redesign of Services; Strategic Plan Recommendation Update, February 2016.

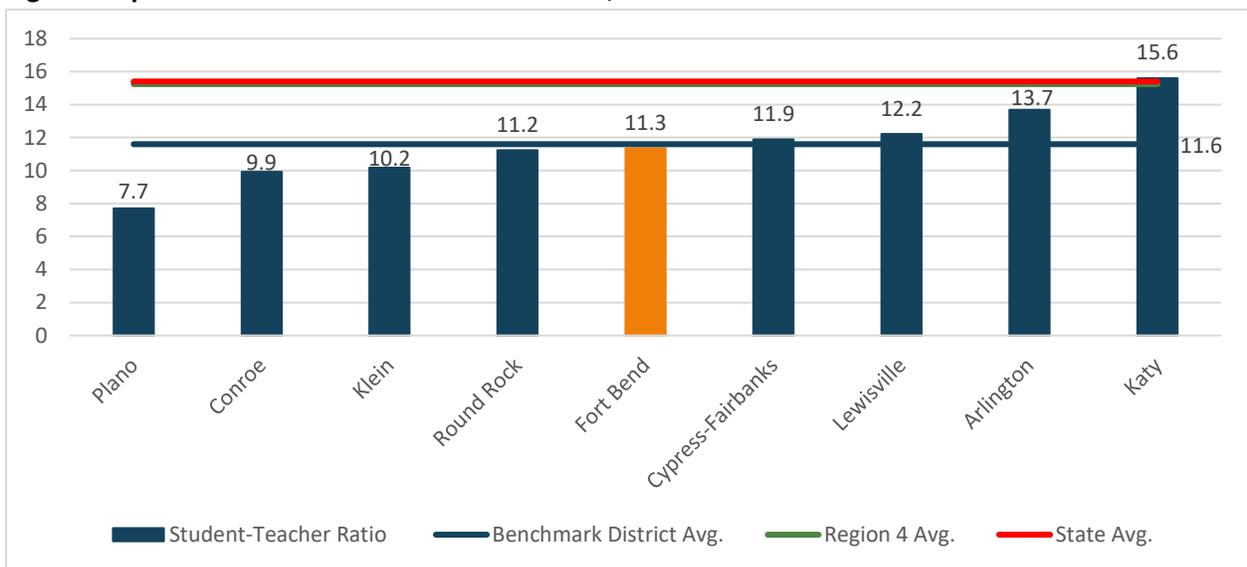
Figure 2. FBISD Special Education Student-Teacher Ratio, 2012-13 to 2017-18



Source: Fort Bend ISD.

FBISD’s 2016-17 student-teacher ratio is in line with the benchmark district average (11.6). However, the District’s student-teacher ratio of 11.3 is well below the region (15.2) and state averages (15.4), indicating that it has more special education teachers relative the number of special education students than most other districts.

Figure 3. Special Education Student-Teacher Ratio, 2016-17



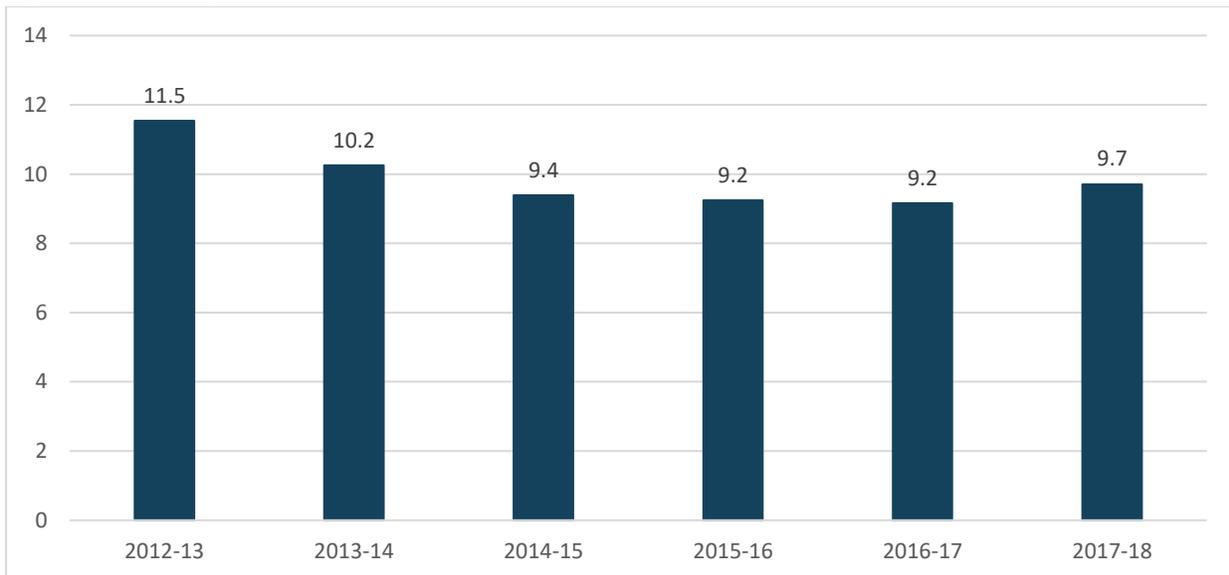
Source: 2016-17 Texas Academic Performance Report (TAPR), TEA website and Fort Bend ISD.

Finding 3: FBISD has a high number of special education paraprofessionals assigned to resource, inclusion, and co-teach settings.

The reliance on paraprofessionals is not an uncommon practice in many school districts, as paraprofessionals typically cost about one-half that of a certified teacher. However, much of the research suggests that paraprofessionals have little, if any, positive impact on improving outcomes for students with disabilities.⁴ In fact, there are significant concerns, based on research, that current use of paraprofessionals can decrease a student's access to certified teachers as well as the student's level of engagement in the classroom. The use of a paraprofessional also can decrease the general education teacher's level of engagement with the student when mainstreamed.⁵ For these reasons, the special education student-aid ratio and the teacher-aid ratio are important metrics to consider when evaluating program staffing.

The special education student-aid ratio in FBISD steadily decreased over a five-year period from 11.5 in 2012-13 to 9.2 in 2016-17, indicating an increased level of staffing relative to the number of students. In 2017-18, the ratio increased slightly to 9.7 possibly reflecting a deliberate effort by program management to reduce the reliance on paraprofessionals as part of the student-centered staffing initiative discussed previously.

Figure 4. FBISD Special Education Student-Aide Ratio, 2012-13 to 2017-18



Source: Fort Bend ISD.

FBISD currently has an overall special education teacher-aid ratio of 0.8, indicating that there are 20 percent more special education aides than teachers overall. The audit team evaluated the teacher-aid ratio by instructional setting and found that the teacher-aid ratio for resource/inclusion/co-teaching is

⁴ <http://journals.sagepub.com/doi/abs/10.3102/01623737023002123>

⁵ *The Who, What and How of Paraprofessionals: Using These Instructional Supports Effectively*, Katie Bass, Autism Society.

1.1 and the teacher-aide ratio for specialized programs is 0.7.⁶ Although these figures are more favorable (i.e., it is expected that more aides would be in specialized settings), the District's total special education instructional staff is more heavily weighted toward paraprofessionals than certified teachers, which is not best practice.

Recommendation 2: Consider strategies to reduce the number of paraprofessionals in resource, inclusion and co-teach settings in favor of certified teachers.

If the goal is to improve student performance, then the district must reduce its reliance on paraprofessionals in the general education classroom and in resource settings. And at a very minimum, the district should ensure that both general and special education teachers are adequately prepared to supervise the paraprofessionals in their classroom. Specific strategies that should be pursued (or improved) include:

- Improve Tier I instructional practices for general education teachers and provide them with training and support for implementing accommodations and modifications to the curriculum.
- Expand the inclusion of exemplars in Schoology.
- Increase the use of blended learning opportunities to better differentiate instruction for students with disabilities.
- Provide digital content for the general education classrooms that allows for differentiation of instruction for students with disabilities (e.g., subject matter content written at the students' Lexile reading level, writing frameworks, and math scaffolded practice).
- Ensure that student IEPs include a plan to fade the level of support for students over time, when appropriate.

Management Response: *Management agrees with the recommendation. The Department has increased partnerships with the Teaching and Learning Department resulting in expanded instructional resources and shared responsibly to better equip all teachers with instructional practices. By August 15, 2018, all teachers will attend a seven-hour training focused on improved Tier I instructional practices, Child Find, as well as specifics on how to utilize new special education exemplars in Schoology. In addition, the Department will input exemplars in all core content areas in Schoology by August 2018. During the 2018-2019 school year, the Department will provide monthly trainings to the campus-based special education leaders regarding the student-centered staffing process with the goal of increasing collaboration at the campus level between general education and special education teachers to increase their knowledge and abilities to design lessons, and accommodate and modify according to student needs. The Department will continue to utilize the student-centered staffing process to ensure appropriate staffing is provided based on student need as well as continue efforts to reduce the reliance on paraprofessionals.*

⁶ Analysis excludes 23 one-to-one aides.

Finding 4: Average caseloads for evaluation staff and some other related service providers have been unbalanced and historically high, which has resulted in some services to students being delayed.

Determining the appropriate caseloads of evaluation staff and other related service providers must consider such factors as the intensity of direct and indirect services provided (in terms of IEP minutes); number of campuses served and their geographic proximity; and, the number of ARD meetings, screenings and evaluations, just to name a few. For these reasons, it is difficult to set a standard on what a recommended average caseload should be for these types of positions.

However, staffing guidelines and caseload data provided by the Department shows that average caseloads for these positions have been historically high and uneven amongst positions. Table 5 shows the average number of students (not caseload) per Licensed Specialists in School Psychology (LSSP) and Speech Language Pathologist (SLP).

Table 5. Related Service Provider FTE and Staffing Ratios, 2012-13 to 2017-18

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
SPED Students	4,478	4,530	4,571	4,675	5,101	5,901
LSSP	n/a	n/a	n/a	n/a	34.0	38.6
Student LSSP Ratio	-	-	-	-	150.0	152.9
SLP FTE	27.8	33.8	35.0	43.2	49.2	61.6
Student-SLP Ratio	161.0	133.9	130.5	108.2	103.7	95.8

Source: FBISD Special Education Department, SPED Roster as of 11.15.17.xlxs.

Other related service providers that report high and/or uneven workloads include:

- Occupational therapists – Average caseloads range from 29 to 67 and weekly hours range from 40 to 45.
- Vision teachers – Average caseloads range from 30 to 40 and weekly hours range from 40 to 55.
- Adaptive PE teachers - Average caseloads range from 66 to 72 and weekly hours range from 43 to 45.

Recommendation 3: Continue to pursue innovative recruiting, hiring and retention strategies for related service providers, as the short- and long-term need for these positions is increasing rapidly.

In collaboration with the Human Resources Department, the District has implemented some innovative practices and has made some progress in recruiting and hiring for service provider positions. For example, to address the shortage of LSSPs, FBISD implemented signing and retention bonuses, has contracted with outside specialists, and has hired LSSP interns. Nonetheless, the need still exists for additional staff in this area and others, especially given the increased focused on Child Find activities.

Management Response: *Management agrees with the recommendation. The Department reviews caseloads among the evaluation and related services staff on a quarterly basis to determine equitable caseloads. The Board of Trustees approved additional positions in the evaluation and vision area for the 2018-2019 school year and the Department will continue to monitor caseloads on a quarterly basis as the overall number of students served with special education increases to determine the need for additional FTEs in these areas. In response to Recommendation 3, regarding innovative hiring and retention strategies, the Department has had success with the signing and retention bonuses and will continue to seek similar strategies to attract quality candidates.*

Finding 5: Fixed 1.0 FTE allocations and differences in assigned responsibilities of Campus Compliance Coordinator and ARD Facilitator positions results in workload inequities and an inefficient use of staffing resources across campuses.

Campus Compliance Coordinators (CCC) are responsible for providing leadership to elementary campuses for compliance and coordination of special education, Section 504, Rtl, and national and state testing programs. Every elementary school campus is allocated 1.0 FTE Campus Compliance Coordinator position regardless of the number of special education, 504 or Rtl students on their campus. This is an inefficient use of staffing resources as it results in workload inequities across elementary campuses. As an example, elementary school total enrollment ranges from 397 at Hunters Glen Elementary to 1,258 at Jan Schiff Elementary.

Similarly, ARD Facilitators are responsible for implementing and ensuring compliance with all legal requirements of the ARD/IEP process. This includes working collaboratively with the Special Education Department, campus staff, and parents to coordinate, plan, and facilitate ARD meetings. The ARD Facilitator is also responsible for collecting required documentation from various staff members in order to prepare the ARD document to make informed decisions for students receiving special education services. Every secondary school campus is allocated 1.0 FTE ARD Facilitator position, again, regardless of the number of special education program students on their campus.

Further, there are also staffing inequities across school levels, particularly when comparing staffing at large elementary schools to smaller secondary schools. For example, CCC positions are responsible for compliance and coordination of special education, Section 504, Rtl, and national and state testing programs, as described previously. In larger elementary schools, this is a significant workload. At the secondary level, alternatively, these functions are performed by several positions, including an ARD facilitator, 504 coordinator, and a testing coordinator. Small secondary schools may be overstaffed and large elementary schools may be understaffed with respect to the CCC and ARD Facilitator positions.

Recommendation 4: Make CCC and ARD Facilitator positions itinerant and deploy them to schools based on the number of program students or other workload indicators; re-evaluate the assigned responsibilities for these positions.

An itinerant staffing model for these positions would allow resources to be used flexibly across schools so that staffing levels are commensurate with individual school needs and could be adjusted as workload

fluctuates (e.g., during testing at elementary schools). Based on feedback from these employee groups during focus groups, the district should also re-evaluate the assigned responsibilities for all of these positions (i.e., CCC, ARD facilitator, 504 coordinator, testing coordinator) to reduce workload inequities and maximize the efficient use of resources across all schools.

Management Response: *Management agrees with the recommendation. By December 2018, the Department will review the job descriptions and assigned responsibilities for the Campus Compliance Coordinator and ARD Facilitator to consider utilizing an itinerant staffing model for the 2019-2020 school year.*

Program Management and Compliance

School districts in Texas are monitored by the Texas Education Agency (TEA) for their special education program and services and are held accountable when they are not implemented according to federal and state requirements. The TEA's primary method of monitoring a district's performance is through data collection and sampling using the Performance-Based Monitoring Analysis System (PBMAS) as the primary evaluation tool. Districts are assigned performance levels based on their comparison to targets or ratios on specific indicators in the special education portion of the system. These performance levels are analyzed and districts can compare their indicators to peer districts and also track their performance over time.

PBMAS has 16 performance indicators relating to various aspects of students with disabilities and program performance. A performance level of "0" is the highest performing designation for any indicator while a performance level of "4" is the lowest performing designation. The total performance level aggregate results in one of the following four determination statuses: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. The performance level determination, in turn, results in a range of TEA enforcement actions ranging from providing technical assistance (for Needs Assistance) to withholding funds and referring the district to legal authorities (for Needs Substantial Intervention).⁷ In 2016-17, FBISD's special education program determination status in was "Meets Requirements."⁸

Commendation 3: *Special Education School Report Cards are reviewed with school administrators every nine weeks to promote compliance and accountability.*

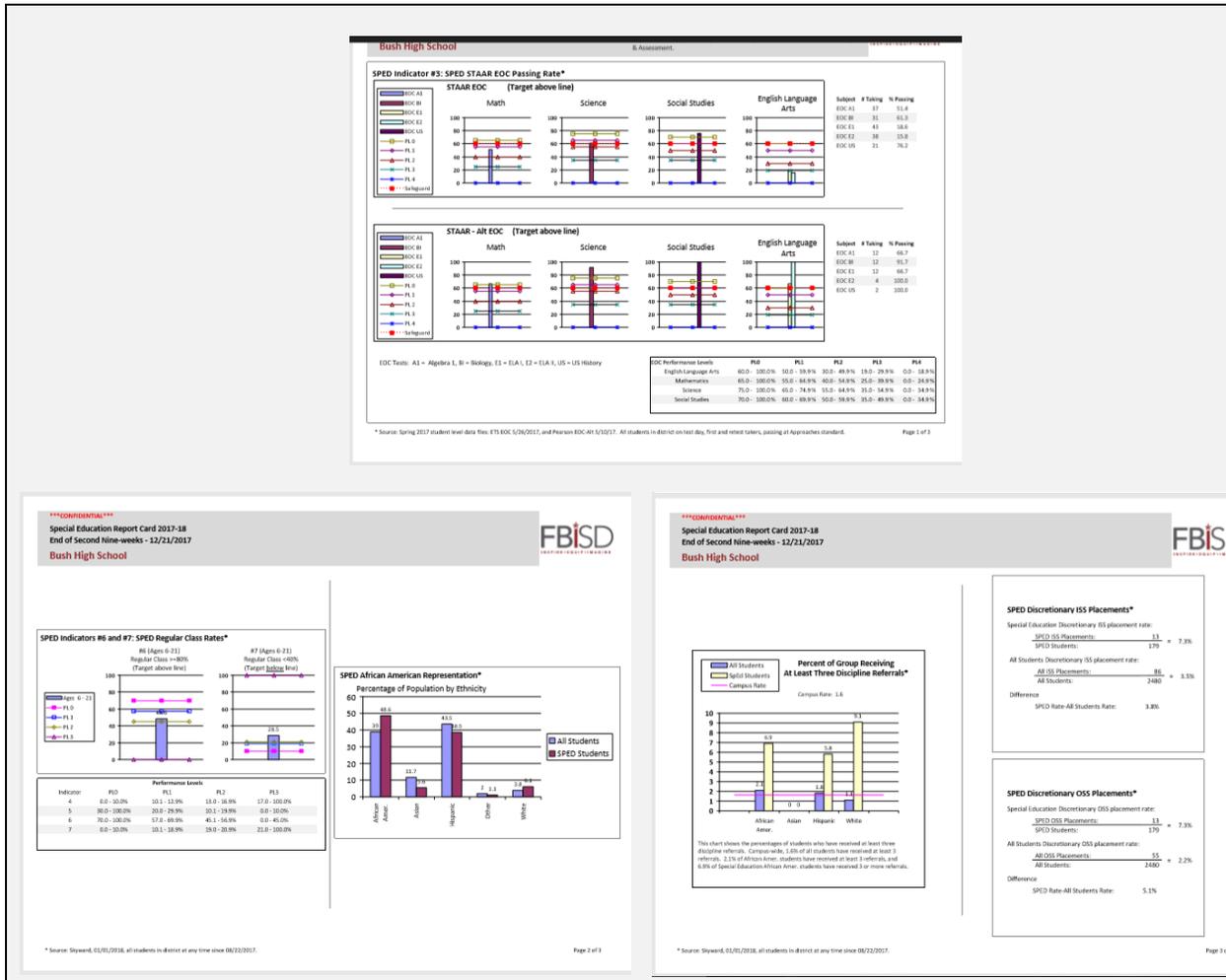
The FBISD Departments of Special Education and Accountability and Assessment create campus-specific Special Education Report Cards that includes current special education data related to basic PBMAS performance levels for critical indicators.

The report cards are reviewed with campus administrators every nine weeks as part of the overall campus coordinated support plan. FBISD may wish to consider adding Renaissance 360 growth measures to the report card in order to provide formative data that could inform instructional decisions.

⁷ <http://tea.texas.gov/pbm/PBMASManuals.aspx>

⁸ 2017 TAPR report.

Figure 5. Special Education School Report Card (Excerpt)



Source: FBISD Special Education Department.

Finding 6: The state’s 2016-17 PBMAS accountability report identified seven areas that are in need of improvement with regard to special education students.

Areas for improvement (level 2 and 3) related to academic measures include:

1. STAAR 3-8 Passing Rate, Social Studies and Writing – Level 3
2. STAAR 3-8 Passing Rate, Math, Reading, and Science – Level 2
3. STAAR EOC Passing Rate, ELA – Level 3
4. STAAR EOC Passing Rate, Math and Science – Level 2
5. STAAR Alt 2 Participation Rate – Level 2

Areas for improvement related to LRE include:

1. SPED Regular Class \geq 80% Rate (Ages 6-21) – Level 2
2. SPED Regular Class $<$ 40% Rate (Ages 6-21) – Level 3

Tables 6 and 7 compare passing rates for FBISD special education students to the PBMAS standard for 2015-16 and 2016-17. In Grades 3 – 8, the district scored 2's in Reading, Math and Science, and scored 3's in Writing and Social Studies.

Table 6. Special Education STAAR Combined 3-8 Passing Rates – PBMAS Indicator 1, 2015-16 and 2016-17

Content Area	PBMAS Standard	2015-16		2016-17	
		District Rate	Performance Level	District Rate	Performance Level
Reading	70	40.5	2	43.7	2
Math	70	41.3	2	47.8	2
Writing	70	30.2	3	35.5	3
Science	65	43.1	2	41.6	2
Social Studies	65	37.9	3	35.7	3

Source: Texas Education Agency, PBMAS reports.

