



TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

**Information
Only**

2008-09
062904

**Robert Scott
Commissioner**

May 29, 2009

Mrs. Deborah Kneese, Superintendent
Yorktown ISD
P O Box 487
Yorktown, Texas 78164-0487

Subject: 2009 Local Educational Agency (LEA) Determination

Dear Mrs. Kneese:

In accordance with Section 616(a)(1)(C)(i) of the Individuals with Disabilities Education Act (IDEA) of 2004, and 34 Code of Federal Regulations (CFR) §300.600(a), of the implementing federal regulations, the United States Department of Education (USDE) requires states to make "Determinations" under Section 616(d) on the performance of LEAs' programs for students with disabilities. Essentially, Determinations are a way of designating the status of each LEA in relation to one of four categories: (1) Meets the Requirements, (2) Needs Assistance, (3) Needs Intervention, and (4) Needs Substantial Intervention. As implied, these categories represent various intensities of required technical assistance and/or intervention. USDE requires each state to make a determination using these categories for every LEA within the state on an annual basis.

In making these Determinations, states are required to consider the following federally required elements:

1. Performance on State Performance Plan (SPP) compliance indicators
2. Submission of valid, reliable, and timely data
3. Uncorrected noncompliance from other sources (complaints resolution, due process, and monitoring)
4. Any financial audit findings

States may choose to include additional elements in making determinations. The Texas Education Agency (TEA) has incorporated for the first time this year the following state defined element:

5. Performance-Based Monitoring (PBM) Stage of Intervention for the special education program area

Attached you will find the 2009 LEA Determination Report for your district. LEAs with a determination status of Needs Intervention or Needs Substantial Intervention may appeal their determination. Additional information about the LEA Determination process, including the appeals process, can be found on the TEA website at: <http://www.tea.state.tx.us/special.ed/spp/leadetermin.html>.

The TEA will send information to districts concerning any additional required actions related to a determination level of "Needs Assistance" or lower. The LEA Determination Process is not subject to public reporting by TEA; however, LEAs are strongly encouraged to share this information with their community; such as, the district's website or public notice in a local newspaper.

If you have any questions concerning the LEA Determination Process, please contact the TEA Division of IDEA Coordination at (512) 463-9414.

Sincerely,

Anita Givens
Associate Commissioner for Standards and Programs

cc: Special Education Director
ESC Executive Director
ESC Special Education Contact

Enclosure: 2009 LEA Determination Profile

If your mailing address appears incorrect,
please contact your district's AskTED
Coordinator to update your information.

2009 Local Educational Agency (LEA) Determination Profile

In accordance with Section 616(a)(1)(C)(i) of the Individuals with Disabilities Education Act of 2004, and 34 Code of Federal Regulations (CFR) §300.600(a), of the implementing federal regulations, the United States Department of Education (USDE) requires states to make "Determinations" under Section 616(d) on the performance of LEAs' programs for students with disabilities. Essentially, Determinations are a way of designating the status of each LEA in relation to one of four categories: (1) Meets the Requirements, (2) Needs Assistance, (3) Needs Intervention, and (4) Needs Substantial Intervention.

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Region County-District District Name

2009 LEA Determination Status Needs Assistance

The following areas were reviewed in making the local educational agency's determination status:

Determinations Element	Description	Rating Points	LEA Rating
1. State Performance Plan (SPP) Compliance Indicators	Performance on SPP Compliance Indicators 9, 10, 11, 12, and 13: <ul style="list-style-type: none"> • 5 indicators in compliance • 1 or more indicators out of compliance 	0 points 1 point	1
2. Valid, Reliable, and Timely Data	Person Identification Database (PID) Error Rate Standard for the fall and summer collection <ul style="list-style-type: none"> • Both collections meet the PID Error Rate standard • Both collections exceeded the PID Error Rate standard 	0 points 1 point	0
3. Status of Uncorrected Noncompliance	Timely correction of identified noncompliance (e.g. identified in a given school year and corrected no later than one year after identification) <ul style="list-style-type: none"> • No uncorrected noncompliance • Uncorrected noncompliance 	0 Points 1 Point	0
4. Financial Audits	School FIRST status rating for two consecutive years <ul style="list-style-type: none"> • Superior, Above Standard, or Standard Achievement • Substandard Achievement 	0 Points 1 Point	0
5. Program Effectiveness	Overall Program Effectiveness in Performance-Based Monitoring System (PBM) <ul style="list-style-type: none"> • Not Staged • Stage 1A or 1B • Stage 2 • Stage 3 • Stage 4 	0 points 1 point 2 points 3 points 4 points	0
		Total	1

Determination Level	Total Rating Points
Meets the Requirements	0 Points
Needs Assistance	1-2 Points
Needs Intervention	3 Points
Needs Substantial Intervention	4 or more Points

*For more information about LEA Determinations, visit:
<http://www.tea.state.tx.us/special.ed/spp/leadetermin.html>*