Keeping Tabs on TEA
The History of the Texas Education Agency (TEA) Illegal 8.5% Cap on Special Education Enrollment & the Corrective Action Plan to Make it Right

Disability Rights Texas (DRTx) notices steady annual downward trend in number of children receiving special education services in Texas.

2013

- DRTx discovers TEA performance requirement: School districts must maintain 8.5% or less enrollment in special education.

2014-16

- DRTx attempts to eliminate the illegal 8.5% cap:
  - Submits formal public comments at hearings alerting TEA to our concerns.
  - Files complaint with TEA.
  - Provides legal representation & advocacy services to hundreds of families struggling to get testing or services.
  - Forms coalition of advocacy groups to speak up against the cap.

2017

- Houston Chronicle publishes series of investigative stories exposing TEA based on tip from DRTx.
- About 250,000 kids kept out of special education services.
- National media attention to the issue.
- U.S. Department of Education takes notice & receives comments from thousands of parents, teachers, administrators & others through listening sessions & website forum.

2018

- U.S. Department of Ed finds Texas in violation of federal special education law (IDEA).
- TEA required to create a 5-year corrective action plan with public input.
- Implementation of the action plan dependent on adequate state funding.

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The TEA Corrective Action Plan

Disability Rights Texas & other concerned organizations will continue to closely monitor special education enrollment numbers & hold TEA accountable to implementing the corrective action plan. Visit tea.texas.gov/TexasSPED to review the detailed plan & get progress updates.

1. Evaluations & Services
   Schools must give all students with disabilities evaluations & special education

2. Guidance & Training
   TEA must send schools guidelines & train educators on special education

3. Information & Resources
   TEA must prepare clear & helpful explanations of special education

4. Monitoring & Enforcement
   TEA must check that schools are providing special education

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