On the end-of-course (EOC) assessments, the overall student performance rating improved in every subject except English Language Arts (ELA), which remained at a 3.

Table 7. Special Education STAAR EOC Passing Rates – PBMAS Indicator 3, 2015-16 and 2016-17

Content Area	PBMAS Standard	2015-16		2016-17	
		District Rate	Performance Level	District Rate	Performance Level
ELA	60	26.6	3	29.7	3
Math	65	34	3	41.7	2
Science	75	54.5	3	58.2	2
Social Studies	70	56.7	2	61.6	1

Source: Texas Education Agency, PBMAS reports.

Recommendation 5: Monitor the efficacy of Project Read and make adjustments each school year based on the data.

Comprehensive training and materials should be provided to special education teachers providing instruction for students with significant reading disorders. In 2016-17, the Department implemented a focused reading initiative by purchasing Project Read, an Orton-Gillingham teaching approach intended primarily for use with students who have difficulty with reading, spelling, and writing of the sort associated with Dyslexia and other reading disorders. To impact not only ELA outcomes but also all the other content

areas, reading in the content areas needs to be emphasized. Campus administrators should develop plans to engage *all* teachers in the school in the teaching of reading and writing.

Management Response: *Management agrees with the recommendation. Beginning in the 2016-2017 school year, the Department implemented a focused reading initiative by purchasing Project Read, an Orton-Gillingham teaching approach intended primarily for use with students who have difficulty with reading, spelling, and writing of the sort associated with Dyslexia and other reading disorders. The Project Read implementation is being monitored closely to ensure fidelity with the program. By July 2019, the Department will conduct a program review of the Project Read implementation to determine effectiveness and continued action plans as this will be the third year of implementation and progress should be evident.*

Commendation 4: *The Department conducts program evaluations to identify opportunities for improving program efficiencies and services to students.*

In collaboration with external organizations, the Department recently conducted (or is in the process of conducting) several program evaluations to identify opportunities for improving program efficiencies and services to students. These include:

- An evaluation of the OT/PT program;
- An evaluation of the VI program in collaboration with the Texas School for the Blind and Region 4 Educational Service Center (ESC);
- Participation in a peer review every few years for the RDSPD program through the Region 4 ESC RDSPD; and,
- An evaluation of the effects of the recently implemented co-teach model on student performance.

Commendation 5: *The Department has made significant progress in implementing many of the recommendations outlined in the 2015 A Redesign of Services Strategic Plan.*

In 2015, the Department conducted an internal review of special education services that focused on identification of processes and procedures, delivery of services, and discipline and behavior management practices utilized for students receiving special education services. This in-depth review culminated into a departmental strategic plan, titled *A Redesign of Services*, that included nine priority goals and recommended pathways to accomplishing those goals. They include:

- Goal 1: A district-wide system of multi-tiered academic and behavior supports
- Goal 2: A full array of quality services that are equitably distributed
- Goal 3: Instructional quality that narrow the achievement gap
- Goal 4: Proactive and responsive behavioral support systems

- Goal 5: Individualized inclusive practices that result in access and equity
- Goal 6: Valued parent-school partnerships with high levels of involvement and mutual support and respect
- Goal 7: A student-centered staffing and scheduling process
- Goal 8: Accountability for effective and efficient use of personnel providing services to students with disabilities
- Goal 9: Compliant practices and streamlined paperwork

In 2016, the Department conducted a follow-up study to assess progress on the recommended goals. The results of that study indicated significant areas of progress, many of which were also evidenced during the course of this audit.

Parent Involvement and Satisfaction

IDEA requires that parents' input and desires must be considered when districts write IEP goals, related service needs, and placement decisions. In addition, schools are required to collaborate with parents and students with disabilities when designing and implementing special education services. For this reason, it is important to examine the District's efforts to increase parent involvement and assess their overall satisfaction with special education program services.

Commendation 6: FBISD has a low number of mediations and due process hearings.

IEP due process is protected under IDEA and provides parents with the right to resolve disputes the school district. There are two ways to resolve disputes: mediation or a due process hearing. IEP mediation is the first step in due process and is designed to assist both parents and the school district in reaching a compromise when a conflict arises. Conflicts typically arise over disagreements about a child's evaluation, eligibility for programs or related services, placement, or discipline. Mediations are voluntary and must be made available at no cost to the parents. If an agreement cannot be reached via mediation, then parents can request a due process hearing. Due process is a more formal vehicle for resolving disputes. The process begins with a written complaint and ends with a decision made by an impartial hearing officer. Parents can appeal the decision all the way to state or federal court if they do not agree with the outcome.⁹

FBISD had a total of eight mediations and seven due process hearings filed in the past three years (including the current year). All due process hearings have been settled without a TEA hearing and resolved through mediation or other means. For a district the size of Fort Bend ISD, these numbers are very reasonable.

FBISD also appears to have strong support from parents of students with disabilities and has recently established a Special Education Parent Advocacy Council (SEPAC) and parent education program. Regular

⁹ <http://www.understandingspecialeducation.com/IEP-due-process.html>

meetings with parents in an advisory capacity strengthens the connection and partnership between school and home that is critical to establishing trust and to improving outcomes for students.

Financial Management

Table 8 presents a history of the District's total program operating expenditures and special education program expenditures, both of which have increased over the past five years.¹⁰ The percentage of FBISD's special education program expenditures is above the state average.

Table 8. Fort Bend ISD Total Program Operating Expenditures, All Funds, 2012-13 to 2016-17

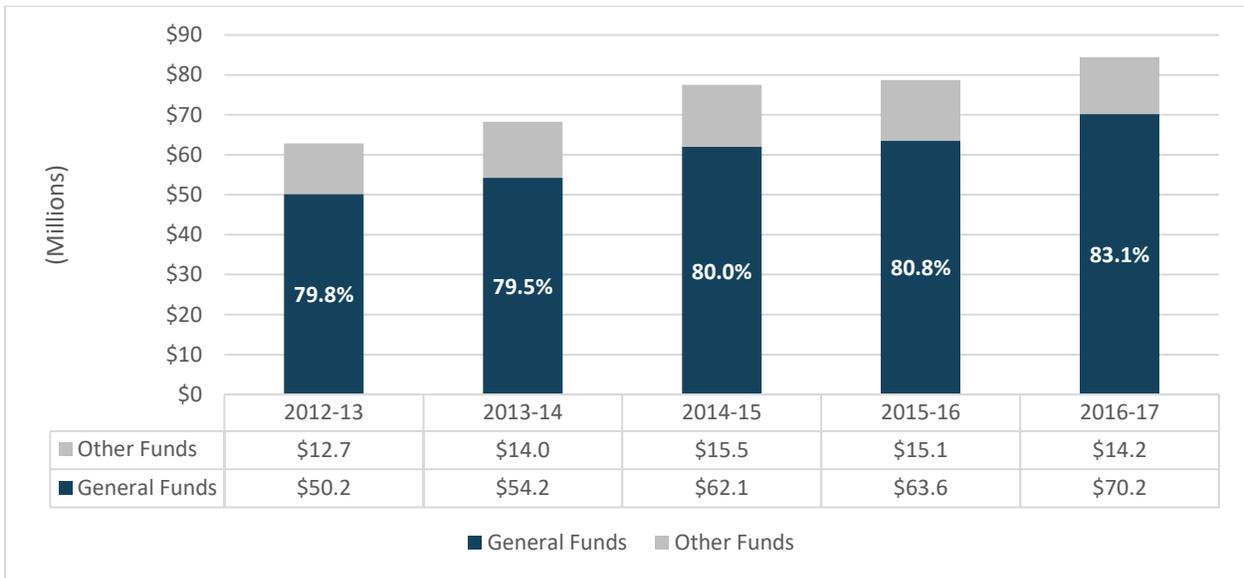
	2012-13	2013-14	2014-15	2015-16	2016-17
FBISD Total Program Operating Expenditures	\$396,376,285	\$424,729,349	\$484,526,818	\$499,606,977	\$499,269,783
Sped Program Operating Expenditures	\$62,841,460	\$68,246,788	\$77,555,740	\$78,706,279	\$84,427,199
FBISD % SPED Program	15.9%	16.1%	16.0%	15.8%	16.9%
State % SPED Program	15.5%	15.2%	15.2%	15.2%	15.6%

Source: Texas Education Agency (TEA), PEIMS Report 2000-2017 Summarized Financial Data.

Figure 6 shows the special education program expenditures (all funds), and the portion that is attributed to the General Fund. Total program expenditures increased \$21.6 million, or 34.3 percent, over the past five years. The percentage of total program expenditures accounted for by the General Fund increased 3.3 percent, from 79.8 percent to 83.1 percent. The increased reliance on local tax revenues to fund special education programs reflects a state-wide pattern of reduced spending on special education.

¹⁰ These expenditures include expenditures for services to students with disabilities (special education) and the costs incurred to evaluate, place, and provide educational and/or other services to students who have IEPs approved by ARD committees (program intent code 23).

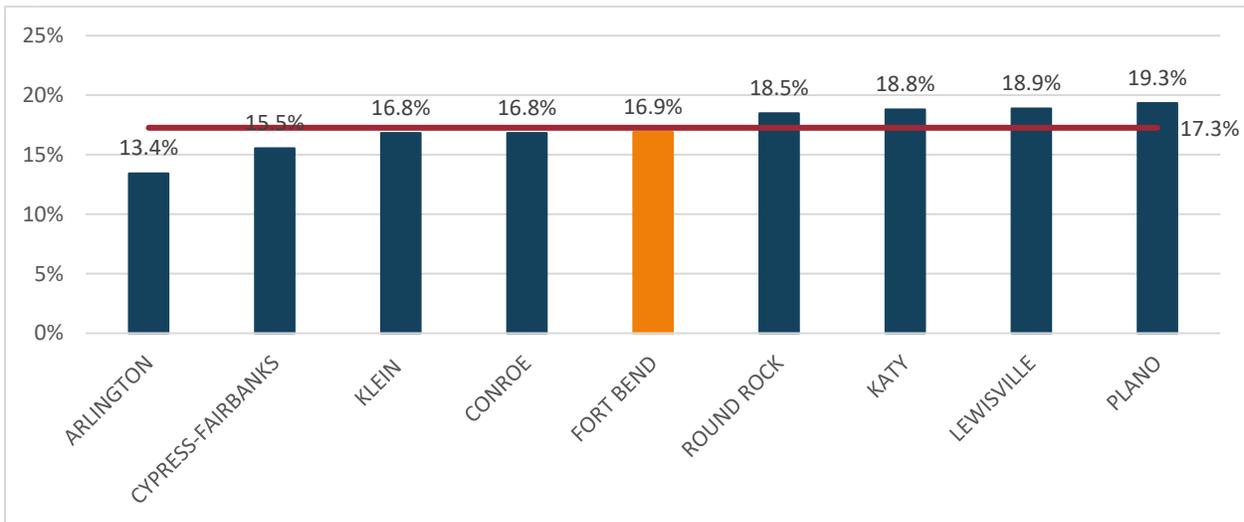
Figure 6. Special Education Program Operating Expenditures, All Funds, 2012-13 to 2016-17



Source: Texas Education Agency (TEA), PEIMS Report 2000-2016 Summarized Financial Data.

As a percentage of total district program operating expenditures (all funds), FBISD spends 16.9 percent on its Special Education program, which is near the benchmark district average of 17.3 percent (see Figure 7).

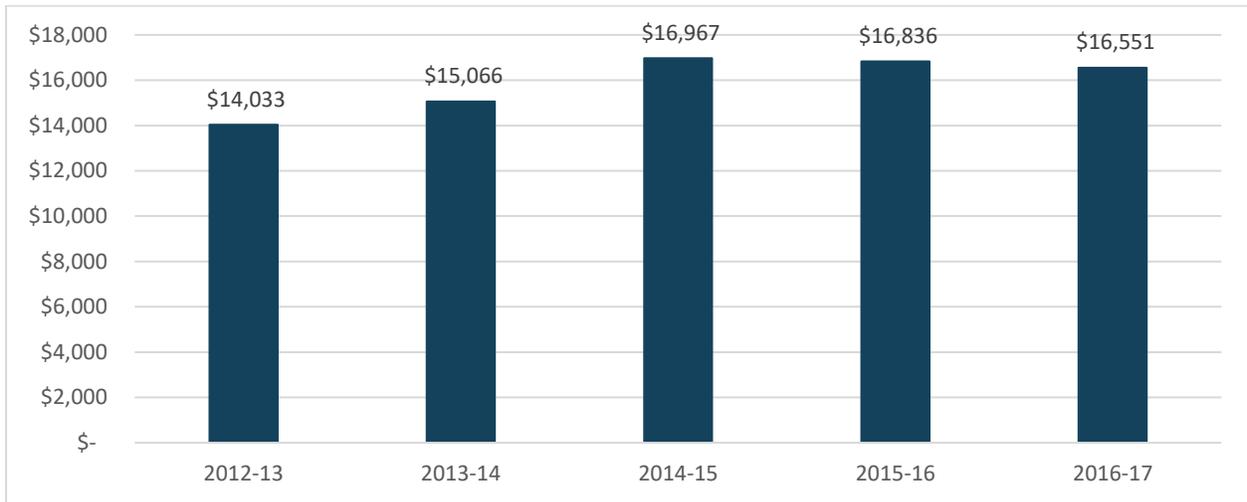
Figure 7. Special Education Program Operating Expenditures as a Percentage of Total Program Operating Expenditures, All Funds, 2016-17



Source: Texas Education Agency (TEA), PEIMS Report 2000-2017 Summarized Financial Data.

On a per pupil basis, overall spending on the special education program increased from 2012-13 to 2014-15, then dropped slightly over the next two years (see Figure 8).

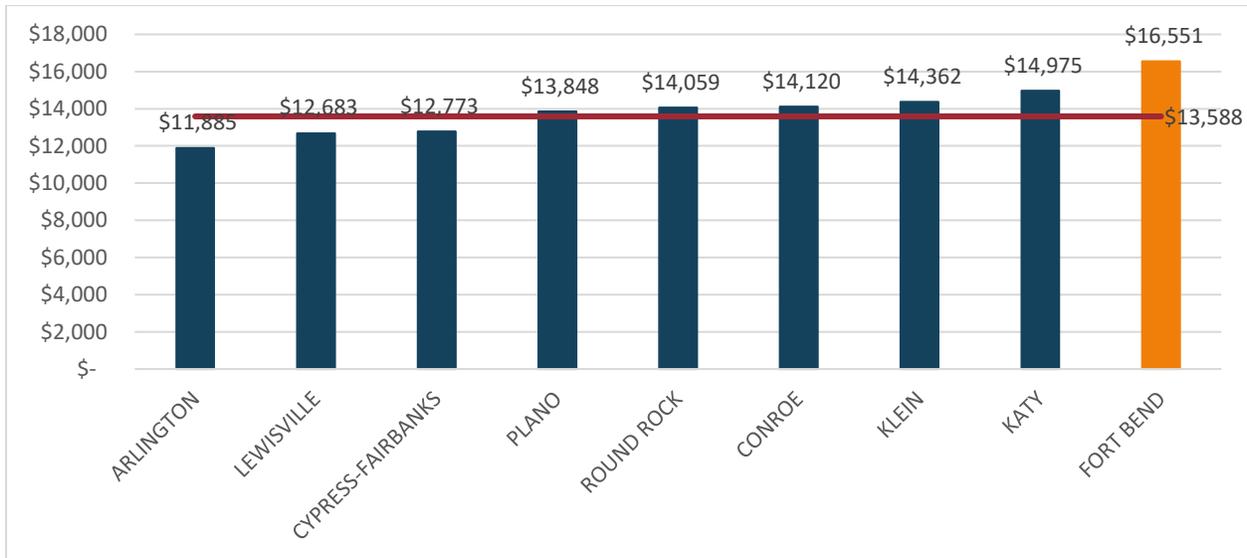
Figure 8. FBISD Total Special Education per Pupil Program Operating Expenditures, All Funds, 2012-13 to 2016-17



Source: Texas Education Agency (TEA), PEIMS Financial Data. Calculated \$/pupil by dividing Total Special Education Program Expenditures (All Funds) by the total number of special education students (headcount).

FBISD spends \$2,963 more per pupil than the average of the benchmark districts (\$13,588; see Figure 9).

Figure 9. Total Special Education Program per Pupil Expenditures, All Funds, 2016-17



Source: Texas Education Agency (TEA), PEIMS Financial Data. Calculated \$/pupil by dividing Total Special Education Program Expenditures (All Funds) by the total number of special education students (headcount).

A word of caution when comparing special education per pupil expenditures year over year or across districts: *a straight per pupil calculation derived by dividing total program expenditures by the total number of special education students is not a good indicator of whether or not the district's level of spending per pupil is appropriate.* In special education, program expenditures are primarily driven by the

instructional arrangement and related services provided to each student. Therefore, the composition of the district's special education student population (discussed further in *Chapter 4 – Student Identification, Evaluation and Placement*) will directly impact program expenditures. For example, a district with a higher percentage of students in self-contained settings, such as Fort Bend ISD, would likely have higher expenditures per pupil than another district with the same number of special education students but with a lower percentage in self-contained settings. A spending analysis that does not consider the program service delivery model is not very useful. Also, since special education expenditures are intended to supplement, not supplant, regular education program expenditures, total spending on students with disabilities would also need to consider the baseline spending on regular education students. If the Board of Trustees is interested in this type of analysis, then a comprehensive per pupil cost allocation study is recommended.

Medicaid Reimbursement

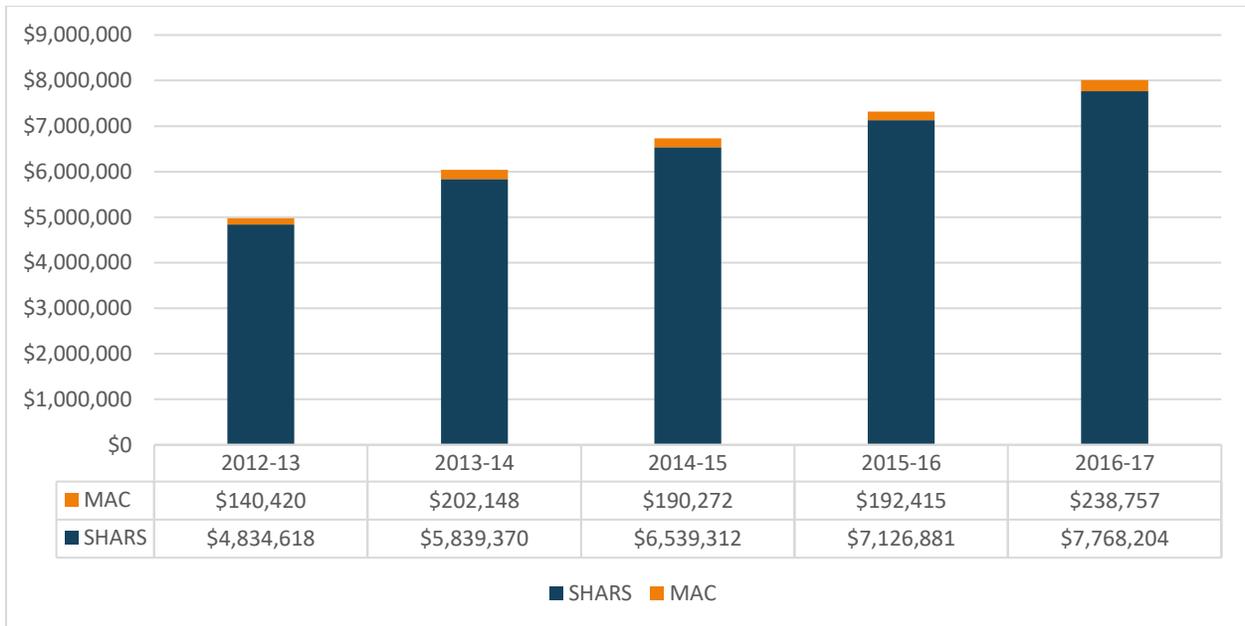
There are two programs that provide Texas school districts the opportunity to obtain reimbursement for certain costs related to the administration and/or provision of certain health-related services to Medicaid-eligible special education students: School Health and Related Services (SHARS) and Medicaid Administrative Claiming (MAC). SHARS allows school districts to obtain Medicaid reimbursement for certain health-related services documented in a student's IEP, while MAC allows school districts the opportunity to obtain reimbursement for certain costs related to health administrative activities that support the Medicaid program.¹¹

Commendation 7: FBISD's Medicaid reimbursement amount increased 41 percent over the past five years and is higher per pupil than all of the benchmark districts.

An analysis of the districts Medicaid reimbursement amounts revealed that reimbursement per pupil increased 41 percent over the past five years.

¹¹ Texas Health and Human Services Website: <http://legacy-hhsc.hhsc.state.tx.us/rad/mac/eci-mac.shtml>

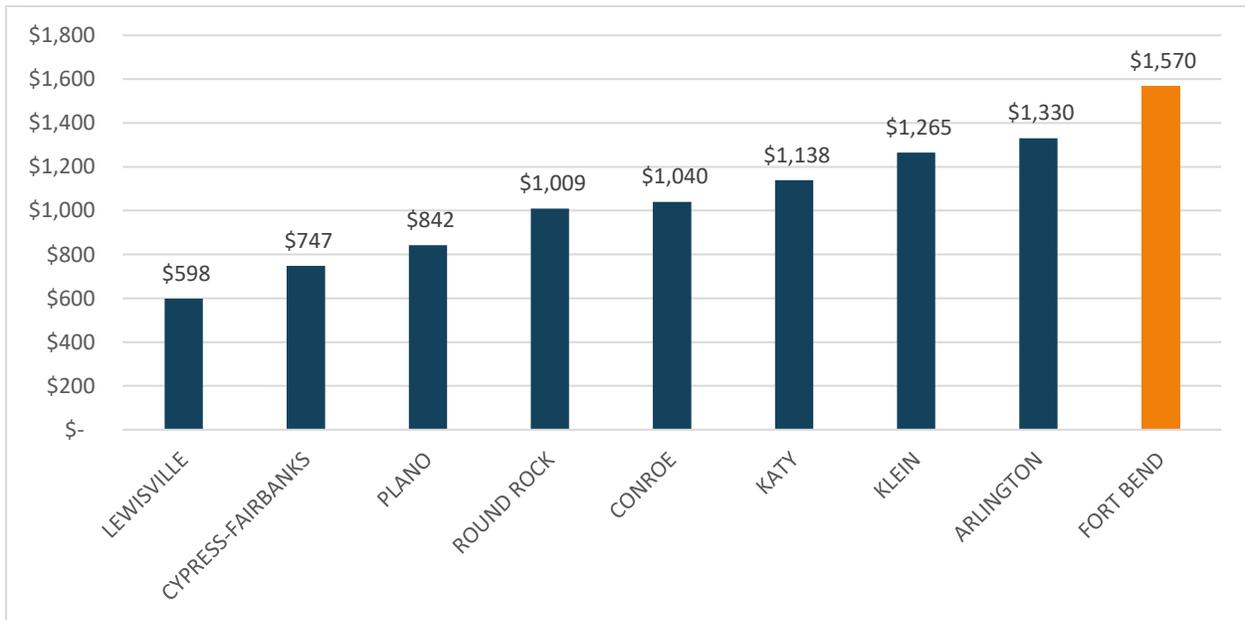
Figure 10. FBISD Medicaid Reimbursements, 2012-13 to 2016-17



Source: Texas Education Agency PEIMS data.

FBISD’s Medicaid reimbursement per special education student is higher than all of the benchmark districts. This is notable given that three of the benchmark districts have a higher percentage of economically disadvantaged students than FBISD: Arlington ISD (69.3%), Cypress-Fairbanks ISD (50%), and Klein ISD (40.7%).

Figure 11. Total Medicaid Reimbursements per Student, 2016-17



Source: Texas Education Agency PEIMS data.

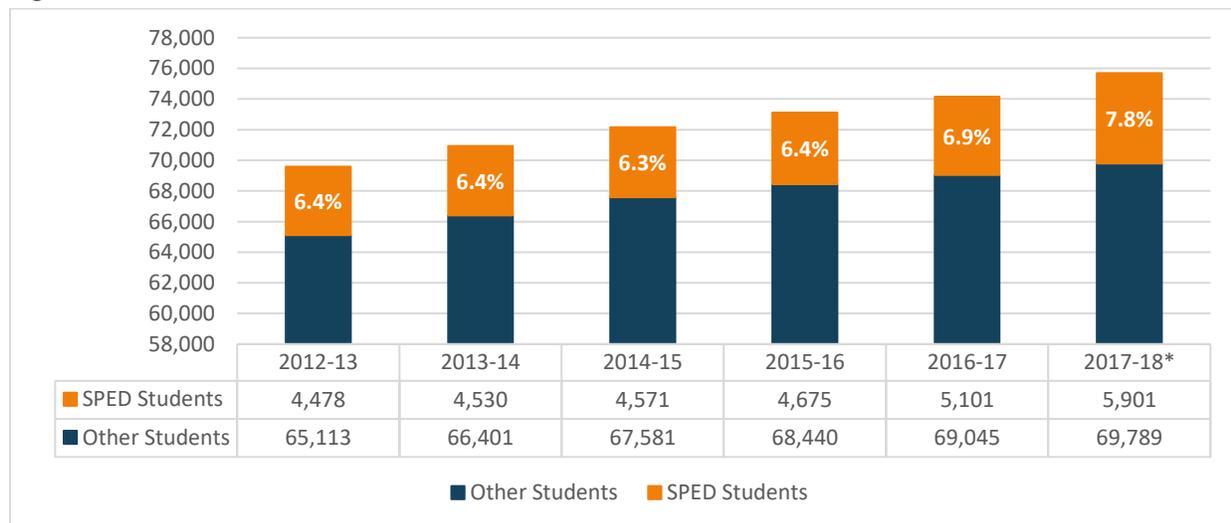
Chapter 4 - Student Identification, Evaluation, and Placement

Child Find is legally required and is the first step to finding children with disabilities and getting them supports and services they need to be successful in school. The full individualized and initial evaluation (FIE) is an essential and critical component in determining the eligibility and needs of the child. The role of the Admission Review and Dismissal (ARD) committee is to work together to develop the individualized education program (IEP) that may enable a child with a disability to achieve the prescribed goals resulting in positive outcomes. Together, these processes ensure that all students with disabilities are located, evaluated, identified and that a free appropriate public education (FAPE) is made available in the least restrictive environment (LRE).¹² The remainder of this chapter provides commendations, findings, and recommendations related to these processes in Fort Bend ISD.

Student Identification and Representation

Fort Bend ISD student enrollment increased by 8.8 percent over the past six years, from 2012-13 to 2017-18. However, special education student enrollment has grown at a much faster rate, increasing 31.8 percent over this same time period. The largest increase in special education enrollment occurred between 2016-17 and 2017-18. In 2017-18, the percentage of students receiving special education services in FBISD is 7.8 percent – which is significantly below current statewide average of 9.2 percent and the national average of 13 percent.¹³

Figure 12. Fort Bend ISD Enrollment, 2012-13 to 2017-18



Source: Texas Education Agency (TEA), PEIMS Standard Reports (Enrollment by Population Reports).

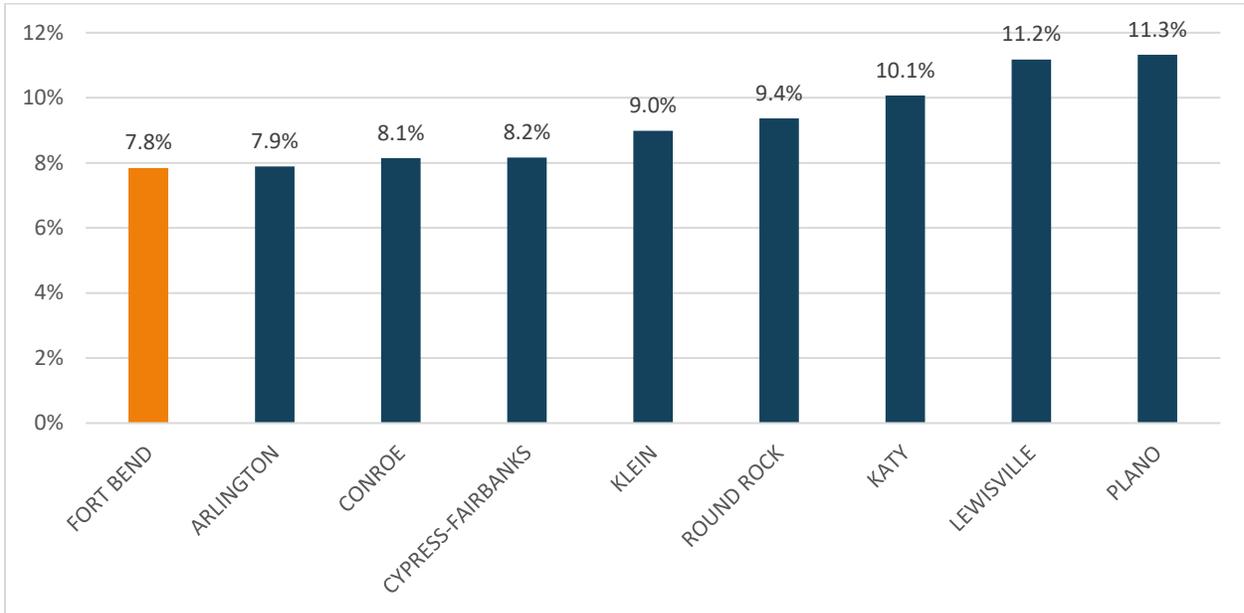
Note: *2017-18 data provided by FBISD Special Education Department.

¹² TEA Special Education Strategic Plan, March 2018.

¹³ Texas Education Agency (TEA), 2017-18 PEIMS Standard Reports and TEA Special Education Strategic Plan, 2018.

Fort Bend ISD also has a lower percentage of students participating in the special education program than all of the benchmark districts.

Figure 13. Special Education Enrollment as a Percent of Total District Enrollment, 2017-18



Source: Texas Education Agency (TEA), PIR Request submitted for 2017-18 PEIMS data.

Finding 7: Students with learning disabilities and speech impairment appear to be under-identified in FBISD.

IDEA lists thirteen different disability categories under which children ages 3 through 21 can qualify for special education services. Table 9 compares the percent of students with disabilities by primary disability category in FBISD to the benchmark district and state averages. FBISD has a significantly higher percent of students with other health impairments (OHI), intellectual disabilities (ID), and autism (AU) than the benchmark district and state averages, and a significantly lower percent of students with learning disabilities (LD) and speech impairment (SI) than the benchmark district and state averages.

Table 9. Percent of Special Education Enrollment by Primary Disability, 2016-17

Primary Disability	FBISD	Benchmark District Average*	State Average
01 – Orthopedic Impairment	1.1%	0.7%	0.8%
02 – Other Health Impairment	20.6%	13.8%	13.9%
03 – Auditory Impairment	1.8%	1.9%	1.5%
04 – Visual Impairment	1.2%	0.7%	0.8%
05 – Deaf-Blind	0.2%	0.1%	0.1%
06 – Intellectual Disability	14.3%	8.0%	10.5%
07 – Emotional Disturbance	6.8%	6.8%	5.7%
08 – Learning Disability	18.5%	30.1%	32.9%
09 – Speech Impairment	14.0%	20.0%	20.0%
10 – Autism	20.0%	16.3%	12.4%
12 – Developmental Delay	0.0%	0.0%	0.0%
13 – Traumatic Brain Injury	0.3%	0.2%	0.3%
14 – Noncategorical Early Childhood	1.2%	1.5%	1.3%
Total Special Education Students	100%	100%	100%

Source: Texas Education Agency (TEA), PEIMS Standard Reports (Enrollment by Disability Report, 2016-17). *The benchmark district average represents the average of the percentages by disability for each district.

In 2017-18, representation of LD students in the special education population increased 0.5 percent to 19 percent and the percentage of SI students increased 1 percent to 15 percent. The lower percent of LD and SI students are indicative of the district's poor identification and evaluation processes, as these disabilities are typically open to varying interpretations of eligibility. Some of the initiatives currently being undertaken by the Department to increase the identification of these subpopulations are discussed further in this chapter.

Disproportionality

Under Part B of IDEA, states must collect and examine data to determine whether significant disproportionality (SD) on the basis of race and ethnicity is occurring in the state, or its school districts, with respect to the identification, placement, and discipline of students with disabilities. To ensure compliance with this provision of IDEA, the US DOE now requires all states to use a standard methodology to identify significant disproportionality. Under this new standard approach, states must analyze racial and ethnic disparities using a risk ratio and then select a reasonable risk ratio threshold to determine when racial and ethnic disparities have become significant.¹⁴

Risk ratios show how the risk for one racial/ethnic group compares to the risk for a comparison group. A risk ratio greater than 1.0 for a racial/ethnic group indicates overrepresentation, while a risk ratio less

¹⁴ *Racial and Ethnic Disparities in Special Education, A Multi-Year Disproportionality Analysis by State, Analysis Category, and Race/Ethnicity*, Office of Special Education and Rehabilitative Services, US Department of Education, February 2016.

than 1.0 indicates underrepresentation. States are allowed to determine the thresholds for the risk ratio number that will be used to assign significant disproportionality and have until July, 2018 to implement the revised calculations.

As a result of this new federal regulation, Texas' methodology for calculating disproportionality has changed. Under the previous method, disproportionality was calculated by comparing the student group under review to *all students*; under the new method, disproportionality is calculated by comparing the student group under review to *other students* not in the comparison group. Texas has not yet established risk ratio thresholds for significant disproportionality; however, it is likely to be between 2.0 and 3.0.¹⁵

Finding 8: Asian students are 2.3 times as likely as their non-Asian peers to be identified with autism, which may be considered a significant disproportionality under the new federal regulations.

African American students are also 1.7 times as likely as their non-African American peers to be identified with emotional disturbance (ED) and White students are 1.6 times as likely to be identified with speech impairment) as their non-White peers. Table 10 highlights subgroups that may be over- or under-represented for each disability category.

Table 10. FBISD Disability Representation Risk Ratios

Primary Disability	African American	Asian	Hispanic	Multi-Racial	White
Autism (AU)	0.7	2.3	0.7	1.3	1.1
Emotional Disturbance (ED)	1.7	0.2	0.8	1.4	1.0
Intellectual Disability (ID)	1.2	1.1	1.2	0.6	0.5
Other Health Impairment (OHI)	1.3	0.5	0.9	1.1	1.1
Speech Impairment (SI)	0.5	1.3	1.2	1.0	1.6
Learning Disability (SLD/LD)	1.3	0.3	1.3	0.8	0.8
Racial/Ethnic Risk Ratio	1.5	0.4	1.1	1.0	1.1
% SPED Representation Differential	+8.9%	-12.7%	+1.8%	0.0%	+2.0%

Source: FBISD Special Education Department, 2017-18 Special Education Report Card, End of 3rd nine weeks.

Recommendation 6: Conduct a comprehensive analysis of policies, procedures, and practices focused on research-based approaches such as RtI, Positive Behavior Supports, multi-tiered systems of support, culturally responsive teaching and assessments, and family and community involvement.

Looking at the rates and identifying the risk of over- and under-identification of students in special education is critical to ensuring appropriate support and services for students with IEPs in the LRE. Even though Texas has not yet determined the thresholds for significant disproportionality, FBISD should continue to monitor the historic disproportionality of Asian and African American students in special education, which has a 10-year trend in the district (under the previous method of determining disproportionality). Specific strategies for ensuring that no subgroup of students is over- or under-

¹⁵ *Significant Disproportionality in Special Education, New Federal Regulations, 2017-18, Region 4 ESC.*

represented in the special education population (many of which are discussed in more detail below) include:

- Providing targeted professional development to both special and general education teachers;
- Having an effective RtI model;
- Ensuring an effective Child Find process; and,
- Utilizing unbiased assessments to determine student’s abilities.

Management Response: *Management agrees with the recommendation. In 2017-2018, the Department incorporated disproportionality measures within the FBISD Special Education Department Report Card in an effort to assist campuses in better understanding their campus data. Beginning in the 2018-2019 school year, the Department will analyze the special education referral data two times a year to determine if any subgroup of students is over- or under-represented in the special education population and determine appropriate measures to address concerns. The Department will continue to provide training to teachers and other campus staff to ensure an effective Child Find process.*

Response to Intervention/Responsive Instruction

Response to Intervention (RtI) is a multi-tiered approach to the early identification and support of students with learning and behavior needs. It is not a roadmap to special education services for students who are struggling, but rather a proactive system of support for all learners. RtI operates on a continuum and the key is finding the level at which a student responds to an intervention. The RtI process begins with high quality instruction and universal screening of all students in the general education classroom. This multi-level prevention system provides access to increasingly intense levels, or tiers, of instruction and interventions driven by data-based decision making.

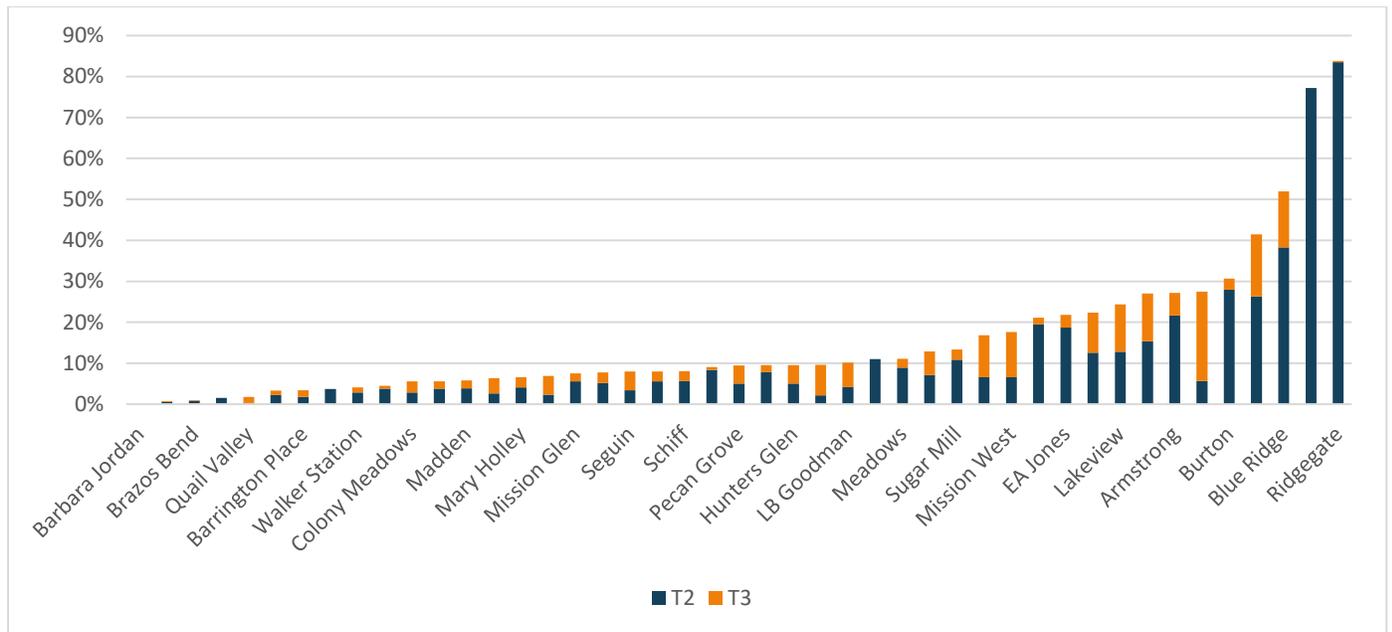
- **Tier 1:** Teachers use high-quality core class instruction aligned with the Texas Essential Knowledge and Skills (TEKS) in which about 80 percent or more of the students are successful. This tier is the crucial foundation of the RtI instructional model.
- **Tier 2:** Students are identified for individualized small-group instruction delivered by teachers and interventionists in addition to core class instruction. This intensified level of intervention includes research-based programs, strategies, and procedures designed to supplement and enhance Tier 1 activities, including hands-on manipulatives and computer-assisted learning. Tier 2 addresses the needs of approximately 10 to 15 percent of the students.
- **Tier 3:** This intensified level of intervention includes research-based programs, strategies, and procedures designed to strengthen areas of deficit. Tier 3 interventions are typically provided by a specialist and/or classroom teacher and are data driven. Tier 3 addresses the needs of approximately 5 to 10 percent of the students.

Finding 9: An ineffective RtI system has been a contributing factor to the overall low number of referrals to special education.

As described previously, the percentage of students receiving special education services in FBISD is lower than the benchmark district, regional, and state averages. A major contributing factor to the overall low referral rates is attributed to the inconsistent implementation across schools of RtI processes and a rigid interpretation of and adherence to department guidelines by district staff regarding the completion of RtI activities prior to a referral for a Full Individualized and Initial Evaluation (FIE). Federal law states that an RtI process cannot be used to delay or deny the full and individual evaluation of a child suspected of having a disability, whether the disability is suspected by school personnel or the child's parent.

Figure 14 shows the percent of students in RtI Tier 2 and Tier 3 Reading and Math by elementary school in 2016-17 – which ranges from 0 percent at Barbara Jordan Elementary to 83.8 percent at Ridgeway Elementary. The average percent of students across elementary schools in Tier 2 Reading and Math is 11.2 percent and the average in Tier 3 Reading and Math is 4.3 percent.¹⁶ Although these overall percentages are within the expected guidelines for each tier, the wide variation in percentages across schools is a reliable indicator of inconsistent RtI practices across campuses.

Figure 14. Percent of Students in RtI Tier 2 and Tier 3 Reading and Math by Elementary Campus, 2016-17



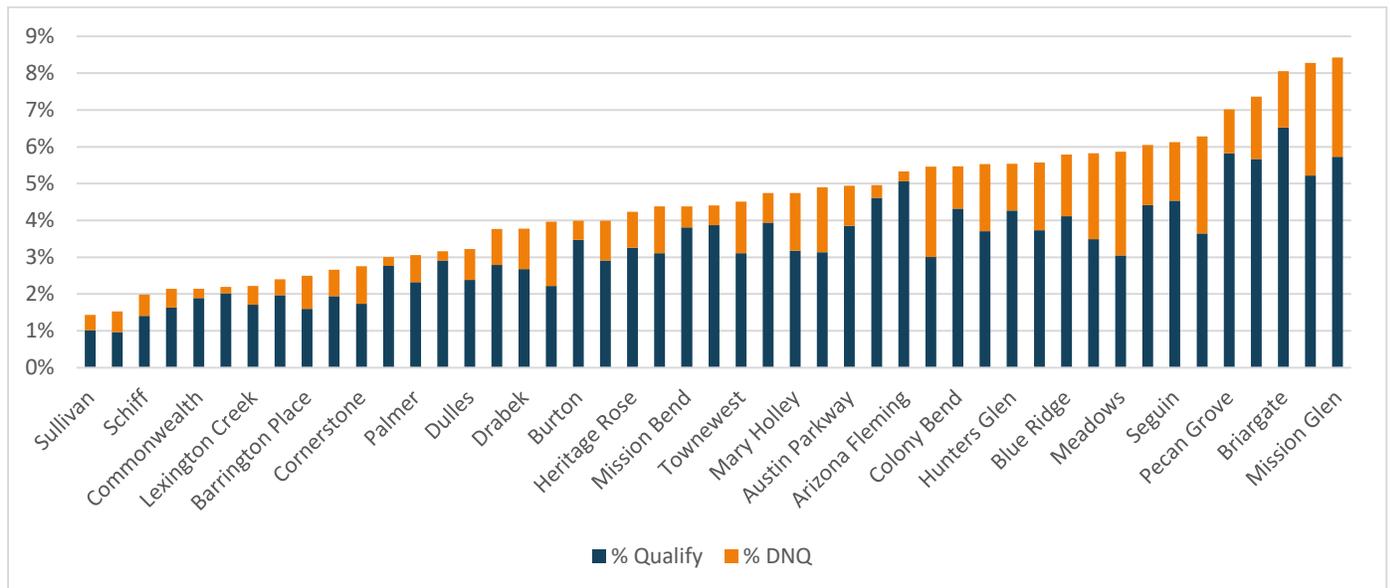
Source: FBISD Special Education Department.

Figure 15 shows the percent of students referred to special education in 2016-17 by elementary school – which ranges from 1.4 percent at Sullivan Elementary to 8.4 percent at Mission Glen Elementary. The

¹⁶ The percent of students in RtI Reading and Math is not mutually exclusive. Gibson did not analyze student-level data and therefore was not able to determine the degree of overlap in the number of students being served in both RtI Reading and RtI Math at each campus.

average referral rate across all elementary schools in is 4.2 percent. This chart also highlights the percent of referrals that do not qualify (DNQ) for special education services, which is another important measure of RtI program effectiveness. Low DNQ rates may indicate that every attempt has been made to support students through RtI and so a referral to special education is appropriate. However, in the context of an overall low percentage of students in special education, low DNQ rates in FBISD may indicate that only those students with less subjective disabilities were referred to special education. DNQ rates at elementary schools range from 5 percent at Arizona Fleming Elementary to 48 percent at Meadows Elementary, with an average DNQ rate of 26 percent across all elementary campuses.

Figure 15. Percent of Students Referred to Special Education and Percent of Qualifying Referrals by Elementary Campus, 2016-17



Source: FBISD Special Education Department.

Recommendation 7: Continue with current plans to redesign RtI processes and provide additional targeted supports to schools that need it.

Oversight and implementation of RtI processes in FBISD is in transition. In 2016-17, the RtI program was organized within the Department of Learning Support Services (LSS) within the Division of Special Education and Learning Support Services. To increase accountability and improve coordination of academic resources for students, the academic portion of RtI moved to the Department of Literacy, Curriculum and Instruction within the Division of Teaching and Learning and the Positive Behavioral Intervention and Supports (PBIS)/behavior portion of RtI remained in Learning Support Services. In 2017-18, a Responsive Instruction District Leadership Team was created to lead the district in the process of revising the RtI process.

In FBISD, the new framework for implementing an effective RtI program is referred to as Responsive Instruction (RI). Responsive Instruction, as described in a draft version of the district’s 2017-18 RI Handbook, is a mindset that shifts focus from whether or not students are responding to intervention to

how well educators are responding to where students are in their learning. The RI framework is a multi-tiered cycle that involves universal screening, the analysis of multiple assessment results and student artifacts, targeted decision-making about instruction and intervention, progress monitoring, and continuous improvement for all students. The five core principles around which this program in FBISD is organized include:¹⁷

1. *Collective Responsibility* – Student achievement is increased because all stakeholders are committed to growing students who are empowered, critical and capable learners, and citizens. Each FBISD campus has a Student Support Team (SST) that meets a minimum of once a month to review assessment data to identify students in need of academic and/or behavioral interventions.
2. *Student-Centered Assessment* – A universal screener is used to ensure a consistent measure of student achievement across all campuses. FBISD recently adopted Renaissance Star 360 (Ren 360) to provide diagnostic student data in the areas of math, reading, and early literacy. Ren 360 assessments are given three times a year. Ren 360 assessments given in early 2017-18 show a high percentage of high school students requiring *Urgent Intervention* (which correlates to Tier 3).
3. *Equitable and Viable Curriculum* – Tier 1 instruction is the foundation for all students' success. FBISD is in the process of revising its curriculum components to support student-centered, differentiated instruction and to promote student ownership of learning. The new curriculum components provide a balanced assessment approach including pre-assessments, common formative assessments, rubrics, and student checklists aligned to learning progressions to aid both teachers and students in monitoring learning. Further, FBISD recently implemented Schoology, a blended learning management platform to supports both teachers and students.
4. *Parents as Key Stakeholders* – Parents are the primary educators of their children and they have a legal right to on-going communication about their student's progress and areas of need. FBISD is currently drafting a Responsive Instruction Design Form to record progress monitoring data throughout the intervention process, and a Parent Notification of Intervention Letter to keep parents informed of student interventions.
5. *Fidelity to Implementation* – An effective RI framework depends upon consistent progress monitoring and holding all stakeholders accountable to delivering instruction and intervention that truly meet student learning needs. As described previously, a single set of forms will be used across all schools to uniformly document interventions.

Management Response: *Management agrees with the recommendation. During the 2018-2019 school year, the Department will continue to collaborate with Teaching and Learning regarding improved RTI practices. Specifically, the implementation of the Responsive Instruction framework will allow the*

¹⁷ Fort Bend ISD, *Responsive Instruction Handbook-DRAFT*, 2017-18.

campuses to utilize universal screening data and other multiple assessment results to identify students in need of intervention, and monitor student progress.

Student Evaluation and Placement

Full Individualized and Initial Evaluation and Re-evaluations

Conducting a Full Individualized and Initial Evaluation (FIE) is an essential beginning step in the special education process for a child with a disability. Before a child can receive special education and related services for the first time, a FIE must be conducted to see if the child has a disability and is eligible for special education. Texas law allows school districts 45 school days from the date of the signed parental consent to the date of completion of the FIE; however, the referral may be expedited if there are extenuating circumstances regarding the child’s cognitive or behavior needs.

Commendation 8: The Department has made significant and positive changes to the FIE process, which has helped to ensure equity in special education referral and evaluation practices and that all students that are eligible for special education services receive them.

To address the long history of over-identification of African American students in special education in FBISD, as well as the low overall percentage of special education students, the Special Education Department revamped its referral and evaluation processes and operating guidelines during the 2015-16 school year. This included:

- Creating an Evaluation and Related Services Program Manager position to develop, implement and monitor a district-wide system to ensure a quality Full Individual Evaluation (FIE)/Child Find process that is in compliance with all state, federal, and local requirements;
- Organizationally realigning the LSSPs from the Teaching and Learning Department to the Special Education Department;
- Adding more diversified and cross-battery evaluation tools;
- Designating an Initial Evaluation Team and a Peer Review Team to ensure that program eligibility criteria are met and that any bias during the FIE process is mitigated; and,
- Updating evaluation procedures and operating guidelines documentation.

Finding 10: The revised evaluation process, coupled with a shortage of LSSPs and some other related services providers, has resulted in compensatory services and a delay in reevaluations for some students.

Findings from the audit team’s IEP audit combined with qualitative information learned during interviews, focus groups, and classroom observations suggest that some students are not receiving direct services from LSSPs and other related service providers as required in their IEP. An expectation in IDEA is that a

Free and Appropriate Public Education (FAPE) must be afforded to students with an IEP. When a student with services and/or related services on their IEP has not been afforded those services, this can be considered a denial of FAPE on the school's part and compensatory services must be a consideration by the IEP team through the ARD process. Compensatory services are future services to be provided to a student to make up or compensate for the district's failure to provide the student with appropriate services in the past.

Data on the number of students receiving compensatory services is not centrally tracked, so the audit team was unable to verify the magnitude of this issue. However, the Executive Director reports that they are making good progress in reducing these occurrences.

Further, the requirement to conduct reevaluations at least every three years is not being met in all cases. This assertion was repeatedly expressed during interviews and focus groups and is further supported by the audit team's IEP audit findings, where 9 of the 26 IEPs audited were found to have overdue reevaluations (see Table 11).

Table 11. IEPs with Overdue Reevaluations

IEP Reference Number	Date of Last FIE	Date of Last Reevaluation
1	04/29/14	4/20/18
3	06/02/14	NA – ARD 05/05/18
7	10/27/14	NA – ARD 04/26/18
12	03/10/15	NA – ARD 02/27/18
16	01/26/15	NA – ARD 12/05/17
18	06/09/14	02/01/18
19	10/20/14	NA – ARD 04/25/18
20	01/10/15	NA – ARD 01/30/18
23	04/13/15	NA – ARD 01/30/18

Source: SuccessEd; Audit team's audit of IEPs.

The purpose of a reevaluation is to determine:

1. Whether the child continues to have a particular disability or has any additional disabilities;
2. The present levels of academic performance and related developmental needs of the child;
3. Whether the child continues to need special education and related services; and
4. Whether any modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum.

Recommendation 8: Secure additional staff or services to ensure that direct services are provided in accordance with student IEPs and reevaluations occur within the required three-year time limitation.

Historically, the District's number of students with disabilities has been very low in relation to national data. In an effort to address this issue, the District has made the identification of students with disabilities a priority. Consequently, LSSP time has been dedicated to conducting full initial evaluations (FIEs), diminishing the time available to conduct reevaluations. As noted in *Chapter 3 – Department Organization and Program Management*, the number of LSSPs is insufficient to manage the current workload demands, supporting the need for additional staff to conduct all mandated FIEs and reevaluations. The provision of compensatory services can be complex and expensive and should be avoided whenever possible.

The district may want to consider a "grow your own" initiative to recruit current staff to pursue LSSP certification. Providing remuneration in the form of tuition payments could incent current staff.

Management Response: *Management agrees with the recommendation. The 2017-2018 school year is the first time the Department in collaboration with Human Resources has provided signing and retention bonuses for LSSPs. The Department will continue to monitor caseloads on a quarterly basis as the overall number of students served with special education increases to determine the need for additional LSSP positions.*

Least Restrictive Environment and Instructional Settings/Arrangements

Least restrictive environment refers to the IDEA's mandate that students with disabilities should be educated to the maximum extent appropriate with peers without disabilities. Specifically the law provides that children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (IDEA, 20 U.S.C. § 1412).

To ensure that schools make good faith efforts to educate students in less restrictive settings, the LRE mandate also requires that before students with disabilities are placed in more restrictive settings, efforts must first be made to maintain a student in less restrictive settings with the use of supplementary aids and services. It is only when an appropriate education cannot be provided, even with supplementary aids and services, that students with disabilities may be placed in more restrictive settings.

Special education services are provided in a variety of instructional settings/arrangements and Federal law requires that districts, to the maximum extent possible, educate students in the least restrictive instructional setting and alongside their nondisabled peers. Instructional settings are based on the

percentage of time or number of periods that a student receives direct, regularly scheduled special education services as required by their IEP. Instructional settings include the following options:¹⁸

- **No Instructional Setting** – When a special education setting is not appropriate, but special services are required, such as speech therapy or special transportation.
- **Mainstream** – For students whose instruction and related services are provided in the regular education classroom with special education support.
- **Resource Room** – For eligible students who need special education instruction and related services in a setting other than regular education for less than 50 percent of the student's day. This includes Content Mastery services that serve students with and without disabilities.
- **Self-Contained** – For students who need special education instruction and related services for 50 percent or more of the student's school day on the regular school campus.
- **Other Settings**
 - **Vocational Adjustment Class (VAC)** – For students who are placed on a job with regularly scheduled supervision by special education teachers. This applies to full- or part-time job training/employment, as documented in a student's IEP.
 - **Homebound** – For eligible students who are served at home or hospital bedside. Students served on a homebound or hospital bedside basis are expected to be confined for a minimum of four consecutive weeks as documented by a physician.
 - **Hospital Class** – For students in a classroom in a hospital facility or an approved residential care and treatment facility not operated by the school district.
 - **Off Home Campus** – This instructional arrangement/setting is for providing special education and related services to the following: 1) a student who is one of a group of students from more than one school district served in a single location when a free appropriate public education is not available in the respective sending district; 2) a student whose instruction is provided by school district personnel in a facility (other than a nonpublic day school) not operated by a school district; or 3) a student in a self-contained program at a separate campus operated by the school district that provides only special education and related services.
 - **Residential Care and Treatment Facility** – For non-school district students who reside in approved care and treatment facilities within school district boundaries, but whose

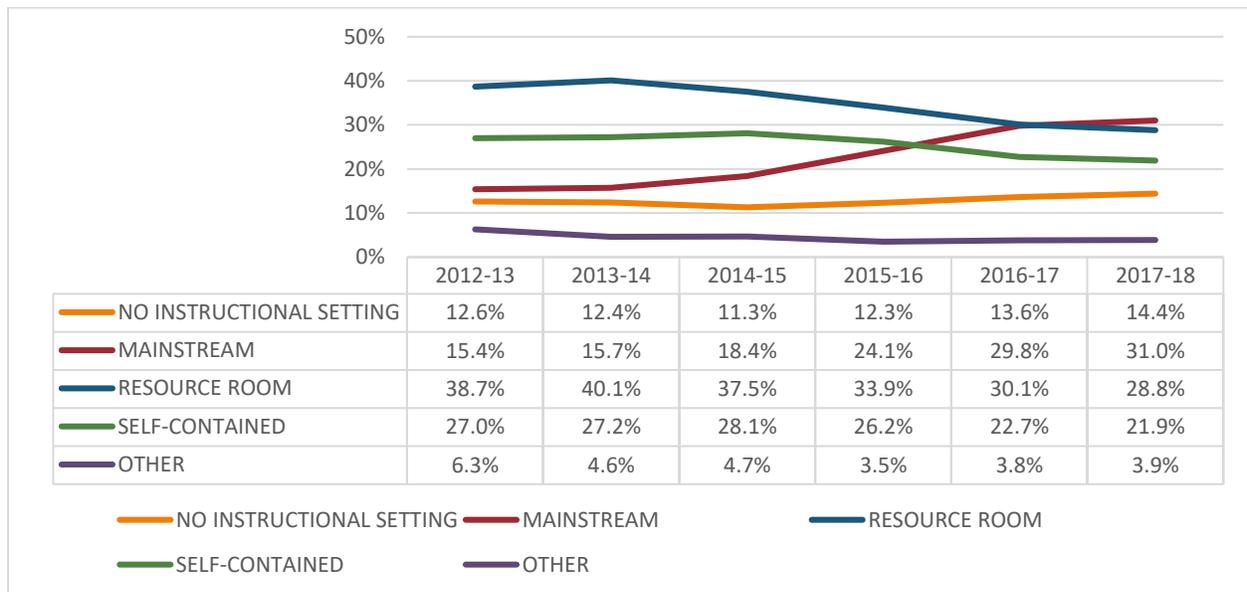
¹⁸ TEA Chapter 89.63 Instructional Arrangements and Settings, Adaptions for Special Education, Subchapter D Special Education Services and Settings.

parents do not reside within the boundaries of the school district. This includes students living in licensed foster homes.

Commendation 9: FBISD has made significant efforts over the past three years to shift students to less restrictive instructional settings.

Figure 16 shows the percentage of students in FBISD receiving special education services by instructional setting from 2012-13 to 2017-18. Over this six-year time period, the percentage of students receiving services in a mainstream setting doubled, from 15.4 percent to 31 percent, which is commendable. This increase was offset by corresponding decreases in the percentage of students in resource and self-contained settings. Much of the shift in instructional placements occurred between 2014-15 and 2016-17, which is when many of the new initiatives implemented by the Department, such as co-teach, first occurred. Changes in the percentage of students with no instructional setting and in other settings were less dramatic, increasing 1.8 percent and decreasing 2.4 percent respectively.

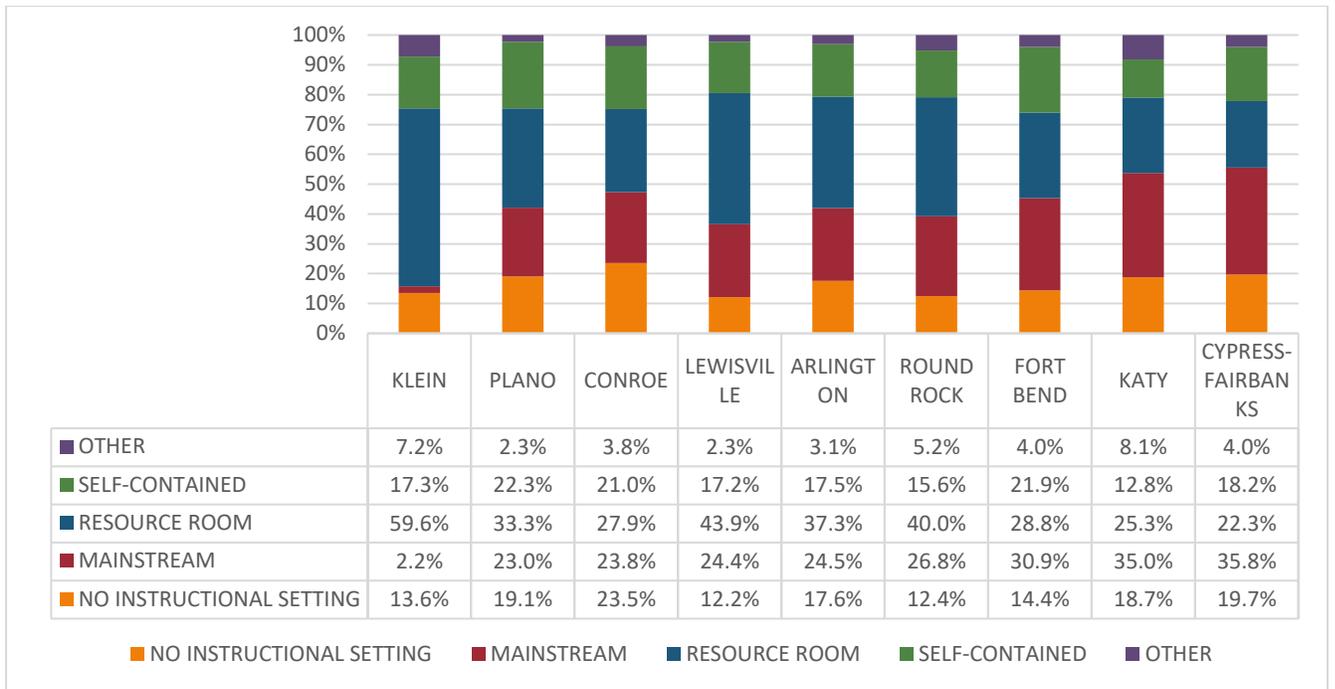
Figure 16. FBISD Special Education Enrollment by Instructional Setting/Arrangement, 2012-13 to 2017-18



Source: FBISD Special Education Department.

Compared to benchmark districts, FBISD has a higher percentage of students in self-contained and mainstream settings and has fewer students in resource settings than most other districts (see Figure 17). These comparative data also support the previous assertion that speech-only students (represented in the “no instructional setting” category) are under-identified in FBISD.

Figure 17. Special Education Enrollment by Instructional Setting/Arrangement, 2017-18



Source: Texas Education Agency, PIR Request submitted for 2017-18 PEIMS data.

Chapter 5 – Program Service Delivery and Instructional Practices

Student Performance

The goal of any school district is to improve the educational results and outcomes for all students with disabilities. How well the district is educating its students with disabilities can be measured by looking at a variety of indicators, including participation in assessments, percent proficient on state assessments, improvement in proficiency over time, achievement gap between special education students and general education students, student retention, and graduation and dropout rates.

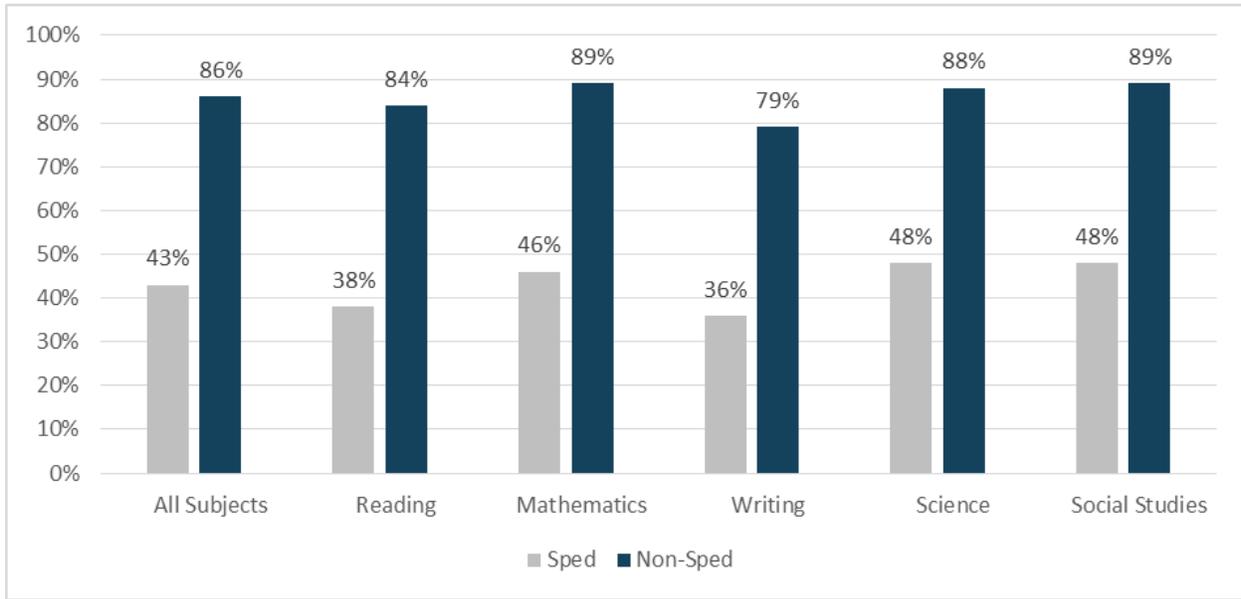
Texas' student assessment program is designed to measure the extent to which a student has learned and is able to apply the defined knowledge and skills at each tested grade or course level. In the spring of 2012, Texas students began taking the State of Texas Assessments of Academic Readiness (STAAR) exams. The STAAR is used to test students in Grades 3 through 8 in math, reading, science, and social studies, and includes 15 end-of course assessments usually taken between Grades 9 and 12. The STAAR Modified was offered for the last time in 2013-14 after the United States Department of Education informed states that assessments based on modified standards would no longer count toward accountability purposes. Beginning in 2017, most students with disabilities were required to the STAAR, with or without accommodations, or the STAAR Alternate 2. The STAAR Alternate 2 is an assessment based on alternate academic standards and is designed for students with the most significant cognitive disabilities receiving special education services.¹⁹ Determination of the appropriate assessment is made by the Annual Review and Determination (ARD) committee based on students' instructional supports and current level of functioning.²⁰

Figure 18 shows the percentage of Fort Bend ISD (FBISD) special education and non-special education students at Approaches Grade Level or Above on the STAAR tests in 2016-17. The special education and non-special education student participation rates on the STAAR were both at 96 percent (included in accountability). The difference between special education student proficiency and their non-special education peers is referred to as the achievement (or performance) gap. The performance gap in FBISD is wide in all subject areas, which is a typical national pattern. The widest gap is in reading, at 46 percentage points.

¹⁹ Texas Assessment Management System: <http://texasassessment.com>

²⁰ Texas Education Agency (TEA) website: <http://tea.texas.gov/student.assessment/SWD/>

Figure 18. FBISD STAAR Percent at Approaches Grade Level or Above, All Grades, 2016-17



Source: Texas Performance Reporting System, TEA website.

Compared to benchmark districts, FBISD special education students are performing below their peers in six of eight districts on the STAAR assessment in all subjects, reading, math, and science (all grades), and below five of eight districts in Social Studies. On the STAAR end-of-course (EOC) (not shown in Table 12 below)), FBISD has the lowest algebra and US History scores of all the benchmark districts, and in biology only Klein ISD is lower. FBISD special education students outperform their peers in writing in six of eight districts.

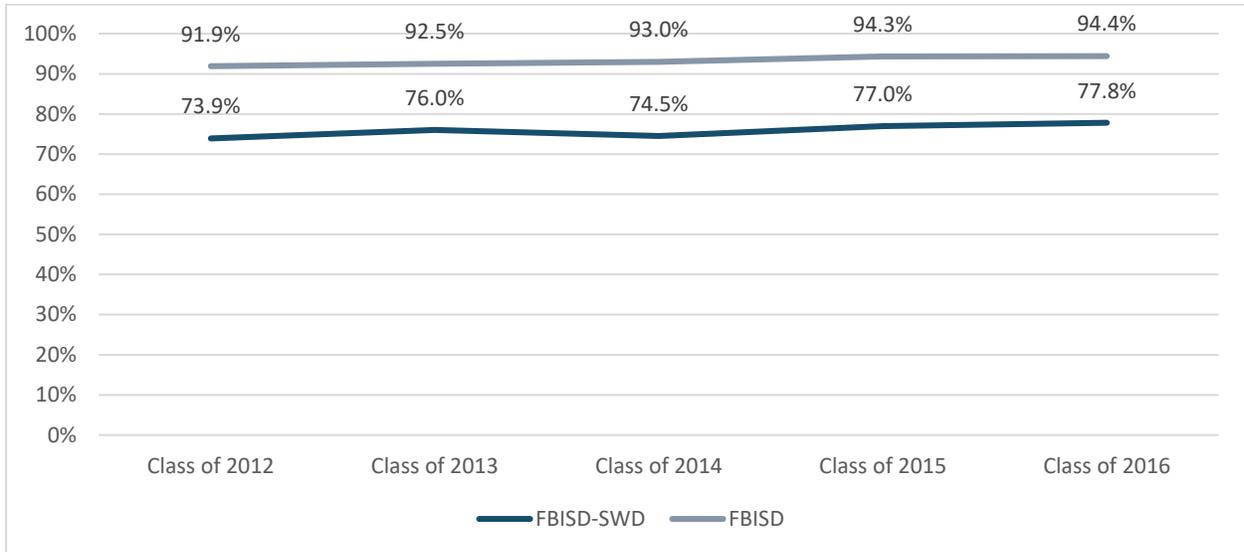
Table 12. STAAR Percent at Approaches Grade Level or Above, All Grades, 2016-17

District	All Subjects	Reading	Math	Writing	Science	Social Studies
Fort Bend	43%	38%	46%	36%	48%	48%
Arlington	33%	28%	40%	22%	39%	37%
Cypress-Fairbanks	51%	43%	61%	35%	58%	56%
Conroe	48%	42%	57%	33%	54%	46%
Katy	58%	53%	63%	46%	65%	59%
Klein	23%	21%	25%	19%	26%	26%
Round Rock	48%	42%	54%	35%	54%	54%
Lewisville	50%	46%	56%	35%	56%	56%
Plano	48%	43%	53%	36%	52%	54%
FBISD Ranking	7th	7th	7th	3rd	7th	6th

Source: Texas Performance Reporting System, TEA website.

Two other indicators that measure how well the district is educating students with disabilities – graduation rate and dropout rate – are both trending in a positive direction. The 2016-17 graduation rates were at their highest in the past five years.

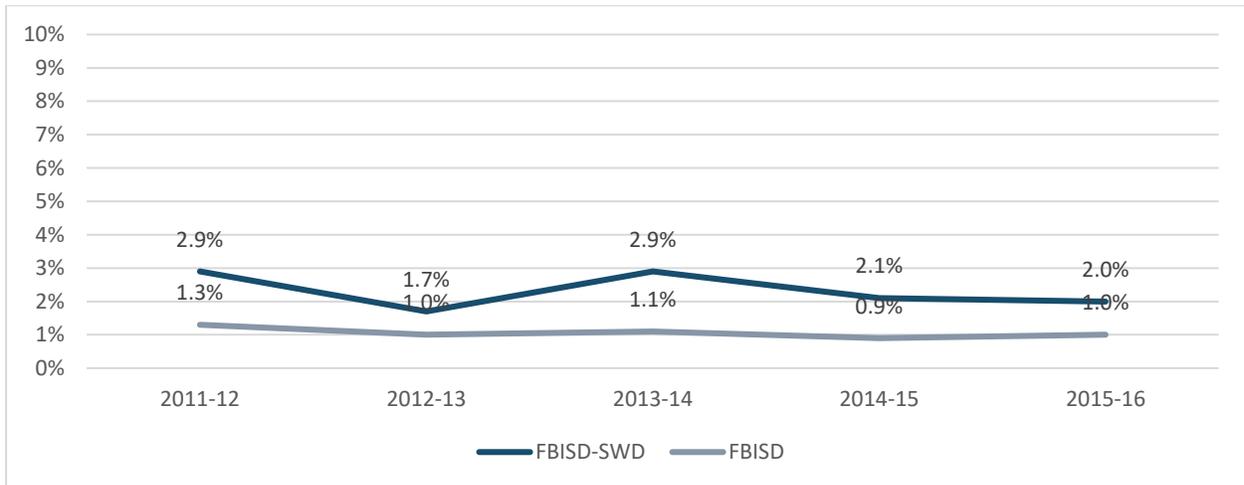
Figure 19. FBISD Graduation Rates, Class of 2012 to 2016



Source: Texas Performance Reporting System, TEA website.

Dropout rates for students with disabilities dropped from 2011-12 to 2012-13, then peaked again in 2013-14, and subsequently dropped almost a full percentage point from 2013-14 to 2015-16.

Figure 20. FBISD Dropout Rate, 2011-12 to 2015-16



Source: Texas Performance Reporting System, TEA website

Service Delivery Model and Specialized Instructional Programs

The Individuals with Disabilities Education Improvement Act (IDEA) requires states to establish procedures to ensure, "that to the maximum extent appropriate," students with disabilities are educated with their non-disabled peers. To do this, school districts offer a full continuum of services and service delivery models to provide instruction to students with disabilities based on their individual needs (not disability). The district's service delivery model and specialized instructional programs are described below.

Continuum of Services

As required by Federal law, Fort Bend ISD provides a full continuum of service delivery options that includes the following:²¹

- **Mainstream** – Instruction is provided in the general education classroom by the general education teacher.
- **Co-Teach** – Instruction is provided in the general education classroom by both the general education teacher and special education teacher, who share responsibility and accountability for planning and providing direct instruction to all students. Both teachers ensure accommodations are met.
- **In Class Support (ICS)** – In class support is a collaboration between the general education teacher and special education staff to ensure that students with disabilities successfully meet the requirements of the general education curriculum. The general education teacher is the teacher of record and is primarily responsible for providing initial instruction. Both general education and special education staff ensure that accommodations and modifications are implemented and appropriately address students' academic needs and cognitive abilities.
- **Resource** – Designed to provide direct instruction in a special education classroom by the special education teacher to students with a disability who have been identified as being multiple grade levels behind, and who need extensive modifications and accommodations that could not be provided in a mainstream setting.
- **Self-contained** – Special education and related services are provided in a self-contained classroom for 50% or more of the student's school day on a regular school campus. Instruction is provided by the special education teacher, often with additional support from paraprofessionals in the classroom (see *Specialized Instructional Programs*).
- **Homebound** – Instruction is provided at home for students who are expected to be confined at home or in a hospital bedside for a minimum of four weeks for a medical reason.

²¹ Other instructional settings are described in *Chapter 4 – Student Identification, Evaluation, and Placement*.

A program is one of the arrangements on Fort Bend ISD’s continuum of services to which a student may be assigned. These specialized programs are typically offered in a self-contained classroom setting, where students stay full-time or part-time, depending on their IEP. FBISD offers the following specialized programs:²²

- **Adapted Behavior Class (ABC)** – Academic, Behavior, and Communication classes are designed for students who exhibit a combination of severe cognitive and behavioral challenges. The average student-staff ratio is 2:1 (additional staff are provided based on individual needs of students).
- **Adult Transition (18+) Program** – This program serves students aged 18-22 and provides training and instruction to facilitate the transition from high school into appropriate adult programs and supported work placements. The 18+ programs are located on several high school campuses.
- **Behavior Support Services (BSS)** – Behavior Support Service classes are designed for students who are eligible for Special Education and are in need of highly structured educational programming. The average student-staff ratio is 3:1 (additional staff are provided based on individual needs of students).
- **Communication, Language and Social Skills (CLASS)** – Provides social and/or behavioral services for students who are able to function academically in the general education or resource setting but require social or behavioral support from a specially-trained staff member in order to facilitate the development of socially appropriate behaviors.
- **Functional Living and School Health Services (FLaSH)** – The Functional Living and School Health Services class provides a developmentally appropriate program for students from five to twenty-two years of age who exhibit significant, profound cognitive and communication impairments and/or multiple impairments. The average student-staff ratio is 2:1, with at least one classroom nurse (additional staff are provided based on individual needs of students).
- **Preschool Program for Children with Disabilities (PPCD)** - Services are designed for students ages 3-5 who qualify for special education services. The average student-staff ratio is 3:1 (additional staff are provided based on individual needs of students). Students have a wide range of needs to include cognitive, social and/or communication deficits. Students require instruction on the following:
 - Prerequisite skills that are aligned to the Pre-K guidelines
 - Ready-to-Learn skills (these are prerequisite skills for a student to be able to benefit from instruction in a classroom environment)
 - Communication

²² Fort Bend ISD Special Education Handbook, 2017-18.

- **Regional Day School Programs for the Deaf (RDSPD)** - This program was instituted in Texas by the TEA to provide quality services to students who are deaf or hearing impaired. Due to the low incidence of hearing impairment, students come from several districts to a central location to be served by teachers who are certified to work with students who are deaf/hard of hearing on their home campuses. The Fort Bend RDSPD program is established as a shared services arrangement between 11 school districts.
- **Succeeding in Academic and Independent Living Skills (SAILS)** - The Succeeding in Academic and Independent Living Skills class is a self-contained setting consisting of students with significant cognitive disabilities who require an educational program focusing on life skills such as personal care, pre-vocational activities, communication, functional academics and/or social skills.

FBISD does not provide every specialized program on each campus but places programs in locations that can serve students from multiple schools. The Department makes every effort to assign students in need of a particular specialized program to a class that is in or as close to their home/neighborhood school as possible. Table 13 provides a summary of the number of students currently being served by each of these specialized instructional programs.

Table 13. FBISD Total Students per Specialized Program, October, 2017

Program	Campuses	Students	Teachers	Student-Teacher Ratio
Succeeding in Academic and Independent Living Skills (SAILS)	61 Campuses	651	87	7.5
Adult Transition Services (ATS)	All HS	113	14	8.1
Functional Living and School Health Services (FLaSH)	10 Campuses	63	10	6.3
Behavior Support Services (BSS)	28 Campuses	147	28	5.3
Communication, Language, and Social Skills (CLASS)	7 HS	46	7	6.6
Academic, Behavior, and Communication (ABC)	14 Campuses	74	14	5.3
Preschool Program for Children with Disabilities (PPCD)	18 ES x 2 Half Day Sessions	181	18	5.0

Source: Fort Bend Special Education Department, Monthly Staff Count, December 2017 (Data Request #4).

Finding 11: The average student-teacher ratio for PPCD classes is very low.

The PPCD program is offered at 18 elementary schools across the district. Classes are offered both in the morning and afternoon and each classroom is staffed with one teacher and two paraprofessionals. According to the monthly count data provided by the Department (October 2017), PPCD class sizes range from 2 to 11 students, with an overall average student-teacher ratio of 5:1. Although the unique needs of individual students vary and should be considered when determining classroom staffing, a maximum PPCD class size of 12 students is not atypical in other districts.

Recommendation 9: Establish minimum and maximum class size thresholds for the establishment or continuation of a specialized program on a campus.

Decisions for placing specialized programs on a campus are based upon capacity at the facility, size of available classrooms, mid-year enrollment fluctuations, and the projected enrollment over three subsequent school years. Monthly reviews are conducted to analyze available enrollment data. The rapid rate of the district’s special education enrollment growth in the last two years, combined with the fact that some schools are at or above their enrollment capacity, creates a conundrum. The District should consider establishing a “soft” minimum and maximum number of students served requirement for the establishment or continuation of a low incidence program on a campus. With respect to the PPCD program, the Department could potentially free up resources by combining morning and afternoon classes at elementary schools with low program enrollment.

Management Response: *Management agrees with the recommendation. By December 2018, the Department will establish “soft” minimum and maximum number of students served to maintain the establishment or continuation of a low incidence program on a campus. There are multiple factors that are considered when determining the location of a low incidence program on a campus to include student numbers, student needs, facility availability, and student projections. With respect to PPCD, the department collects monthly counts across the district. We recognize that PPCD numbers at the beginning of the year are typically low, but steadily increase throughout the year as new students are identified. As the District notices low enrollment, we monitor the needs of the classroom closely to ensure staff is being utilized effectively, but do not collapse programs due to the steady increase of students through initial evaluations.*

Co-Teach

Co-teach is a research-based service delivery model where certified general education and special education teachers work together to meet the needs of all students in the general education classroom. Both teachers share responsibility for lesson planning, delivery of instruction, and progress monitoring for all students in the classroom. The co-teach model of instruction, if implemented with fidelity, can be effective in improving overall student performance because it draws on the strengths of the general education teacher, who has expertise in the district’s curriculum, standards, and pacing, as well as the strengths of the special education teacher, who has expertise in identifying the unique learning needs of individual students and enhance curriculum and instruction to match those needs.

Commendation 10: More students with disabilities are being served in less restrictive settings since the implementation of the co-teach service delivery model.

A district-wide co-teach model was first implemented in FBISD in 2016-17 with a stated goal of providing students who receive special education services with the necessary academic tools to help them access and make progress in the least restrictive environment (LRE). As illustrated in *Chapter 4 – Student Identification, Evaluation, and Placement*, the percentage of students in a mainstream setting increased

6.9 percent from 2015-16 (before co-teach) to 2017-18. Much of this increase can likely be attributed to the implementation of the District's co-teach model.

Although the initial impact of the co-teach model on student performance showed no consistent pattern one way or the other, the Department should be commended for including a program evaluation as part of the implementation process.²³

Finding 12: Implementation of the co-teach model is inconsistent across campuses and the level and types of support for sustaining this program may not be sufficient.

During the 2016-17 school year, all schools were required to implement the co-teach model in a minimum of one grade level or one subject area based on the student-centered decision-making process.²⁴ With the assistance of an external consulting firm, all stakeholders were trained on methods to support the diverse array of students and student needs in a co-teach classroom and teaching partners received coaching, modeling and support from Department administrators. Staff from 30 elementary schools and all secondary schools were a part of the initial training.

In order to facilitate the growth of this instructional design, the district created four exemplar campuses to serve as learning laboratories for deepening co-teaching best practices. In addition, the *Co-Teaching Classroom Critical Elements* observation tool was created to support successful co-teaching partnerships. Full implementation of the model is expected to take between three and five years.

During interviews, focus groups and classroom observations, principals and teachers voiced their concerns and shared some of the challenges with implementing this initiative:

- Expectations for expanding the model beyond the requirement of “one grade level or one subject area” are not well-understood.
- Some schools that have significantly expanded co-teach to multiple classrooms have done so at the expense of ensuring that their master schedule supports the essential elements needed to implement the co-teach model with fidelity, such as collaborative planning time.
- Special education teachers report that they are often assigned to multiple co-teach, inclusion, and resource classrooms.
- School administrators are unclear how to sustain the initiative and support co-teach partnerships year over year (or even mid-year) as the composition of students and staff change. For example, administrators often question whether to keep a co-teach partnership together or move the special education teacher to the next grade level (with the students).

²³ *A Comprehensive Update on Co-Teach Support Services*, July 2017.

²⁴ See *Chapter 3 – Department Organization and Program Management* for more information on the student-centered decision-making process.

- Half of all co-teach partners interviewed reported that they were newly paired. High partnership turnover limits the ability to evolve these pairs into an authentic and effective partnership and requires a level of on-going training, support, and re-training which may not be sustainable in the long-term.
- ARD committees are placing students into a co-teach instructional setting in their IEP, but if a school's master schedule cannot accommodate a co-teach classroom for that student then there must be another ARD committee meeting to revise the IEP in order to place the student into a Resource/ICS instructional setting. This is inefficient and risks not meeting parent expectations.
- Co-teach and inclusion classrooms are often "stacked" with high-need students (e.g., students with disabilities, 504, dyslexia, reading recovery) that collectively comprise more than one-third of the class.
- Resource classrooms are often comprised of multiple grade levels due to resource teachers also supporting co-teach, which reduces the quality of instruction.

The *July 2017 Report to the Board of Trustees* delineated next steps for the 2017-18 school year including:

- Provide administrators with more specific expectations and timelines for continued implementation of co-teach classrooms on their campus to include the following:
 - Ensure Special Education Inclusion and Resource Teachers receive all general education communication related to the content areas they teach;
 - Critical Elements Walk-through expectations; and,
 - Additional training regarding the campus administrator role in the implementation of the co-teach model.
- Coaching for 2017-18 will focus on collaborative planning for co-teach instruction using planning protocol, taking the planning a step further for more in-depth authentic collaboration.
- Utilize four campuses as exemplar co-teach models.
- Differentiate Authentic Collaboration training for campus partnerships based on the phase of each team.
- Continue collaboration embedding curriculum framework to accommodate all learners as they access the general curriculum.
- Continue to monitor the co-teach implementation plan using the co-teach IEP for Initial Implementation.

Recommendation 10: Provide more guidance and support to schools, which may include additional staffing resources, in order to implement the co-teach model with fidelity.

The recommendations from the *July 2017 Report to the Board of Trustees* should remain areas of focus for co-teaching. In addition, Department leaders will need to provide more assistance to school administrators in planning for and phasing in additional co-teach classrooms and preserving and supporting existing partnerships.

As the district continues to provide more and more access to the general education curriculum through the co-teach model for students with disabilities, staffing will need to align to support more inclusive arrangements. Meanwhile, ARD committees should consider placing students into an Inclusion/ICS instructional arrangement as opposed to a co-teach instructional arrangement, which would allow for more flexibility in staffing but would still enable students to be scheduled into a co-teach classroom whenever possible, particularly as the co-teach model is expanding and developing.

If the District is committed to growing the co-teach model in the long-term, a strategic plan for expansion should be developed and clearly communicated so that schools and co-teach partnerships are fully supported. Finally, quantifying the outcomes of co-teaching is essential to determine the quality of implementation and the efficacy of the model. Achievement results thus far have been mixed for both general education students as well as special education students, necessitating further analysis of the model and degree of fidelity to the components of best practices in co-teaching. Use of the *Co-Teaching Classroom Critical Elements* observation data and comparative assessment data should enable the district to evaluate the effectiveness of co-teaching.

Management Response: *Management agrees with the recommendation. The Administration will provide the Board of Trustees an update on the Co-Teach strategic plan at the July 2018 meeting. The plan will address the recommendations noted in this report as well as provide additional action to be taken by the Department.*

Behavior Management and Discipline

FBISD has several district-wide and special education programs that address student behavior and discipline. Positive Behavioral Interventions and Support (PBIS) and Response to Intervention (RtI) are focused on behavior prevention and interventions for all students in the district. There are also alternative placements applicable to all students in the district, such as alternative education programs, in-school and out-of-school suspension.

The Special Education Department also offers three specialized programs (ABC, BSS, and CLASS) to support students with disabilities that have behavior issues. Oversight of these programs includes two Behavior Support Services program managers and one program specialist. In addition, there is one Autism Support Services program manager, three program specialists, four BCBA's, and 10 behavior aides.

Positive Behavior Intervention Supports

Positive Behavior Intervention Supports (PBIS) is a school-wide approach to make schools safer and improve student behavior. The broad purpose of PBIS is to improve the social, emotional, and academic outcomes for all students, including students with disabilities. In FBISD, the PBIS program is organized under the Department of Learning Support Services (LSS) and is led by a Coordinator of PBIS and Restorative Discipline, who reports to the LSS Director. The unit is comprised of 8 PBIS Facilitators and 5 Rtl Behavior Aides. The PBIS Facilitators are responsible for providing staff development and behavior support to campuses, while the Behavior Aides provide behavioral support to general education students receiving Rtl services who are exhibiting problematic behaviors.

Finding 13: Implementation of PBIS across school campuses is inconsistent.

The District has selected PBIS as the districtwide behavior management tool; however, the level of integration and implementation of the practices varies from campus to campus. In some of the schools visited, evidence of the language and practices of PBIS was very apparent, but in others the principals expressed limited use and there was little evidence of the model. Additional behavior management programs also being used on some campuses include the *Safe and Civil Schools Foundations Program*, *Established Positive Discipline Policies*, *CHAMPS*, and *Restorative Discipline*.

Recommendation 11: Establish clear expectations regarding PBIS to enhance the model's usage in all schools and to serve as a first line of defense for addressing behavior issues.

The purpose of PBIS is to build systems capacity for implementing a multi-tiered system of supports for social, emotional and behavior support. The broader purpose of PBIS is to improve the effectiveness, efficiency, and equity of schools and other agencies. PBIS improves social, emotional and academic outcomes for all students, including students with disabilities and students from underrepresented groups.²⁵ It is a whole-school system for establishing procedures and practices. Clarification of expectations would enable students and staff to focus in a unified manner on a common set of practices.

Management Response: *Management agrees with the recommendation. By August 2018, the Department will ensure campus principals are provided clear expectations regarding the PBIS model. The Department will monitor implementation and collaborate with the Department of Leadership to increase school wide PBIS practices.*

Behavior Intervention Plans

IDEA requires ARD committees to consider, where appropriate, strategies and positive behavioral interventions and supports for behaviors when a student's behavior impedes his or her learning or that of others. Whenever a student displays chronic inappropriate behaviors, a Functional Behavior Assessment (FBA) should be conducted to determine the underlying causes of the behavior that the ARD

²⁵ pbis.com

team can consider. An FBA is a process that identifies specific target behavior, the purpose of the behavior, and what factors maintain the behavior that is interfering with the student's educational progress. Once an FBA has been completed, it should be presented to the ARD team to determine a plan to adequately manage the targeted behaviors identified in the FBA and to teach appropriate replacement behaviors. This plan is called a Behavior Intervention Plan, or BIP.

A BIP is a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior. ARD committees must consider the development of a BIP for a student with a disability when the:

- Student with a disability is exhibiting persistent behaviors that impede his or her learning or that of others, despite consistently implemented general school-wide or classroom-wide interventions;
- Student's behavior places the student or others at risk of harm or injury;
- A more restrictive program or placement as a result of the student's behavior is being considered; and/or,
- Student is subject to disciplinary actions and a determination has been made that the behavior is related to the student's disability.

A BIP must identify:

- The baseline measure of the problem behavior, including the frequency, duration, intensity and/or latency of the targeted behaviors.
 - Such baseline must, to the extent practicable, include data taken across activities, settings, people and times of the day.
 - The baseline data must be used as a standard to establish performance criteria and against which to evaluate intervention effectiveness.
- Intervention strategies to be used to alter antecedent events to prevent the occurrence of the behavior, teach individual alternative and adaptive behaviors to the student, and provide consequences for the targeted inappropriate behavior(s) and alternative acceptable behavior(s).
- A schedule to measure the effectiveness of the interventions, including the frequency, duration, and intensity of the targeted behaviors at scheduled intervals.

Finding 14: The overall quality of BIPs reviewed by the audit team do not meet acceptable standards.

For IEPs that also contained BIPs, the audit team assessed their overall quality with respect to the description of the problem behavior and the reasons the behavior occurs, the intervention strategies to

address the problem behavior, consequences, and the frequency with which the behavior is monitored (see *Chapter 6 – Individual Education Program Audit Testing*). Thirteen of the 26 IEPs audited included BIPs; other BIPs were also reviewed in the context of classroom observations. The audit team identified the following areas of deficiency:

- *BIPs stated the frequency for reporting progress to parents but did not clearly describe the frequency for collecting data and monitoring behaviors.* BIPs are initially developed by the LSSP and then updated by teachers. All are based upon an FBA. In the majority of the BIPs reviewed, the progress monitoring only specified 9-week reports to the parent; however, the frequency of teacher monitoring of targeted behaviors was not specified.
- *Most BIPs did not contain measurable goals.* Progress is indeterminable without quantifiable targets. The intention of the goal should be to decrease or to extinguish inappropriate behaviors, to increase appropriate behaviors, and to measure progress toward accomplishing the goals. Of the 13 IEPs reviewed that required BIPs, most had goals that were not specific enough to be measured, such as:
 - Demonstrate appropriate behavior
 - Demonstrate appropriate participation
 - Will comply with teacher requests
 - Will ask for assistance when she needs help
 - Will use coping skills when anxious or overwhelmed
 - Routinely work and complete assignments
 - Will complete assignments
- *BIPs were not revised from year to year to reflect progress or to modify the plan.* In addition, there was no evidence that FBAs were being done beyond the initial FBA even when inappropriate behaviors persisted from year to year. Two students' BIPs reviewed were identical for two years and four students' BIPs were identical for three years.
- *Some student's inappropriate behaviors were not being addressed through the development of a BIP.* One student's Present Levels of Academic Achievement and Functional Performance (PLAAFP) listed the following inappropriate behaviors: easily distracted, failed English, history, and algebra; talking in class; asks to work in hallway; attention span; distracts others; eating in class; tardies; and, dress code violations. Although these behaviors were reported across multiple school years, no BIP had been developed. Another student's IEP included a list of inappropriate behaviors in the PLAAFP for two consecutive years and referenced the student receiving three disciplinary referrals, yet this student also did not have a BIP for either school year.

BCBAs and behavior aides reported that many teachers do not collect the appropriate behavior data although the following are available for use:

- Positive point sheets designed to be completed after each class
- BIP frequency and duration monitoring sheets to be collected weekly

Recommendation 12: Ensure that the behavior intervention plans include all of the essential components for a high-quality plan and that processes are in place to effectively progress monitor student behaviors.

The first step to managing the behavior for students with disabilities that also have behavior challenges is to ensure that the behavior intervention plans are of high quality. Specific recommendations include:

- Add the frequency of monitoring in addition to the frequency of reporting to the BIP format and consider expanding the use of digital recording to monitor behaviors. Greater frequency of monitoring needs to occur to successfully extinguish inappropriate behaviors. The absence of specificity to describe the frequency for collecting data and monitoring behaviors weakens the quality of the BIPs. Although, technically the level of mastery and/or frequency can be stated in IEP goals, it is also important to establish in the BIP how often progress will be measured. Tracking logs were observed by the audit team in several classrooms, indicating that daily monitoring is occurring for some students. None of the IEP files reviewed as part of the IEP audit included students receiving Behavior Support Services (BSS), but staff interviewed related how critical reintegration plans for students removed from general education classrooms were. Timing for reintegration is based on tracking of their challenging behaviors. Positive point sheets were being used daily and BIP targeted behaviors were monitored weekly in these classes. Digital recording of these data is preferable and has been made available; however, additional training is needed for staff to use effectively.
- Ensure the wording of target behaviors and goals reflects the desired behavior clearly and in a way that can be quantified and measured. Examples of specific and measurable targeted behaviors include “complete all assignments given by the teacher in the required amount of time” or “student will raise his hand and be recognized by the teacher before speaking out in class”.
- Randomly conduct historical monitoring of BIPs to ensure when progress is not made toward behavior goals, BIPs are revised and, if needed, a new FBA is conducted.
- Provide additional training on identifying targeted behaviors that require a BIP. Whenever a student displays persistent behaviors that interfere with their own learning or that of others, a BIP should be developed to adequately manage the targeted behaviors. Both special education and general education teachers need to understand the need and purpose of BIPs in order to identify and address any problem behaviors that occur in their classrooms.

Management Response: Management agrees with the recommendation. By August 2018, the Department will revise the department guidelines regarding the Behavior IEP and Behavior Intervention Plans to ensure clarity in expectations and develop a training and implementation plan for improvement. The Department acknowledges the vacancies of LSSPs has contributed to these identified concerns.

Student Discipline

The Texas Education Agency (TEA) assesses data regarding disciplinary alternative education programs (DAEP) as part of the Performance-Based Monitoring Analysis System (PBMAS). A DAEP is an educational and self-discipline alternative instruction program for students in elementary through high school grades who are removed from their regular classes for mandatory or discretionary disciplinary reasons. Students are generally suspended due to violations of the student code of conduct and rates of suspension vary from district to district and school to school within a district.

Finding 15: FBISD’s in-school and out-of-school suspension rates of students with disabilities exceed rates of their non-disabled peers.

Table 14 provides the percentages of both general education students as well as students with disabilities who are placed in in-school suspension (ISS) or out-of-school suspension (OSS). The percentage of in-school suspensions of students with disabilities is almost two times greater than that of their non-disabled peers and the out-of-school suspension discrepancy is more than three times as great.

Table 14. Fort Bend ISD In-School Suspension and Out-of-School Percentages by Student Groups, 2016-17

Type of Suspension	General Education Students	Students with Disabilities
In-School (ISS)	7.5%	14.2%
Out-of-School (OSS)	5.9%	18.0%

Source: PBMAS.

Finding 16: African American students are 3.2 times as likely as their non-African American peers to be discretionarily placed in Out of School Suspension (OSS) or expulsion for 10 or fewer days, and 2.3 times as likely to be discretionarily placed in In-school Suspension (ISS) for 10 or fewer days than their non-African American peers.

The disproportionality of African American students discretionarily placed in ISS and OSS is a national phenomenon. Table 15 shows the special education disciplinary risk ratios for each ethnicity.

Table 15. FBISD Special Education OSS and ISS Representation Risk Ratios, 2018

Primary Disability	African American	Asian	Hispanic	Multi-Racial	White
ISS <10 Days	2.3	n/a	0.8	n/s	0.7
OSS/Expulsion < 10 Days	3.2	n/a	0.6	n/a	0.5
Total Disciplinary Removals	2.7	.01	0.7	1.0	0.6

Source: FBISD Special Education Department, 2017-18 Special Education Report Card, End of 3rd nine weeks.

Research clearly indicates that when education is disrupted by long absences (such as suspension or expulsion), the probability of a student dropping out of school increases dramatically; and, children with special needs that drop out are much more likely to never complete a diploma and remain unemployed and economically dependent.

The Special Education Department has developed district-wide and campus report cards that are reviewed with principals quarterly (which is a best practice). Information regarding academic performance and discipline data is included on the quarterly campus report cards. Attention to this data point is critical because the removal of students with disabilities from school can be interpreted as a denial of services.

Recommendation 13: Implement effective strategies to address the disproportionate number of special education students discretionarily placed in ISS and OSS.

The District provides a specialized program called Communication, Language, Academics, and Social Skills (CLASS) at seven campuses for students with special education services who require explicit, direct, social skills instruction and increased staff supervision. Specific strategies the district can utilize to address the disproportionality of student discretionary placements include:

- Increase professional development opportunities for both special education and general education teachers and paraprofessionals that focus on behavior management. Ensure that all teachers receive training in order to employ multiple techniques to engage and motivate students who struggle to manage their own behaviors within general education settings. Currently, training is being developed for general education teachers on reintegration of students with behavioral issues.
- Ensure that student IEPs include behavioral goals and positive behavior interventions and supports when needed. When an FBA indicates the need for a BIP, the BIP needs to have measurable goals and objectives, be reviewed frequently, and modified as needed. Progress monitoring should be frequent and well documented.
- Ensure that both students and parents are familiar with the school's discipline code and understand the legal requirements in this particular area, and that both are involved in the development of the student's BIP. Positive interventions and/or Restorative Discipline on campuses where it is practiced should be a precursor to any discretionary out-of-class placements, except in extreme cases.

- Increase the use of digital tracking of student behaviors. Behavior tracking is being done, for the most part, manually through the use of positive point sheets on which the frequency and duration of both negative and positive behaviors are recorded. Digital tracking is available but lack of training has prevented all staff from being able to utilize it. Appropriate training on using the digital tracking system needs to be provided to ensure student progress toward accomplishing behavior goals is easily accessible.
- Ensure teachers/paraprofessionals frequently collect and analyze data required by the BIP and modify as needed.
- Provide targeted instruction in appropriate social skills. Using preventative strategies will decrease the need for punitive responses to inappropriate behavior. Students may need training in conflict resolution, power struggles, bullying, self-regulation, or anger management.
- Identify appropriate social skills curricula to meet the needs of students with varied developmental levels and disabilities to use districtwide. Teachers will need training in social skills to proactively address inappropriate behaviors such as de-escalation and avoiding power struggles. Positive Action and Olweus were mentioned during the interviews as programs that were being used in some schools. Positive Action and Superheros are social skills curricula utilized in the Behavior Support Services programs.

Management Response: *Management agrees with the recommendation. Beginning with the 2018-2019 school year, the Department will address the disproportionate number of special education students discretionarily placed in ISS and OSS through quarterly Campus Support Plan (CSP) meetings with campus administration and increased implementation of PBIS model. In addition, the Department will collaborate with the Department of Student Affairs and School Leadership to improve effective implementation.*

Curriculum and Instructional Practices

Most students with disabilities follow the general education curriculum aligned with the Texas Essential Knowledge and Skills (TEKS) or a modified version. The *Unique* Learning System is an online, interactive, and standards-based alternative curriculum specifically designed for students receiving special education services who access the curriculum through pre-requisite skills and who take an alternative STAAR assessment, which is aligned with the TEKS. Use of *Unique* enables special education staff to guide students toward independence and/or the acquisition of work skills.

The *We Can* Early Learning Curriculum is utilized in PPCD classrooms. It is a robust multi-disciplinary and evidenced-based curriculum for pre-kindergarten students. It is aligned with Common Core and other state standards for Kindergarten. However, there are questions about the alignment with the Pre-K Guidelines and the District PK curriculum.

Literacy intervention occurs at all levels. Leveled Literacy Intervention (LLI) is used for all students K-12 who require intervention. Project Read and Neuhaus are utilized at all levels for students identified with

dyslexia and other reading disabilities who are served through the Dyslexia Program and/or special education services. Project Read and Neuhaus utilize an Orton-Gillingham approach to reading instruction, which is language-based, multisensory, structured, sequential, and cumulative. With the revisions to the District curriculum, Tier 2 and Tier 3 strategies have been embedded into the instructional delivery components of the curriculum within Schoology. The Department of Special Education also utilizes TouchMath as a supplementary intervention for students with cognitive delays.

Commendation 11: The Special Education Department staff collaborate with their peers in Teaching and Learning to embed accommodations and exemplars for modifications within the general education curriculum.

Teaching and Learning recently completed a rewrite of the general education curriculum, which is now housed in the district's learning management system, Schoology. Special Education Department staff are working collaboratively with Teaching and Learning to embed accommodations and exemplars for modifications within the general education curriculum. Science and social studies were addressed first because more inclusion occurs in these two subjects. Other content areas will eventually follow the same process.

Commendation 12: Critical Element walkthrough protocols are used to evaluate program fidelity and to improve instruction.

Classroom walkthrough instruments, referred to as *Critical Elements*, have been developed for all specialized programs, co-teach, in-class support, and resource classes to assist principals and other administrators in supporting teachers and improving instructional practices. These instruments are used by administrative teams to analyze the classroom learning environment, the teacher-paraprofessional communication, instruction, IEPs and lesson plans, and behavior management. Data from walkthroughs is invaluable to assess the quality of services students with disabilities are receiving and should be reviewed carefully to inform instructional practices. The Department should ensure that general education teachers receive additional professional development on accommodations and modifications, and that resource teachers in particular receive additional professional development in accessing the curriculum.

Commendation 13: The recent adoption of a universal screener, Ren 360, ensures a consistent measure of student achievement and growth across all campuses.

Renaissance Star 360 (Ren 360) is a comprehensive interim and formative assessment suite that delivers the valid, reliable screening, progress monitoring, and student growth data needed to make informed decisions regarding reading, math, and early literacy. The assessment is given three times per year and is used as a diagnostic tool for special education. In fall 2017, approximately 43,000 students in Grades 1 through 12 took the math screener and 47,000 students in Grades K through 12 took the reading screener. Ren 360 scores are used for RtI purposes to place students into Tier 2 or Tier 3 interventions. Benchmarking academic progress is important for all students, but for students with disabilities, it is

mandated. Prior to the implementation of Ren 360, teachers did not have a consistent means for assessing and monitoring student progress.

Finding 17: District-provided curricula are not being implemented in all specialized program classrooms.

Although the district has secured a comprehensive curriculum for students with low to moderate cognitive abilities, *Unique*, its use was not very apparent during observations of ABC, SAILS, FLASH and Adult Transition classrooms across the district. Resources to support the use of *Unique* are available in classrooms but they did not appear to be consistently utilized in all classrooms where the curriculum is provided.

Although the *We Can* curriculum is aligned to the Kindergarten curriculum, it is not currently aligned to the districts Pre-K curriculum.

Recommendation 14: Ensure that all specialized programs are supported with an aligned curriculum and implemented with fidelity.

FBISD should establish a requirement that the *Unique* curriculum be utilized fully and then support the mandate by providing any needed professional development and resources for implementation. Usage of the curriculum should be monitored through the Critical Elements walkthroughs discussed previously.

Resources in FLASH classrooms are sparse and should be enhanced with a focus on equipment and materials that foster independence, including assistive technology. Also, the misalignment between the *We Can* curriculum and the Pre-Kindergarten curriculum should be reviewed to determine any needed adjustments.

Management Response: *Management agrees with the recommendation. By August 2018, the Departmental plan will include action items to address increased utilization of the Unique curriculum in ABC, SAILS, FLASH and Adult Transition classrooms, PPCD curriculum aligned with PK Standards and the District curriculum, and instructional materials and technology for the FLASH programs.*

Finding 18: There is no comprehensive multi-year plan to expand the use of digital tools in general education classrooms or special education classrooms, which has limited greatly the opportunities to differentiate instruction.

Many of the campuses visited (particularly non-Title I campuses) by the audit team reported a limited use of technology resources due to the fact that it was not available or much of it was antiquated and in need of repair. One school visited had just received wireless internet access, as an example. In classrooms where there were computers or other devices available, they were not being used by students in many of the classrooms that were observed. Of particular concern was the lack of computer usage in the middle school with a 1:1 student to computer ratio. The most recent Technology Audit conducted by Gibson supports this finding by listing as a high priority recommendation “*developing and implementing a fully funded student computer device refresh plan that distributes devices equitably among Fort Bend ISD schools.*”

Best practice supports the use of blended learning, which is the strategic integration of in-person learning with technology to enable real-time data use, personalized instruction, and mastery-based progression. The use of differentiated, adaptive, intelligent digital content in a blended environment can address the concerns expressed by special education teachers that they find it difficult to find resources to utilize when students are several grade levels behind. In addition, blended learning employs the use of small group instruction using data to inform groupings, further creating learning environments where differentiation of instruction can occur. The *Learning Accelerator* describes blended learning as “a fundamental redesign of instructional models with the goal of accelerating learning.”²⁶

Although the district does not have a student to computer device target ratio, it is currently piloting three separate blended learning programs on 16 campuses. These pilot programs include the implementation of the district’s learning management system accompanied by varying ratios of students to devices. Three campuses are implementing the pilot using a 1:1 student to computer device ratio; the other 13 campuses received 10 iPads or 10 laptops per classroom depending on the grade level. FBISD has a significant gap between the academic outcomes for general education students and those with disabilities; accelerating learning can narrow this gap and enable students who are behind, including those with disabilities, to progress more quickly.

Recommendation 15: Accelerate the use of digital teaching and learning to differentiate instruction and personalize learning for students with disabilities.

Equipping all schools with updated technology will require a major commitment of financial resources and, most likely, will require time to implement. In the meantime, the district could consider establishing special education pilot sites at the elementary and high school level in addition to the three middle schools currently utilizing blended learning. These sites could serve as an experimental group and, using Ren 360 results, progress of students with disabilities in the pilot schools could be measured against those in non-pilot schools to strategically assess the efficacy of blended learning practices. Any digital content being considered for purchase should be reviewed by end-users, and a process for determining expected academic outcomes for each digital program needs to be established in advance.

Management Response: *Management agrees with the recommendation. The Technology department will submit plans for the 2018 Bond to include student devices in all classrooms, including special education classrooms. By August 2018, the Department will provide additional recommendations to the Technology Department regarding the need for assistive technology devices.*

Assistive Technology

IDEA defines assistive technology as “any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability”. Decisions regarding the need for assistive technology

²⁶ *Learning Accelerator* is a nationally recognized organization focused on improving K-12 education through blended learning initiatives. <https://learningaccelerator.org/>

devices and services are made based on a student’s ability to access the curriculum and/or their IEP goals and objectives.

Finding 19: Most assistive technology applied in FBISD’s special education program is low-tech.

Based on a review of IEPs, ARD committees appear to consider only “Level 1 - Low Tech” assistive technology devices, such as communication boards, multiplication charts, graphic organizers, calculators, checklists, and adaptive paper. Low-tech assistive technology devices include equipment and or services that are basic in nature, require very little training in terms of use, and are inexpensive and readily available. Interviews, focus groups sessions, and classroom observations corroborated the finding that, with few exceptions, mostly low-tech assistive technology device options are considered for students.

Recommendation 16: Consider higher-tech assistive technology devices for students with disabilities.

ARD teams need to be informed about what is available in order to consider whether progress for students with disabilities would be enhanced by the addition of a more advanced assistive technology device. As the selection of digital tools has increased, more medium and high technology (Levels 2 and 3) assistive technology is available and should be used to maximize student independence and access. Examples of medium and high technologies include, but are not limited to:

- Handheld spelling dictionaries
- Portable word processors
- Augmentative and alternative communication devices such as speech generating devices
- Memory aids such as Smartpens
- Text readers
- Notetakers
- Text enlargers
- Digital organizational tools
- Word prediction software
- Talking word processors
- Tablet or computers
- Switches
- Auditory feedback while keyboarding
- Speech to text and text to speech functionality
- Font modification
- Grid-based software

Providing additional options for assistive technology for students with disabilities will enable students to learn developmentally appropriate skills in an authentic manner and will assist students in gaining more independence regardless of their limitations. Mid-tech and high-tech devices, however, tend to be more expensive and generally require more student and staff training to operate.

Management Response: *Management agrees with the recommendation. By August 2018, the Department will provide additional recommendations to the Technology Department regarding the need for assistive technology devices and increased digital tools for consideration in the 2018 Bond. In addition, beginning in the 2018-2019 school year, additional training will be provided to CCCs, Evaluation staff, and ARD Facilitators regarding ARD Decision making guidelines related to assistive technology.*

Individual Education Programs

The Individualized Education Program (IEP) is a multidisciplinary, team-developed plan required for every child receiving special education services under Part B of the Individuals with Disabilities Education Act; it is an “educational map” for students with disabilities. An audit of a sample of IEPs, yielded the following general observations (more detail on the IEP audit is included in *Chapter 6 – Individualized Education Program Audit Testing*).

Finding 20: Many IEP goals and objectives are not individualized or measurable.

In the majority of IEP files reviewed, goals were a restatement of the TEKS standards and not individualized. Objectives were also found to be generic and not measurable in most cases. This diminishes the ability of the ARD team to objectively evaluate progress. In the files examined, evaluative criteria were reported in the following manner:

- IEPs clearly told how well the student must perform a behavior in order to consider it met (frequency, duration, distance, or accuracy).
- Evaluative procedures were included in all IEPs as well as a list of accommodations.
- IEPs did not express the period of time over which the student must perform a behavior in order to consider it met (number of days, number of weeks, occasion).
- In all cases, IEPs stated the date when student’s progress would be reported to parents as every 9 weeks, but they did not state the date or interval of time by which evaluation procedures will be used to measure the student’s progress toward the objective or benchmark. In the files examined, goals stated that students would meet the goal “by the next annual ARD” but did not state at what times progress would be assessed (e.g., in three months, every four weeks, at the end of the term, or quarterly).

Best practice examples suggest more measurable objectives such as the following:

- To read a 300-word article in the newspaper in two minutes with 95 percent accuracy as observed and recorded by the resource teacher once a week.
- To create fewer than five disruptions per day for three consecutive days as observed and recorded by the teacher's paraprofessional each day.

Other exceptions and findings that were identified include:

- One file indicated that the student should receive accommodations in all subjects yet there was only one goal for English and none for any other subject.
- One file stated that the student “*can communicate effectively without use of aids or devices*” but the FBA for that same student stated that the student “*is not able to communicate effectively*”.
- In several files, the goals were not appropriate for the functional level of the student. One example is where the following goals in social studies were written for a child with an intellectual disability and had an LRE placement in SAILS: “*Analyze importance of the Mayflower Compact and the Fundamental Orders of Connecticut, and the Virginia House of Burgesses to the growth of representative government*” and “*Describe how religion and virtue contributed to the growth of representative government in the American Colonies*”.

Recommendation 17: Improve IEP quality through enhanced training and monitoring.

The findings from the IEP file audits indicate the need for additional training and/or monitoring of IEP quality, and training should focus on developing individualized and measurable goals and objectives for each student.

Individual goals should be based upon the student’s PLAAFP and should prioritize critical needs in areas of skill deficits. The ARD committee should determine which areas will have the greatest impact on grade level progress then identify essential grade appropriate clusters/measurement topics, standards and learning targets, and/or skills aligned to TEKS on which goals should be written. The purpose of the goals and measurable objectives should be to assist the student in making progress toward enrolled grade-level standards and accessing the general education curriculum.

IEP goals and objectives should include:

- When – by what date the goal should be achieved;
- What – under what conditions (i.e., modifications, accommodations, assistive technology, or instructional strategies);
- Who – the student should be personally identified;
- Does what – observable behaviors;
- How much – level of mastery (i.e., level of skill acquisition, level of independence, or level of task completion);
- How often – frequency (i.e., daily, weekly, during content area classes throughout the year);
- How measured – assessment type; and,

- Cite the standard – TEKS.

Goals need to begin with the student's PLAAFP and represent scaffolded skills prerequisite to the standard being addressed. Although IEP goals should be aligned with identified essential grade level standards, goals should not be a restatement of the general education curriculum (i.e., the same curriculum as for students without disabilities), or a list of everything the student is expected to learn in every curricular content area during the course of the school year or other areas not affected by the student's disability. IEP goals should answer the question: "*What skills does the student require to master the content of the curriculum?*" rather than "*What curriculum content does the student need to master?*".

Goals and objectives are measurable if they reflect performance or behavior that can be measured or observed. For example, a student may be performing poorly on written tests that require written expression. The IEP goal for this student should focus on developing written expressive skills (e.g., using outlines or other strategies to organize sentences in paragraphs) rather than the curriculum goal that the student will write an essay about the economy of a particular country. Generally, goals should address a student's unique needs across the content areas and should link to the standards, rather than restate the standard, so that a student has the foundation or precursor skills and strategies needed to access and progress in the curriculum.

Short-term objectives and/or benchmarks are required for students who will take the STAAR-Alt. Students who take the STAAR-Alt are typically well below grade level and require scaffolded skills to represent movement toward the standards-based goals. Teachers should identify objectives leading to the larger goals that could be attained at intermittent times during the school year. Evaluative criteria for goal and/or objective attainment should contain the following elements:

- How well the student must perform a behavior in order to consider it met;
- Evaluative procedures to be used (teacher observation, written performance, criterion-referenced tests);
- Over what period of time the student must perform a behavior in order to consider it met; and,
- The date or intervals of time by which evaluation procedures will be used to measure the student's progress toward the objective or benchmark. It is not a date by which the student must demonstrate mastery of the objective.

Random monitoring of IEP files should continue to be conducted periodically to check for both IEP quality and compliance.

Management Response: *Management agrees with the recommendation. By August 2018, the Department will revise the staff development and training plan for teachers, CCCs, ARD Facilitators, and Evaluation staff to reflect specific needs identified through this audit as well as the Department's campus audits.*

Finding 21: IEPs do not include plans for fading the level of adult support in the classroom.

Independence, completing a task or exhibiting a behavior without prompts or cues, is the gold standard of special education. The type of support provided to students to help them succeed in special education is called prompting. The level of support falls on a continuum, with the most invasive and furthest from independence, to the least invasive, or the closest to independence. As the teacher or paraprofessional moves across the support continuum, he or she attends to the level of independence the child has developed and fades out the prompts.

None of the IEP files reviewed included plans to lessen dependence of students on adult support in the classroom. Although it is not unusual for students to require assistance, the goal should always be to develop the greatest amount of independence as possible.

Recommendation 18: Encourage student independence by ensuring that IEPs include a plan to fade the levels of support, when appropriate.

As independence is a primary factor in developing IEPs, articulation meetings need to carefully examine the changes that may occur in the student's program and the supports that may or may not be needed for students to be successful as they move up to a new grade level. Over-supporting students may ultimately limit their independence. IEPs should include plans to move students to greater independence and away from dependence on an adult whenever possible by fading, or slowly withdrawing, direct support.

Management Response: *Management agrees with the recommendation. By August 2018, the Department will enhance the Student-Centered Staffing Guidelines to include procedures to reduce the overreliance of person-specific support during the development of IEPs.*

Extended School Year Services

Extended School Year Services (ESYS) is an Individualized Education Program for children with disabilities that are provided to some students beyond the regular school year. ESYS must be considered and addressed at the student's annual ARD meeting. The need for ESYS must be discussed on an individual basis by the child's ARD committee from formal and/or informal evaluations provided by the assessment team, special education staff and/ or the parents. The documentation must demonstrate that in one or more critical areas addressed in the current IEP goals and objectives, the child has exhibited, or may be expected to exhibit, severe or substantial regression in critical skill area(s) that cannot be recouped within a reasonable period of time. In considering students with disabilities for ESYS, FBISD does not limit ESYS to particular categories of disabilities or unilaterally limit the type, amount, or duration of ESYS. The assessment team and/or special education staff establish a general timeframe for ESYS each year;

however, the ARD Committee determines the ESYS timeframe to meet the individual needs of the student.²⁷

Finding 22: The requirement for consideration of ESYS does not appear to be consistently applied at all schools and some students that need these services may not be receiving them.

The percent of students with disabilities participating in ESYS has increased over the past five years, with the most significant increase (2.2 percentage points) occurring between 2015-16 and 2016-17 (see Table 16).

Table 16. Percent of SPED Students in ESYS, 2012-13 to 2016-17

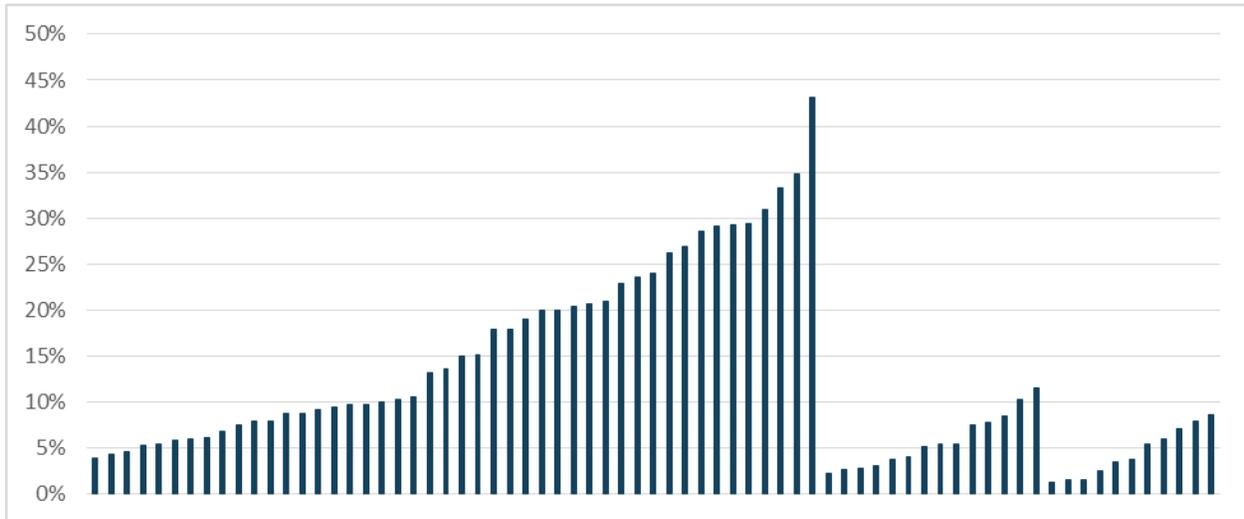
SPED Students	2012-13	2013-14	2014-15	2015-16	2016-17
Total ESYS	417	413	394	398	547
Total Students	4,478	4,530	4,571	4,675	5,101
% ESYS	9.3%	9.1%	8.6%	8.5%	10.7%

Source: FBISD Special Education Department.

The percent of students participating in ESYS varies significantly both across and within school levels. Overall, ESYS participation rates were higher at elementary schools and lower at secondary schools, and there were three schools that did not have any students participating in ESYS in 2016-17: Meadows Elementary, Ferndale Henry Center for Learning, and Fort Bend County Alternative.

At the elementary level, ESYS participation rates ranged from 3.8 percent at Heritage Rose Elementary to 43.1 percent at Settlers Way Elementary in 2016-17. At the middle school level, participation rates ranged from 2.2 percent at Quail Valley Middle to 11.5 percent at James Bowie Middle. At high schools, participation rates ranged from 1.3 percent at Hightower High to 8.6 percent at Dulles High during the same time period.

²⁷ Fort Bend ISD Special Education Department Handbook, 2017-18.

Figure 21. Percent of SPED Students Participating in ESYS, 2016-17

Source: FBISD Special Education Department.

Further, of the 26 IEP files reviewed, only one indicated a need for ESYS. At one particular school visited, only two students in the school had been recommended for ESYS. Information learned during interviews and school visits suggests that some teachers may be reluctant to recommend a student for ESYS due to the additional paperwork that is required.

Recommendation 19: Ensure that ARD committees fully consider eligible students for ESYS and adhere to the process outlined in the Department's Handbook.

Sound data and information collection practices are particularly important for students with severe disabilities since their progress may be measurable only in minute steps. The need for ESYS should focus on what services are necessary in order for the student to be able to maintain skills and continue to make educational progress when the school year resumes. Some sample questions for ARD committees to consider are:

- Has the student had difficulty retaining skills over shorter breaks?
- Does the student have known issues with working memory?
- Does the student need continual reinforcement to keep his skills during the regular school year?
- Does the student have behavior issues that get in the way of learning during the school year? Would this create a problem in the subsequent school year without continued support over the summer?
- Is the student making steady progress toward meeting his IEP goals and will a break in services threaten that progress?
- Is the student just beginning to master a critical skill, such as learning to read?

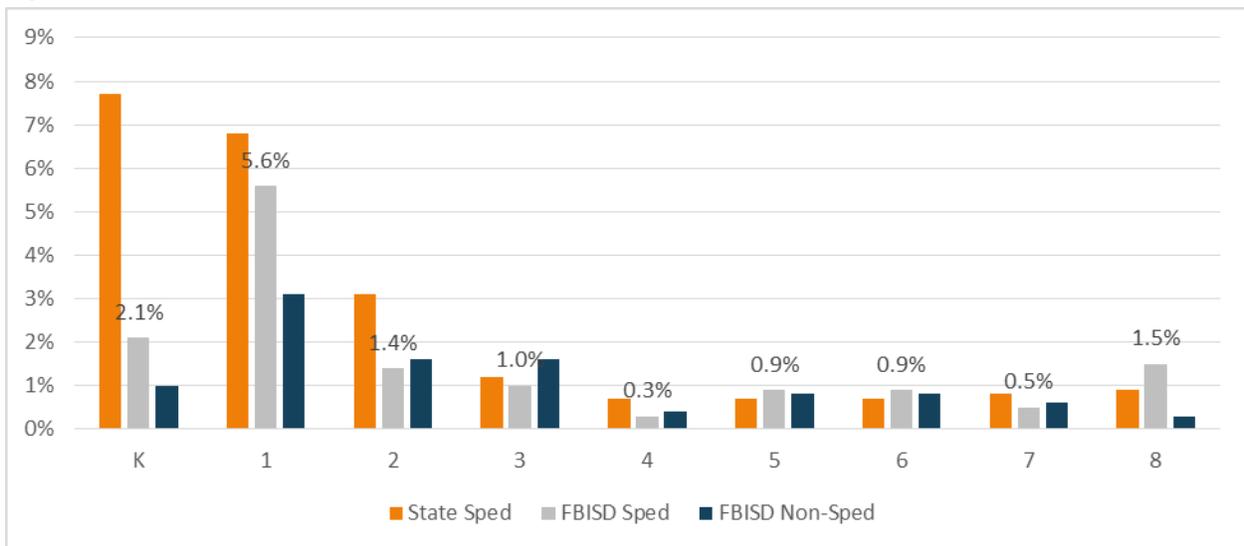
Management Response: Management agrees with the recommendation. During the 2018-2019 school year, training will be provided to CCCs, ARD Facilitators, Evaluation staff and campus administrators regarding ESYS guidelines outlined in the Department’s Handbook.

Student Retention

The term “retention” is commonly used to describe the practice of keeping (retaining) students in the same grade from one year to the next. Retention has become more of a focus recently because some states, including Texas, in accordance with *No Child Left Behind*, have begun to retain students who do not pass mandated state tests. In Texas, the grades affected are Grades 5 and 8. While retention is used by many districts, it is not supported by research as it is ineffective at improving academic progress and often has serious negative effects on students.²⁸

Figure 22 compares FBISD student retention rates for students with disabilities to the state average and to the FBISD non-special education retention rates. The retention rate for students with disabilities in FBISD is highest in Grade 1, mirroring the general education student retention rate, and is below the state average in Grades Kindergarten through 4. Retention rates tend to be higher in lower grade levels, as many students may be retained prior to a referral for special education services. In Grades 5, 6, and 8, the retention rate for students with disabilities exceeds both the state and district averages.

Figure 22. Student Retention Rates, 2016-17



Source: Texas Academic Performance Report, TEA website. *Retention data for Grades 9 – 12 is not included on the TAPR report.

²⁸ NASP. *Grade Retention Achievement and Mental Health Outcomes*. NASP Toolkit. Retrieved online: <http://www.wrightslaw.com/info/fape.grade.retention.nasp.pdf>

Teacher Quality and Professional Development

A key element in the provision of a free, appropriate public education (FAPE) for students with disabilities is the availability of highly qualified teachers and support staff to implement each student's IEP. To improve teacher quality, many districts are focused on hiring better teachers and removing the lowest performing teachers. While these efforts are critical, other strategies to improve teacher effectiveness must also be considered such as assigning, supporting, evaluating, compensating, retaining, and providing appropriate professional development.

Teacher Turnover

One of the greatest drains of district resources is the perennial loss of talented teachers who burn out and leave the profession. This may be more prevalent in special education, where there is a nationwide shortage of highly qualified applicants. Turnover is high, in part, because many special education teachers report working far more hours than their general education counterparts in order to write lesson plans that address a wide range of student abilities, often across multiple subjects. In addition to lesson planning, special education teachers must meet significant reporting and assessment requirements and face strict consequences if they are accused of violating a student's IEP.

Other hard-to-fill positions with high turnover include LSSPs, Interpreters, RDSPD teachers, and paraprofessionals who work with students with autism. Whether the result of poorly conceived support, inappropriate job structures, or difficult students, high turnover causes the percentage of novice or provisional teachers to rise, reducing instruction quality.

To ensure that the best teachers are hired, most program managers are providing input into hiring decisions at the campus level and, in some cases, they are screening candidates and providing a list of top candidates for campus leaders to interview. This practice enables specialists in a particular field to assist campus administrators in selecting the most qualified candidates. This is particularly important for positions that experience high turnover.

Finding 23: Teacher turnover in specialized programs is high.

Schools with a higher economically disadvantaged student population experience high special education teacher turnover, mirroring a district-wide issue. However, ABC, BSS and Autism programs experience the highest teacher turnover rates relative to other programs.

Overall, teacher turnover in FBISD varies across campuses—ranging from 0 percent to 67 percent. Table 17 highlights schools that have experienced special education teacher turnover rates greater than 20 percent over the last five years and their average special education teacher turnover rate for the past five years.

Table 17. FBISD Percentage of Special Education Teacher Turnover Relative to Total Teacher Turnover

Campus	5-Year Average Percentage of Total Teacher Turnover in SPED	# of Consecutive Years with More than 20% of Teacher Turnover in SPED	Title I Campus
Armstrong Elementary	44%	4	Yes
Barrington Place Elementary	47%	5	No
Brazos Bend Elementary	67%	4	No
Jan Schiff Elementary	55%	5	No
James Bowie Middle	17%	4	No
John Foster Dulles High	25%	5	No
L.H. Kempner High	32%	5	No
Willowridge High	27%	4	Yes

Source: FBISD Data Request 7.

Recommendation 20: Implement strategies to address the root causes of high special education teacher turnover in some schools and in specialized programs.

The Special Education Department should work with the Human Resources Department to explore the following human capital management strategies aimed at improving overall teacher quality and retention:

- Survey special education teachers to better understand the key factors driving higher turnover in some schools and classrooms.
- Develop a protocol for hiring special education teachers that includes steps for screening and interviewing applicants to help ensure the most qualified candidates are hired and promote collaboration between campus leaders and program managers to select the very best teachers.
- Provide on-going professional development and coaching support on differentiated instruction, functional behavioral analysis, and behavioral intervention plans to all regular and special education teachers working in inclusive settings.

Management Response: Management agrees with the recommendation. By December 2018, the Department will include action items in the Departmental plan to address high special education teacher turnover at identified campuses and programs. In June 2018, the Board of Trustees approved an increased special education stipend for special education teachers working with students served with ABC and BSS services as one strategy to increase teacher retention within these high need programs.

Professional Development

Research has shown that teaching quality and school leadership are two of the most important factors in raising student achievement. For teachers and school and district leaders to be as effective as possible, they need to continually expand their knowledge and skills to implement the best educational practices. High-quality and job-embedded professional development strengthen educators' performance levels so that they are able to better their performance and raise student achievement.

FBISD uses *True North Logic* (also referred to as E-Learning), a learning management software program that the district uses to manage all professional development activities. The Teacher Development Department within the Division of Teaching and Learning is responsible for analyzing transcripts to ensure alignment with individual learning paths for teachers and other staff members. The Special Education program staff have been encouraged to develop personal learning networks (PLN) using Twitter, LinkedIn, blogs, wikis, Pinterest, and Google+.

Job-embedded professional learning opportunities include:

- ABA Academy – a 2-day course provided by the University of Houston, Clear Lake and Texana specifically for FBISD Special Education teachers.
- Authentic Collaboration Campus Coaching – coaching is provided to all Co-teach partnerships.
- Project Reach Coaching – direct, job-embedded coaching for teachers newly trained in Project Read Phonics, Written Expression, Reading Comprehension and Linguistics.
- SAILS, FLASH, ABC, and CLASS – teachers in these classes visit other teachers and observe exemplar peers.
- Make & Takes – optional after-school sessions.
- Power Hours – optional training based upon program inconsistencies or identified areas of need through Critical Elements walkthrough data.
- ABC, SAILS, CLASS, PPCD and BSS – BCBA's and program specialists provide direct coaching to teachers targeting specific areas of instruction or behavior.
- In addition, the Region 12 Education Service Center provides a wide variety of trainings available to all teachers.

Once hired, special education teachers participate in a pre-service “Boot Camp” training to prepare them for their work. The Department also offers a wide spectrum of professional development opportunities for teachers and paraprofessionals in low-incidence classrooms, such as:

- ABC Communication and Task Creation Training for Teachers and Paras
- Behavior Support Strategies for K-5 SAILS and FLASH Teachers and Para-educators
- Applied Behavior Analysis (ABA)
- BIC Boot Camp
- Low Incidence Academy
- Academics in the BSS Classroom

Finding 24: Attendance at many of the professional development sessions is optional and/or self-selected.

Teachers were required to attend 14 hours of professional learning during the summer 2017. Although this exposes teachers to new learning, the sessions, since most are self-selected, may or may not fit the skill set needs of the individual teacher nor support campus initiatives.

Recommendation 21: Increase attendance at Special Education trainings that meet specified needs.

Some steps that the district can take to more fully engage teachers in low incidence classrooms or hard to staff schools is to participate in professional learning opportunities include the following:

- Identify learning that is required then ensure all applicable staff, both special education and general education, complete the training;
- Some professional learning should have anytime, anywhere access using digital tools in the form of learning modules, twitter chats, micro-credentials, badging, and gamification;
- Incenting professional learning with extrinsic rewards such as technology to foster greater use of digital tools;
- Consider release time for teachers to observe other programs, both internal to FBISD and external;
- Expand job-embedded training and supports; and
- Provide appropriate professional learning opportunities for paraprofessionals in addition to districtwide professional development days.

Management Response: Management agrees with the recommendation. By August 2018, each teacher group will have an established Learning Plan that is specific to the needs of their program. The Department will provide campus principals clear expectation regarding required staff development for special education teachers. In addition, during the 2018-2019 school year, increased professional learning opportunities will be available for all teachers within the Schoology platform.

Chapter 6 – Individualized Education Program Audit Testing

All children with disabilities, regardless of the type or severity of disability, have a right to a free and appropriate public education (FAPE), and must be provided at public expense. An important part of the FAPE requirement is an Individualized Education Program (IEP) for each student. The IEP must articulate the student's unique needs, present levels of performance, measurable goals and objectives, and a description of the special education and related services that will be provided so that the child can meet his or her goals and learning objectives. As described in Public Law 108-144, the legally required components of the IEP include:

- A statement of the child's present levels of academic achievement and functional performance;
- A statement of measurable annual goals and how progress toward meeting the annual goals will be measured;
- Benchmarks or short-term objectives for students with disabilities who take alternate assessments aligned to alternate achievement standards;
- A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child;
- Frequency for reporting the student's progress to parents;
- A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments;
- Opportunities to participate in extracurricular and nonacademic activities;
- Instructional setting and length of student's school day including the extent to which the child will not participate with nondisabled children in the regular classroom;
- Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the Annual Review and Determination (ARD) committee, the IEP must include a statement of transition services needs and must include appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services needed to assist the child in reaching these goals;

- Beginning not later than one year before the child reaches age 18, a statement that the child has been informed of his/her rights and that those rights will transfer to the child on reaching the age of majority;
- Transportation needed to access services; and
- A determination about the need for extended school services needed for the child to make progress in the general education curriculum.

The IEP must be reviewed at least once a year by the ARD team to determine if the child is achieving the annual goals. The ARD team must revise the IEP to address:

- Any lack of expected progress;
- Results of any reevaluation;
- Information provided by the parents; and,
- Anticipated needs.

IEP Audit Objective and Methodology

Objective

The primary objective of the IEP file review was to assess whether or not IEPs (and Behavior Intervention Plans (BIP)) are compliant, of high quality and follow best practice standards. In general, a quality IEP/BIP is in compliance with all requirements of state and federal laws and regulations and provides a clear statement of expected outcomes and the special education services and supports to be provided to the student.

Methodology

The audit team conducted a detailed review of 26 student IEPs, which represents approximately 0.5 percent of special education students.²⁹ In addition, the audit team reviewed 5 to 10 student IEPs at the schools visited and observed those students in a classroom setting. Selection of individual students was random, but specific criteria were used in order to ensure that the sample size was somewhat representative of school level and primary disability types. Information contained within the IEPs was accessed utilizing SuccessEd, a browser-based data management software that tracks services for students with disabilities along with compliance.

²⁹ Students receiving speech-only services were specifically excluded from the IEP audit.

Of the 26 IEPs examined, 13 contained BIPs. After discussion with the Executive Director, it was determined that the number of BIPs examined was sufficient to give a representative sample from which to draw inferences. Table 18 provides a summary of the IEPs audited.

Table 18. Student IEP Audit Sample

No.	Campus	Primary Disability	Instructional Setting
1	Arizona Fleming ES	OHI (Add/ADHD)	SAILS
2	Colony Bend ES	Noncat EC	PPCD
3	Donald Leonetti ES	VI	FLaSH
4	Pecan Grove ES	AI	Resource less than 21%
5	Pecan Grove ES	OHI (CP)	Resource less than 21%
6	Rita Drabek ES	ID	SAILS
7	Settlers Way ES	SLD	Resource less than 21%
8	Billy Baines MS	SLD	Gen ed with support
9	David Crockett MS	Autism	Resource less than 21%
10	David Crockett MS	TBI	SAILS
11	Dulles MS	SLD	Gen ed with support
12	Dulles MS	Autism	Self-contained
13	Missouri City MS	Autism	SAILS
14	Quaile Valley MS	OHI (ADD/ADHD)	Resource less than 21%
15	Sartartia MS	Autism	Inclusion/co-teach
16	Sugar Land MS	OHI (Add/ADHD)	Gen. ed. with support
17	Sugar Land MS	ID	SAILS
18	Bush HS	SLD	Inclusion/co-teach
19	Bush HS	ID	Self-contained more than 60%
20	Dulles HS	OHI (ADHD)	Self-contained more than 60%
21	Dulles HS	ED	Self-contained more than 60%
22	Elkins HS	ID	Resource 21%-50%
23	Elkins HS	SLD	Resource less than 21%
24	Kempner HS	VI	Resource less than 21%
25	Kempner HS	Autism	Resource less than 21%
26	Ridge Point HS	OHI (ADD/ADHD)	Resource less than 21%

Source: Fort Bend ISD, SuccessEd.

Note: *Not homeschooled; **Not in file.

In addition to the federal requirements outlined previously, the following rubric was used to further evaluate the quality each IEP:

1. Annual revision timelines were met
2. The Present Levels of Academic Achievement and Functional Performance (PLAAFP) includes the impact of the disability and statements of academic strengths, needs/weaknesses, and functional abilities and needs
3. Justification for Least Restrictive Environment (LRE)
4. Quantifiable and measurable goals aligned with grade level standards
5. Appropriate levels of support and accommodations
6. Inclusion of a Behavior Intervention Plan, if appropriate
7. Consideration of need for assistive technology
8. Consideration of need for extended school year services (ESYS)
9. Provision of related services, if appropriate
10. Determination for participation in state and district assessments
11. Measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living

IEP Audit Results

In large part, all of the IEPs address the federal requirements; however, there are some observations related to the overall quality of the IEPs. The observations from the IEP audit are used to support more specific findings and recommendations discussed in other sections of this report.

The results of the IEP file audit are outlined below.

1. Annual Revision Timeline

All of the files reviewed appeared to have met the annual revision timeline requirement of one year. In most cases, both a brief ARD meetings and a full annual ARD were held within a year's time.

2. Present Levels of Academic Achievement and Functional Performance (PLAAFP)

PLAAFPs were comprehensive and inclusive of information provided by parents. Many contained assessment scores such as Renaissance 360 or iReady scores to indicate academic progress.

3. LRE Justification

IEPs reflected a strong emphasis on providing access to the general education curriculum. Although 11 students' LRE was self-contained, almost all of these students were included in general education elective courses with support. Five students' LRE was 100 percent general education and 10 had both resource room and general education classes. The SuccessEd form listed all LRE options and allowed for the results of consideration of each option to be entered.

4. Quantifiable and Measurable Goals Aligned with Grade Level Standards

Goals were sufficiently aligned with identified essential grade level standards in all files; however, two files had goals that did not appropriately reconfigure the grade level standards to match the students' level of academic functioning.

Some inconsistencies that were found included:

- In one file the goals remained identical for three consecutive years with no changes noted to ensure progress toward the goals was made.
- Two files had incomplete behavior objectives.
- One file had only one goal for reading.
- One file indicated that the student should receive accommodations in all subjects yet only one goal for English was in the IEP and none for any other subject.

In two files, the goals were not appropriate for the level of functioning of the student.

5. Appropriate Levels of Support and Accommodations

Eight students whose files were reviewed received full day personal care support services. All others received varied amounts of direct and indirect support. In all but one file, accommodations were very specific and included multiple options.

6. Inclusion of Behavior Intervention Plan, if Appropriate

Thirteen files audited contained BIPs. Nine of the 13 files had goals that were non-specific, vague, or immeasurable. Three student files had goals that were unchanged for two years and four students had goals that were unchanged for three years. One student's PLAAFP listed inappropriate behaviors consistently for two years, yet no BIP had been developed.

Another file had a list of inappropriate behaviors in the PLAAFP for two consecutive years and referenced the student receiving three disciplinary referrals for tardies, safety rule violations, and dress code violations; however, the following statement was also in the IEP, *“No significant behavior concerns have been reported by teachers.”* Again, the student did not have a BIP for either school year.

7. Consideration of Need for Assistive Technology

Nine of the files reviewed provided for some type of assistive technology to be provided. Low technology options were listed for five students, medium technology for one student, and high technology for three students. One file stated that the student *“can communicate effectively without use of aids or devices”* but the Functional Behavior Assessment (FBA) for that same student stated that the student *“is not able to communicate effectively”*.

8. Consideration of Need for Extended School Year Services

Of the 26 files reviewed, only one indicated a need for ESYS. Absent from most justifications for not providing ESYS was mention of critical skills and/or regression. The reasons given for not providing ESYS are not compliant with federal law or the district policies.

9. Provision of Related Services, if Appropriate

Related services provided in the IEPs reviewed included speech-language, audiology, occupational therapy, physical therapy, orientation and mobility, nursing, counseling, social skills training, LSSP, and transportation.

10. Determination for Participation in State and District Assessments

Sixteen of the student files reviewed reflected students would take STAAR, nine showed STAAR-Alt, and one student who was in Grade 12 was exempt.

11. Transition Plans

Transition plans were included for all of the nine eligible students. Plans were generally well-written, comprehensive, and included the following components:

- Graduation plan
- Vocational assessment
- Postsecondary educational options and goals
- Employment goals and objectives
- Availability of age-appropriate instructional environments for students 18 years of age or older

- Independent living goals and objectives
- Reference to appropriate governmental agencies for services
- Transition services needed to reach goals

State Performance Plan (SPP) Indicator 13 monitors the percentage of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated based upon age appropriate transition assessments, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs. FBISD is in compliance with SPP Indicator 13. The IEP files reviewed for purposes of this audit were exemplary in covering transition requirements.

Appendix A – Site Visit Participants

Interviews

The audit team conducted interviews with the following Fort Bend ISD staff:

- Diana Sayavedra, Chief Academic Officer
- Dr. Deena Hill, Executive Director of Special Education and Learning Support Services
- Sheralea Maston, Director of Special Education
- Nicole Roberts and Christina Ritter, Assistant Director of Elementary and Secondary Education
- Alexis Greer, Program Manager of Autism Support Services
- Dominion Southall and Ashley Ashna, Program Managers of Behavior Support Services (BSS)
- Caroline Faison, Program Manager of Elementary SAILS/FLaSH Transition Services
- Dena Thompson and Jennifer Prigg, RDSPD Coordinator and Facilitator
- Sheri Butters, Assistive Technology Program Specialist
- Mildred Williams, Program Specialists of Behavior Support Services
- Renee Gore, Special Education and Rehab Services (SERS) Instructional Liaison
- Tanya Aggison, Program Manager of PPCD
- Angela Singletary, Program Manager of Specialized Nursing Services
- Michael Ewing, Director of Learning Support Services
- Kim Hrcirik, Program Manager of Elementary Resource/Inclusive Services
- Darin Quintero, Program Manager of 18+ Program/Project Search
- Nicole Singleton, Program Manager of Itinerant Instructional Services
- Jennifer Byrne, Program Manager of Evaluation and Related Services
- Stephanie Burns and Ashley James, Program Manager of Program Improvement and Compliance Program Specialist

Focus Groups

The audit team conducted the following group interviews; participants were randomly selected by the Gibson audit team.

- Program Specialists of Elementary and Secondary Resource/Inclusive Services
- Program Specialists of Elementary and Secondary SAILS/FLaSH Transition Services
- Board Certified Behavior Analyst (BCBAs) and Behavioral Aides

- Vision (VI) Teachers, Orientation and Mobility (O&M) Teachers, Adaptive PE Teachers, and Homebound (HB) Teachers
- Occupational Therapists (OT), Physical Therapists (PT) and Motor Therapists (MT)
- Speech Language Pathologists (SLPs)
- Autism Support Services Program Specialists
- Diagnosticians and Licensed Specialists in School Psychology (LSSPs)
- Elementary School Principals
- Secondary School Principals
- Special Education Teachers
- Special Education Educational Aides
- Elementary General Education Teachers
- Secondary General Education Teachers
- Elementary Co-Teacher Pairs
- Secondary Co-Teacher Pairs
- Campus Compliance Coordinators
- ARD Facilitators

School Visits

The audit team visited ten schools and observed three to five classrooms at each campus. Schools visited were selected based on school level, special education programs, student demographics, and geographic location.

- Goodman Elementary School
- Pecan Grove Elementary School
- Ridgemont Elementary School
- Settlers Way Elementary School
- Dulles Middle School
- Lake Olympia Middle School
- McAuliffe Middle School
- George Bush High School
- Ridge Point High School
- William B Travis High School